

No. 19-_____

SUPREME COURT OF THE UNITED STATES

RAYNARD GRAY,
Petitioner,
v.
UNITED STATES OF AMERICA,
Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals
for the Fifth Circuit

**Application for Extension of Time to
Petition for a Writ of Certiorari**

Leif A. Olson
Counsel of record
THE OLSON FIRM PLLC
6412 Brandon Ave., No. 717
Springfield, Virginia 22150
LAO@olsonfirm.net
(281) 849-8382

TO THE HONORABLE SAMUEL ALITO, CIRCUIT JUSTICE:

Petitioner Raynard Gray applies for a 60-day extension of time to petition the Court for a writ of certiorari to review the judgment of the Court of Appeals for the Fifth Circuit.

A. Jurisdiction.

The district court had jurisdiction because Gray was indicted for the federal crime of bank robbery. 18 U.S.C. § 3231 (jurisdiction); 18 U.S.C. § 2113(a) (crime). The court of appeals had jurisdiction over the appeal from the district court's final judgment. 28 U.S.C. §§ 41, 1291, 1294(1). The court of appeals rendered its judgment on August 30, 2019. The Court has jurisdiction to review that judgment if Gray petitions, or obtains an extension to petition, for certiorari by November 28, 2019. 28 U.S.C. § 1254, 2101(c). (Because that date is Thanksgiving, the due date is December 3, 2019, if the Court considers Rule 30.1 to interpret the ambiguous deadline of "90 days" in Section 2101(c).)

B. Judgment sought to be reviewed.

Gray seeks review of the judgment of the Court of Appeals for the Fifth Circuit. That court's opinion is attached to this application.

C. Reasons to grant the extension.

There is good cause to grant this extension. Gray's appellate counsel, appointed under the Criminal Justice Act, has accepted a position with the Federal government and is ethically prohibited from continuing to represent him. An extension will give replacement counsel sufficient time to file a petition for certiorari that properly presents to the Court the reasons to grant review on at least one of the certiorari-worthy issues that the Fifth Circuit's opinion raises.

Dated November 12, 2019.

Respectfully submitted,

Leif A. Olson

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