

Case No. _____

In The
SUPREME COURT OF THE UNITED STATES
October Term 2021

Ramar Travelle Palms,
Applicant/Petitioner,

v.

United States of America,
Respondent.

**Application of an Extension of Time Within Which to File
a Petition for a Writ of Certiorari to the
United States Court of Appeals for the Tenth Circuit**

**APPLICATION TO THE HONORABLE JUSTICE
NEIL M. GORSUCH AS CIRCUIT JUSTICE**

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April 29, 2022

Attorney for Applicant/Petitioner

APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Ramar Travelle Palms hereby requests a 59-day extension of time within which to file a petition for a writ of certiorari, up to and including Friday, July 8, 2022.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is *United States v. Palms*, No. 20-5072 (December 21, 2021, rehearing denied February 9, 2022). The judgment is attached as Exhibit 1, The order denying rehearing is attached as Exhibit 2.

JURISDICTION

This Court will have jurisdiction over a timely filed petition for writ of certiorari in this case pursuant to 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1, a petition for a writ of certiorari is currently due on or before May 10, 2022. 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

Applicant respectfully requests a 59-day extension of time (until July 8, 2022) within which to file a petition for writ of certiorari seeking review of the decision of the United States Court of Appeals for the Tenth Circuit in this case.

1. The requested extension of time is necessary because of the press of other client business and because of the difficulty in arranging and conducting phone calls between undersigned counsel and Applicant. Since the denial of the petition for rehearing by the Tenth Circuit on February 9th, undersigned counsel has had to work and will have to work on the following matters, among other matters: (1) *People in the Interest of E.P. and concerning J.P.*,

No. 21CA842, Colorado Court of Appeals (termination of parental rights), oral argument (February 9, 2022), petition for rehearing (March 16, 2022), petition for writ of certiorari in the Colorado Supreme Court, No. 22SC223 (April 28, 2022); **(2)** *People v. Fleming*, No. 21CA1414, Colorado Court of Appeals (direct criminal appeal), opening brief (filed March 14, 2022); **(3)** *Feigelson v. Banbury*, No. 21CA1284, Colorado Court of Appeals (civil appeal), opening brief (filed February 15, 2022), response to order to show cause re jurisdiction (filed March 15, 2022), reply brief (due May 3, 2022); **(4)** *Owens v. People*, No. 21SC832, Colorado Supreme Court (appeal of state post-conviction proceeding in first-degree murder case), hyperlinked version of petition for writ of certiorari (filed February 28, 2022); **(5)** *Pittman v. Gomez*, No. 21-1114, Tenth Circuit (CJA appeal of prison disciplinary order), reply brief (filed April 4, 2022); **(6)** *Pérez-Hernández v. United States*, No. 21-2104, Tenth Circuit (CJA appeal of denial of compassionate release motion), reply brief (filed April 12, 2022); **(7)** *Casias v. Raytheon*, Nos. 21-1195, 21-1205, Tenth Circuit (civil appeal), oral argument (May 17, 2022); **(8)** *In re Estate of Beren*, No. 21CA1759, Colorado Court of Appeals (26-year-old probate case on appeal after remand), opening-answer brief (due May 31, 2022); **(9)** *People v. Benson*, No. 19CR148, Adams County District Court, direct criminal appeal to Colorado Court of Appeals, notice of appeal (due May 26, 2022); **(10)** *Jochem v. Career Service Board*, No. 22CA96, Colorado Court of Appeals (civil appeal), opening brief (due June 9, 2022); **(11)** *United States v. Nava*, No. 22-6020, Tenth Circuit (CJA direct criminal appeal), opening brief (due June 6, 2022); **(12)** Colorado Bar Association Appellate Update CLE, prepare for and moderate a panel of two Colorado Supreme Court justices on special proceedings in that Court (May 6, 2022). Because of these other work commitments, the additional time is necessary to complete the petition for writ of certiorari in this case.

2. In addition, undersigned counsel has not been able to speak with his client in the past two months despite numerous efforts to arrange a legal call with him. Mr. Palms was transferred to a different BOP facility twice in the last two months. Undersigned counsel reached out to Palms' counselor at FCI Pollock in late February to arrange a call with Mr. Palms in early March, but no call could be arranged before Mr. Palms was subsequently transferred to FTC Oklahoma City in March. Undersigned counsel then reached out to FTC Oklahoma City in March but BOP failed to arrange a call with Mr. Palms before Palms was again transferred, in April. Mr. Palms is currently housed at FCI Beckley. Undersigned counsel has been in contact with Mr. Palms' counselor at FCI Beckley, who has advised that Mr. Palms is still in quarantine, but that once he is out of quarantine, a call can be arranged. To date, however, undersigned counsel has been unable to speak with Mr. Palms for two months, despite numerous efforts to arrange a legal call with him. Granting the extension of time to file the petition for writ of certiorari will ensure that undersigned counsel has the time necessary to consult with and to advise Mr. Palms regarding the petition.

3. A 59-day extension of time for the Applicant would allow undersigned counsel the time necessary to complete the petition for writ of certiorari and to consult appropriately with Mr. Palms about that petition before it is filed.

CONCLUSION

For the above foregoing reasons, Applicant respectfully requests that this Court grant an extension of 59 days, up to and including July 8, 2022, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,

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April 29, 2022

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s/ Blain D. Myhre
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 29th day of April 2022, a true and correct copy of the foregoing was filed with the Court and served electronically and by U.S. mail on the following:

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