

21-_____

In The
SUPREME COURT OF THE UNITED STATES
October 2021 Term

Lorenzo Shelton,
Applicant/Petitioner,

v.

United States of America,
Respondent.

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

**APPLICATION TO THE HONORABLE JUSTICE
SONIA SOTOMAYOR AS CIRCUIT JUSTICE**

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June 6, 2022

Attorney for Applicant/Petitioner
***Counsel of Record**

APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Lorenzo Shelton hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari to and including August 4, 2022.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is *United States of America v. Lorenzo Shelton*, Sixth Circuit COA No. 20-6348 – Filed March 8, 2022; the opinion is attached as Attachment 1.

JURISDICTION

The opinion of the United States Court of Appeals for the Sixth Circuit is attached as Attachment 1. This Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for certiorari is due to be filed on or before June 6, 2022.

REASONS JUSTIFYING AN EXTENSION OF TIME

Applicant respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the United States Court of Appeals for the Sixth Circuit in this case, to and including August 4, 2022.

1. The extension of time is also necessary because of the press of other client business. Undersigned counsel is a former federal prosecutor with an active federal and state criminal defense practice. The first quarter of 2022 has been

unusually busy for undersigned counsel. In addition to his day-to-day federal and State court schedule, he had a federal jury trial during the week of March 8 followed by a significant State criminal trial on March 21 involving a VUMC Neuro-ICU Nurse charged with reckless homicide as a result of a medication error. That case received national attention. The VUMC nurse trial was followed on April 25, 2022 with another Davidson County Criminal trial involving a woman charged with attempted first-degree murder in the shooting of a homeless person in 2017. The three successive trials were all covid-delayed cases that had been pending for a number of years. Until recently, undersigned counsel was preparing for a fourth trial involving a pain doctor accused over overprescribing medication which was scheduled to begin on May 17, 2022, in the London Division of the Eastern District of Kentucky. The EDKY federal trial has been continued to August 23, 2022. Counsel was to begin a state homicide trial in a surrounding county on today's date but the trial was unexpectedly cancelled due to the trial judge's unavailability as a result of a recent surgery.

2. Mr. Shelton is in the custody of the U.S. Bureau of Prisons lodged at FCI Coleman, Florida. Undersigned counsel needs additional time to travel to FCI Coleman, Florida, from Nashville, Tennessee to consult with Mr. Shelton regarding the preparation of the petition.

3. A 60-day extension for the Applicant would allow counsel the necessary amount of time to prepare, consult effectively with Mr. Shelton, and file Applicant's petition.

4. Although counsel was retained for purposes of trial, he represented Mr. Shelton *pro bono* in the United States Court of Appeals for the Sixth Circuit, and will be representing him *pro bono* in this Court.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests that this Court grant an extension of 60 days, to and including August 4, 2022, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,

S/ Peter J. Strianse
PETER J. STRIANSE

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June 6, 2022

Attorney for Applicant/Petitioner
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CERTIFICATE OF SERVICE

I hereby certify that, on this 6th day of June, 2022, I caused a copy of the foregoing Application for Extension of Time to be served on the following by first-class mail, postage pre-paid, as well as electronically:

Elizabeth B. Prelogar
Solicitor General
Office of the Solicitor General
950 Pennsylvania Avenue N.W.
Washington, D.C. 20530-0001

S/ Peter J. Strianse
PETER J. STRIANSE