

NO. _____

IN THE
SUPREME COURT OF THE UNITED STATES

KATHERINE O'NEAL,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

**APPLICATION FOR EXTENSION OF TIME TO FILE PETITION
FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT
OF APPEALS FOR THE TENTH CIRCUIT**

VIRGINIA L. GRADY
Federal Public Defender

HOWARD A. PINCUS
Assistant Federal Public Defender
Counsel of Record for Petitioner
633 17th Street, Suite 1000
Denver, Colorado 80202
(303) 294-7002

To the Honorable Sonia Sotomayor, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Tenth Circuit:

Petitioner Katherine O'Neal prays for a 60-day extension of time, to and including Monday, May 4, 2020, in which to file her petition for writ of certiorari. In support of this request, counsel states as follows:

1. On December 5, 2019, the United States Court of Appeals for the Tenth Circuit affirmed the judgment of the district court in this case. A copy of that opinion is an attachment to this application.

2. Ms. O'Neal has ninety days from December 5 to petition for a writ of certiorari. Sup. Ct. R. 13.3. Ninety days from December 5, 2019 is March 4, 2020. This application is being filed at least ten days before March 4.

3. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

4. Over the last several weeks, I have argued United States v. Young, No. 18-6221 (10th Cir.), before the Tenth Circuit, and filed the reply to the brief in opposition in Bowline v. United States, No. 19-5563 (U.S.), and the opening brief in United States v. Cade, No. 19-3220 (10th Cir.), and

I am now preparing a reply brief for filing in the Tenth Circuit by this coming Monday. I therefore believe an extension of time will be needed adequately to prepare Ms. O'Neal's petition for writ of certiorari.

5. The requested extension is for sixty days. Because sixty days from March 4 is Sunday, May 3, the requested extension is until the following business day of Monday, May 4, 2020. Sup. Ct. R. 30.1. During the requested extension period, I am responsible for filing the opening briefs in United States v. Trujillo, No. 19-1351 (10th Cir.), United States v. Foust, No. 11-6161 (10th Cir.), and United States v. Martinez, No. 19-1389 (10th Cir.), and I also expect I will be responsible for filing the opening brief in United States v. Wood, No. 19-1477 (10th Cir.), as the record in that case is due in the Tenth Circuit by March 10.

WHEREFORE Katherine O'Neal respectfully requests that an order be entered extending her time in which to petition for certiorari by sixty days, to and including Monday, May 4, 2020.

Respectfully submitted,

VIRGINIA L. GRADY
Federal Public Defender

/s/ Howard A. Pincus
HOWARD A. PINCUS
Assistant Federal Public Defender
Counsel of Record for Petitioner
633 Seventeenth St., Suite 1000
Denver, Colorado 80202
(303) 294-7002