

Case No. 20-

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**In The**  
**SUPREME COURT OF THE UNITED STATES**

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**Gabriel A. Tresco,**  
*Applicant/Petitioner,*

**v.**

**The People of the**  
**State of Colorado,**  
*Respondent.*

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**Application for an Extension of Time Within Which to File**  
**a Petition for a Writ of Certiorari to the**  
**Colorado Court of Appeals**

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**APPLICATION TO THE HONORABLE JUSTICE**  
**SONIA SOTOMAYOR AS CIRCUIT JUSTICE**

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March 9, 2020

**Attorney for Applicant/Petitioner**

## **APPLICATION FOR AN EXTENSION OF TIME**

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Gabriel Tresco hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari up to and including Monday, May 21, 2020.

### **JUDGMENT FOR WHICH REVIEW IS SOUGHT**

The judgment for which review is sought is the published opinion of the Colorado Court of Appeals in *People v. Tresco*, 2019 COA 61. (Attached as Exhibit 1). On December 23, 2019, the Colorado Supreme Court denied Mr. Tresco's petition for writ of certiorari. (Attached as Exhibit 2).

### **JURISDICTION**

This Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 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 March 22, 2020. In accordance with Rule 13.5, this application is being filed 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 60-day extension of time (until May 21, 2020) within which to file a petition for a writ of certiorari seeking review of the decision of the Colorado Court of Appeals in this case.

1. The extension of time is necessary because of the press of other client business. Since denial of the petition for writ of certiorari by the Colorado Supreme Court on December 23, 2019, the undersigned counsel has, among other things, been responsible for drafting a motion regarding Plaintiffs' request for sanctions in *5411 Leetsdale LLC et al. v. Axelrad et al.* (Denver District Court) (filed January 3, 2020); drafting a motion for rehearing (filed on January 2, 2020), a petition for writ of certiorari (filed January 30, 2020), and a reply in support of the petition for writ of certiorari (filed February 20, 2020) in *People In Interest of A.S.* (Colorado

Court of Appeals and Supreme Court); drafting a reply brief in *Ralston v. Cannon* (10th Cir. – filed January 7, 2020); drafting a petition for rehearing (filed January 14, 2020) and a petition for writ of certiorari (filed February 24, 2020) in *Adoption of K.R.M.* (Colorado Court of Appeals and Supreme Court); drafting a petition for writ of certiorari in *J.H. v. E.R.S.* (SCOTUS – filed February 6, 2020 – resubmitted March 3, 2020); drafting a reply in support of petition for writ of certiorari in *United States v. Carter* (SCOTUS, filed March 6, 2020); and drafting responses to government’s motions to enforce plea waiver in *United States v. Scott* (two related cases) (10th Cir. – filed March 9, 2020).

2. In the next few weeks, the undersigned counsel, among other things, is responsible for preparing for oral arguments in *United States v. Channon* (10th Cir. – scheduled on March 12, 2030); and drafting a reply brief in support of the petition for writ of certiorari in *Adoption of K.R.M.* (COA – due March 16, 2020) and two opening briefs in *United States v. Smith* (10th Cir. – due April 13, 2020) and *5411 Leetsdale LLC et al. v. Axlerad et al.* (COA – due on May 5, 2020).

3. In addition, the undersigned counsel will be out of state on two prepaid trips scheduled for March 19-29, 2020 and April 23-26, 2020.

4. A 60-day extension for the Applicant would allow the undersigned counsel the time necessary to effectively contribute to all open matters including Applicant’s petition as well as her other clients.

## **CONCLUSION**

For the foregoing reasons, Applicant respectfully requests that this Court grant an extension of 60 days, up to and including May 21, 2020, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,

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