

No. A_____

IN THE
SUPREME COURT OF THE UNITED STATES

RICHARD REYNOLDS, JOHN VIVO, DWIGHT G. PINK, ANDRES R. SOSA,
AKOV ORTIZ, AND VICTOR SMALLS,

Applicants,

v.

ANGEL QUIROS, COMMISSIONER OF THE CONNECTICUT DEPARTMENT
OF CORRECTION, IN HIS OFFICIAL CAPACITY,

Respondent.

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

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

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APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI

To: Justice Sonia Sotomayor, Circuit Justice for the United States Court of Appeals for the Second Circuit:

Under this Court's Rules 13.5 and 22, Applicants Richard Reynolds, *et al.*, request an extension of forty-five (45) days to file a petition for a writ of certiorari in this case. Applicants' petition will challenge the decision of the Second Circuit in *Reynolds v. Quiros*, 25 F.4th 72 (2d Cir. 2022), a copy of which is attached. App. 1-58. In support this application, Applicants state:

1. The Second Circuit issued its opinion and judgment on February 3, 2022. App. 1. Without an extension, the petition for a writ of certiorari would be due on May 4, 2022. With the requested extension, the petition would be due on June 20, 2022 (June 18, 2022 is a Saturday). This Court's jurisdiction will be based on 28 U.S.C. § 1254(1).

2. Applicants are all presently incarcerated and represented by undersigned, pro bono counsel who were appointed to represent them in the District Court. Because Applicants are incarcerated, they request an extension so that they may have adequate time to review drafts of the petition and assist with its preparation.

3. This case is a serious candidate for review. The Second Circuit rejected a First Amendment challenge to a prison regulation that bars every prisoner in the State of Connecticut from receiving or possessing what prison administrators deemed to be inappropriate publications. App. 46. In the process, the Second Circuit

misapplied this Court's four-factor test set out in *Turner v. Safley*, 482 U.S. 78 (1987), and upheld a blanket restriction on constitutionally-protected materials based on the thinnest of rationales proffered by the Connecticut Department of Correction. The Second Circuit's decision goes well-beyond prior decisions upholding more limited and targeted restrictions on sexually graphic publications and opens the door to other far-reaching restrictions on prisoner's constitutional liberties.

4. For these reasons, Applicants request that the due date for any petition for a writ of certiorari be extended to June 20, 2022.

Respectfully submitted,

By: 

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Dated: April 7, 2022