

No. _____

In the Supreme Court of the United States

LARRY MARLOWE CHAMBERS,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

**APPLICATION FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE
A PETITION FOR A WRIT OF CERTIORARI TO U.S. COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Pursuant to 28 U.S.C. § 2101(c) and Rule 13.5 of the Rules of this Court, applicant Larry Chambers respectfully requests a 60-day extension of time, to and including August 29, 2022, to file a petition for a writ of certiorari in this case.

On March 2, 2022, the Sixth Circuit Court of Appeals issued an opinion and order affirming the district court's orders denying Chambers's motion for a reduced sentence under § 404 of the First Step Act and separate motion for a reduced sentence under 18 U.S.C. § 3582(c)(1)(A). The court denied his petition for rehearing en banc on March 30, 2022. Unless extended, the time to file a petition for a writ of certiorari will expire on June 28, 2022. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1). A copy of the Sixth Circuit opinion is attached.

1. Larry Chambers is serving a life sentence imposed in 1987 for participating in a crack-cocaine conspiracy. He was previously serving two life sentences, but the district court in this case lowered one life sentence and left the other in place. The district court's explanation for its decision confusingly addressed both compassionate release and § 404 and offered inconsistent analyses under 18 U.S.C. § 3553(a) for reducing one sentence and not the other. The Sixth Circuit compounded this error, providing justifications for the district court's decision that the court itself never provided and that were factually inaccurate. A careful dissent explained why Sixth Circuit majority erred. The issue anticipated for this Court's review is whether a district court errs by issuing inconsistent analyses for reductions under § 404 of the First Step Act without clear explanation.

2. Good cause exists for an extension of time to prepare a petition for a writ of certiorari in this case. Undersigned counsel has been working diligently to prepare a petition for certiorari, but other pressing deadlines and court hearings have interfered with his ability to draft the petition. Undersigned has approximately 50 clients litigating federal criminal and habeas cases in the district court and court of appeals. This includes preparation for a criminal jury trial, outside of counsel's district of practice, in the U.S. District Court for the District of Columbia, set to begin June 27, 2022, a day before the current deadline for Chambers's petition. This trial requires significant preparation and travel. Counsel also has an additional jury trial set to begin July 26, 2022, in the Eastern District of Michigan. Both trials are anticipated to proceed as scheduled.

For the foregoing reasons, the application for a 60-day extension of time, to and including Monday, August 29, 2022, within which to file a petition for a writ of certiorari should be granted.

Respectfully submitted,

/s/ Benton C. Martin

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June 13, 2022