
**IN THE SUPREME COURT
OF THE UNITED STATES OF AMERICA**
January 5, 2023 Term

WILLIAM RANDALL BRANNAN

Petitioner

vs.

UNITED STATES OF AMERICA

Respondent

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**UNOPPOSED MOTION FOR EXTENSION OF
DEADLINE TO FILE CERT PETITION**

Rafael De La Garza, II
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ATTORNEY FOR PETITIONER

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To the Supreme Court of the United States:

William Randall Brannan respectfully files this motion to extend the deadline for his cert petition to January 5, 2023 and deem the currently filed petition for certiorari as timely filed. As cause, Brannan would show the Court as follows:

- 1) A petition for Certiorari was filed on January 5, 2023.
- 2) The court docketed the petition and calendared the petition but indicated that it was untimely and should have been filed on November 6, 2022.
- 3) Good cause and extraordinary circumstances exist to deem the petition as timely filed.
- 4) Mr. Brannan was sentenced on July 8, 2021, and a notice of appeal was filed. The 5th Circuit Court of Appeals affirmed his convictions and sentence on

August 8, 2022. Counsel reviewed the Supreme Court's Order rescinding COVID 19 related orders. Counsel construed the order that since Mr. Brannan's original judgment was filed prior to July 19, 2021, he had 150 days to file the petition of certiorari. If the 150-day filing was applied then the petition was due on January 5, 2023, which was the day the petition was filed. Counsel's misinterpretation of the order and filing deadline was accidental and not due to neglect. Therefore, counsel request that this motion for extension of time be granted and the petition of certiorari on file be deemed timely. Furthermore, Counsel requests that the Court find that good cause and extraordinary circumstances exist and grant the motion.

5) Counsel has spoken to counsel for the government, and he is unopposed to the relief requested.

Respectfully submitted this 23rd day of January 2023,

/s/ Rafael De La Garza, II
Rafael De La Garza, II
6521 Preston Rd., Suite 100
Plano, Texas 75024
Tel: (972) 351-2769

ATTORNEY FOR PETITIONER

CERTIFICATE OF CONFERENCE

I hereby certify that on J a n u a r y 2 3 , 2 0 2 3 , I conferred with Bradley Visosky in the U.S. Attorney's Office of the Eastern District of Texas, and he is UNOPPOSED.

/s/ Rafael De La Garza, II
Rafael De La Garza, II

CERTIFICATE OF MAILING

I hereby certify that, on the 23rd day of January 2023, this pleading was deposited with the U.S. Postal Service, in an envelope or package correctly addressed, with sufficient postage to assure delivery by certified first-class mail, R.R.R.

/s/ Rafael De La Garza, II
Rafael De La Garza, II