

No. \_\_\_\_\_

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IN THE  
**Supreme Court of the United States**

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TAMRA L. LAMPRELL

*Petitioner,*

v.

REX E. STUCKEY,

*Respondent.*

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**On Petition for Writ of Certiorari to  
the Supreme Court of the State of New Mexico**

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**APPLICATION OF TAMRA LAMPRELL FOR EXTENSION OF  
TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI**

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

1. Pursuant to Supreme Court Rules 13.5, 22, and 30, and 28 U.S.C. § 2101(c), Applicant Tamra Lamprell respectfully requests a 60-day extension of time, to and including Friday, October 4, 2019, to file a petition for a writ of certiorari to seek review of the decision below.

2. The Supreme Court of New Mexico entered an order denying Ms. Lamprell's petition for a writ of certiorari on April 9, 2019. *Stuckey v. Lamprell*, No. S-1-SC-37579 (Appendix A). It then denied Ms. Lamprell's motion for rehearing on May 6, 2019. *Stuckey v. Lamprell*, No. S-1-SC-37579 (Appendix B). Pursuant to Supreme Court Rule 13.3, the time to file a petition for certiorari runs from the date of the denial of rehearing. Currently, the time to file a petition for certiorari will expire on August 5, 2019. This Application is being filed over ten days before the petition is due. *See* Sup. Ct. R. 13.5. The jurisdiction of the Court in this case will be invoked under 28 U.S.C. § 1257(a).

3. This case presents an important issue of federal due process: what procedural safeguards are constitutionally required when a court orders an emergency transfer of child custody based on *ex parte* submissions. The New Mexico district court in this case ordered immediate transfer of Ms. Lamprell's child to Respondent's custody without any prior notice or hearing. Ms. Lamprell did not obtain discovery of the materials that formed the basis of the court's decision until almost a full year later. A hearing on the basis for the emergency transfer was not

held until thirteen months after the initial transfer order. The New Mexico Court of Appeals held that there was no violation of Ms. Lamprell's federal constitutional right to due process of law. *Stuckey v. Lamprell*, No. A-1-CA-35538 (Dec. 18, 2018) (Appendix C); *see also Stuckey v. Lamprell*, No. A-1-CA-35538 (N.M. Ct. App. Feb. 11, 2019) (Appendix D) (denying rehearing).

4. Applicant has good cause for an extension of time. Because Ms. Lamprell and her previous counsel, a local practitioner in New Mexico, are not experts in this Court's certiorari practices, on July 2, 2019, Ms. Lamprell engaged the law firm of Jones Day in Washington, D.C., to prepare her petition for certiorari. Given its experience, Jones Day is better able to prepare a petition that will assist this Court in evaluating the case. The record in this case is voluminous and procedurally complicated. The quality of the petition would greatly benefit from an extension of time to allow Jones Day to become familiar with the background of the case and complete the requisite research and writing.

WHEREFORE, Applicant respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari for 60 days, to and including October 4, 2019.

Dated: July 9, 2019

Respectfully submitted,

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