

No. \_\_\_\_

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IN THE SUPREME COURT OF THE UNITED STATES

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AFRIES MAHAM,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

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To the Honorable John G. Roberts, Jr., Chief Justice of the United States and  
Circuit Justice for the Fourth Circuit:

Under 28 U.S.C. § 2101(c) and Rules 13.5, 22, and 30 of this Court, petitioner  
Afries Maham respectfully requests a 60-day extension of time, up to and including  
December 6, 2019, in which to file a petition for a writ of certiorari in this Court. The  
Fourth Circuit entered final judgment against Mr. Maham on May 23, 2019. It denied  
a timely filed petition for rehearing and rehearing en banc on July 8, 2019. His time to  
file a petition for a writ of certiorari in this Court expires on October 7, 2019. Mr.  
Maham is filing this application more than 10 days before that date. A copy of the

Fourth Circuit's unpublished opinion in this case is attached to this application as Exhibit 1. A copy of the order denying rehearing and rehearing en banc is attached as Exhibit 2. This Court has jurisdiction under 28 U.S.C. § 1254(1).

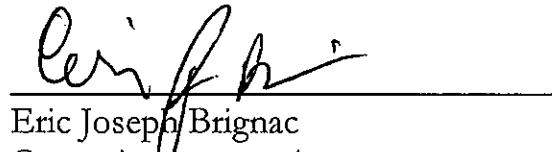
Undersigned counsel has obligations that will make it difficult for him to draft the petition on time:

1. On September 30, 2019, the opening brief and joint appendix are due in the Fourth Circuit in *United States v. Whitley*, No. 19-7164.
2. On October 3-4, 2019, undersigned counsel will be attending and presenting at a CLE presented by his office in Beaufort, NC.
3. On October 7, 2019, the reply brief is due in the Fourth Circuit in *United States v. Spivey*, No. 18-4099.
4. On October 17, 2019, the opening brief and joint appendix are due in the Fourth Circuit case of *United States v. Irons*, No. 19-4210
5. Further, undersigned counsel has been the attorney coordinating his office's response to defendants' motions for retroactive resentencing under Section 404 of the First Step Act. Pub. L. No. 115-391. This coordination involves reviewing the records of approximately 700 individuals sentenced in the Eastern District of North Carolina, making evaluations for eligibility, filing motions for resentencing in appropriate cases, and litigating those motions in the district court. This project has been more time consuming than counsel had anticipated.

Thus, Mr. Maham respectfully requests that an order be entered extending the time to petition for certiorari up to and including December 6, 2019.

Respectfully submitted today, September 26, 2019,

G. Alan DuBois  
FEDERAL PUBLIC DEFENDER



Eric Joseph Brignac

CHIEF APPELLATE ATTORNEY

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September 26, 2019