

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

MATTHEW J. ROUSE, *Petitioner*,

v.

UNITED STATES OF AMERICA, *Respondent*.

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

To the Honorable Neil M. Gorsuch, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Eighth Circuit:

Petitioner Matthew J. Rouse prays for a 30-day extension of time to file his Petition for Writ of Certiorari in this Court.

The Eighth Circuit's decision affirming Rouse's conviction was entered on September 3, 2019. Petitioner's time to petition for certiorari in this Court expires December 2, 2019. This application is being filed more than 10 days prior to that date.

A copy of the Eighth Circuit Court of Appeal's Judgment is attached hereto. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

This case examines whether a defendant who records his consensual sexual conduct with a willing participant who has reached the legal age of consent and then shares that recording solely with the other participant can be prosecuted for distribution of child pornography, or whether this conduct is instead protected by the First and Fourteenth Amendment to the United States Constitution. The issue is one of first impression in this Court.

Counsel has already begun preparing the Petition for Writ of Certiorari, but the deadline for filing it corresponds with several other brief deadlines Counsel is facing in the United States Court of Appeals for the Eighth Circuit. Counsel also has a trial scheduled for December 9, 2019, and preparation for this trial has hindered Counsel's ability to complete the research necessary to prepare a thorough Petition. Counsel has given priority to the Petition as the deadline nears but may not be able to complete it within the time currently allowed.

Wherefore Petitioner respectfully requests that an Order be entered extending the time to file his Petition for Writ of Certiorari by thirty days.

Respectfully submitted,

/s David R. Stickman
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