
In The
SUPREME COURT OF THE UNITED STATES
October Term 2019

Dominic Lindsey,
Applicant/Petitioner,

v.

United States,
Respondent.

Application for an Extension of Time Within
Which to File a Petition for a Writ of Certiorari to the
United States Court of Appeals for the Fifth Circuit

APPLICATION TO THE HONORABLE JUSTICE
SAMUEL ALITO AS CIRCUIT JUSTICE

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December 6, 2019

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APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Dominic Lindsey hereby requests a 30-day extension of time within which to file a petition for a writ of certiorari to Thursday, January 16, 2020.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is *United States v. Lindsey*, No. 18-10604 (5th Cir. Aug. 9, 2019) (attached as Exhibit 1). The Fifth Circuit denied Applicant's petition for panel rehearing and rehearing en banc on September 18, 2019 (attached as Exhibit 2).

JURISDICTION

This Court will have jurisdiction over any timely filed petition for certiorari in this case under 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari is due to be filed on or before December 17, 2019. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

REASONS JUSTIFYING AN EXTENSION OF TIME

Applicant respectfully requests a 30-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the Fifth Circuit in this case, up to and including January 16, 2020.

1. Applicant has requested that the Northwestern University School of Law Supreme Court Practicum assist in the preparation of his petition. An extension of time will permit the students the time necessary to complete a cogent and well-

researched petition after the beginning of the academic calendar for spring 2020. A 30-day extension would provide the Northwestern Practicum students sufficient time for research and drafting efforts per Applicant's request.

2. The extension of time is also necessary because of the press of other client business. For example, in the coming months, the Northwestern Practicum has several overlapping commitments representing other clients in this Court, including petitions for writs of certiorari in *Beers v. Barr*, No. 19A582, due January 9, 2020; and *Schmitt v. LaRose*, No. 19A518, due February 3, 2020. The Northwestern Practicum also has reply briefs in support of petitions for writ of certiorari in *Richards v. Donovan*, No. 19-55, due February 5, 2019; *Faircloth v. United States*, No. 19-6249, due December 30, 2019; *Vereen v. United States*, No. 19-6405, due December 12, 2019; *Ackies v. United States*, No. 19-6602, due December 30, and a reply brief on the merits in *Shular v. United States*, No. 18-6662, due December 20, 2019.

3. Applicant's local counsel, Mr. Kevin Joel Page, also has an overlapping commitment in this Court, *Davis v. United States*, No. 19-5421, in which the reply brief in support of a petition for certiorari is due on December 23, 2019.

Mr. Page also has numerous other overlapping appeals and/or post-conviction actions in the Fifth Circuit, with the following deadlines this month: initial briefs in *United States v. Merritt*, No. 19-10985, due December 16, 2019 and *United States v. Napper*, No-18-10442, due December 23, 2019; a response brief in *United States v. Garrett*, No. 17-10516, due December 23, 2019; and a supplemental brief in *United*

States v. Contreras, No. 18-10345, due December 23, 2019. Mr. Page also has a reply in support of a motion to vacate in the United States District Court for the Northern District of Texas in *Pearson v. United States*, No. 3:18-CV-1677-K, due December 20, 2019.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests that this Court grant an extension of 30 days, up to and including January 16, 2020, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,



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