

No. _____

IN THE
Supreme Court of the United States

ASHFORD JAMES SIMMONS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**APPLICATION FOR EXTENSION OF TIME WITHIN
WHICH TO FILE A PETITION FOR WRIT OF CERTIORARI
FROM JUDGMENT OF THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

TO THE HONORABLE JOHN G. ROBERTS, JR., CHIEF JUSTICE OF
THE UNITED STATES SUPREME COURT and
CIRCUIT JUSTICE FOR THE FOURTH CIRCUIT

Pursuant to Supreme Court Rules 13.5, 22, and 30.3, Ashford James Simmons, Petitioner above-named, respectfully requests a sixty (60) day extension of time, up to and including May 8, 2020, within which to file a petition for writ of certiorari from the judgment of the United States Court of Appeals for the Fourth Circuit. Mr. Simmons has not previously sought an extension of time from this Court.

Petitioner is filing this Application at least ten days before the filing deadline, which is March 9, 2020. *See* S. Ct. R. 13.5. The jurisdiction of this Court will be

invoked pursuant to 28 U.S.C. § 1254(1).

Mr. Simmons was convicted in the District of South Carolina of conspiracy to traffic a minor in prostitution, a violation of 18 U.S.C. § 1594(c) (Count 1) and felon in possession of a firearm and ammunition, a violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2), and 924(e) (Count 4). Mr. Simmons appealed, and the Fourth Circuit Court of Appeals affirmed Mr. Simmons's conviction and sentence on December 9, 2019.

A copy of the Court of Appeals' Opinion is attached as Appendix A hereto.

Undersigned counsel seeks this extension for several reasons. Counsel seeks an extension because the issues presented in Simmons' petition will be substantially similar to a petition currently before this Court, *United States v. Furlow*, 19-7007. On January 8, 2020, Furlow's petition was distributed for conference on January 24, 2020, and on January 24, a response was requested from the Solicitor General. That response is currently due February 18, 2020. Out of an abundance of caution and to preserve the resources of this Court, Simmons believes it prudent to request a sixty (60) day extension due to the likelihood of the Solicitor General seeking and receiving at least one extension of time in which to file the response.

Accordingly, additional time is necessary for the careful preparation of Mr. Simmons' petition for writ of certiorari. Moreover, no party will be prejudiced by the granting of a sixty (60) day extension.

As the time within which to file a petition for writ of certiorari in this case will expire March 9, 2020, unless extended, Petitioner respectfully requests an extension of time in which to file a petition for writ of certiorari up to and including May 8, 2020.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'EDH', with a long horizontal flourish extending to the right.

s/Emily Deck Harrill

ASS'T FEDERAL PUBLIC DEFENDER

1901 Assembly Street

Suite 200

Columbia, South Carolina 29201

803.765.5079

Emily_Harrill@fd.org

Counsel for Petitioner

February 12, 2020