

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

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IN THE SUPREME COURT OF THE UNITED STATES

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TEDDY BRIAN SANCHEZ,  
Petitioner,  
v.  
RON BROOMFIELD, Warden,  
Respondent.

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On Petition for Writ of *Certiorari* to the  
United States Court of Appeals for the Ninth Circuit

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**PETITIONER'S APPLICATION TO EXTEND TIME  
TO FILE PETITION FOR WRIT OF CERTIORARI**

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TEDDY BRIAN SANCHEZ

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**To the Honorable Elena Kagan, as Circuit Justice for the United States Court  
of Appeals for the Ninth Circuit:**

Pursuant to this Court's Rules 13.5, 22, 30.2, and 30.3, Petitioner Teddy Brian Sanchez respectfully requests that the time to file its Petition for Writ of Certiorari in this matter be extended for 60 days up to and including July 10, 2019. The Court of Appeals issued its opinion and accompanying memorandum disposition on April 22, 2021. (Appendix ("App.") A and B, respectively) and denied rehearing and rehearing en banc by memorandum disposition on February 10, 2022 (App. C). Absent an extension of time, the Petition for Writ of Certiorari

would be due on May 11, 2022. Petitioners are filing this Application more than ten days before that date. *See* S. Ct. R. 13.5. This Court would have jurisdiction over the judgment under 28 U.S.C. 1254(1).

This is a capital habeas corpus case brought under 28 U.S.C. § 2254.

Respondent as no objection to Petitioner's request.

This request is made for the following reasons:

1. Undersigned counsel has been hospitalized three times since the denial of the petitions for rehearing. The hospitalizations were for treatment for cancer. Thus, for the first month and a half of the 90-day certiorari period, counsel was unable to work full-time.
2. In late March, counsel completed his initial treatment and was ready to complete the research and writing necessary for the cert petition. Some of the research had already been done while counsel was undergoing treatment. However, on March 22, in another capital case to which counsel was assigned, a state trial court issued a dispositive opinion that had a hard 30-day deadline for filing a request for a certificate of appealability. This was a type of pleading, required by a new statute, that counsel and his co-counsel had never before filed. As a consequence, counsel needed to mostly work on this pleading through its due date of April 21.

3. Moreover, in this same state court case, because of newly enacted deadlines, there will likely be another pleading due on or about May 11. As noted above, this is also the current deadline for Mr. Sanchez's petition for certiorari. Counsel will, thus, necessarily have to work on this anticipated pleading through much of the time remaining to work on this cert petition.
4. The instant petition for certiorari is Mr. Sanchez's last chance to litigate his sentence of death within the regular course of his appeals. Without the unexpected state court deadlines as well as without his illness, counsel would have finished the instant petition in the time allotted. A 60-day extension would allow for Mr. Sanchez's case to be properly presented for this Court's potential review.

### **CONCLUSION**

Petitioner, for the above reasons, hereby requests a 60-day extension to file his petition for certiorari until July 10, 2022.

Dated: April 27, 2022

Respectfully submitted,

HEATHER E. WILLIAMS  
Federal Defender

*s/ David H. Harshaw III*

DAVID H. HARSHAW III  
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TEDDY BRIAN SANCHEZ