

IN THE
SUPREME COURT OF THE UNITED STATES

No. _____
L.T. No. **21-10091-J**

ROMNEY ELLIS,

Petitioner

v.

UNITED STATES,

Respondent

**MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR A WRIT OF
CERTIORARI**

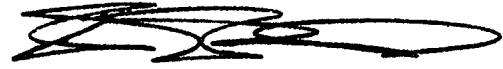
Petitioner Romney Ellis, by and through his undersigned counsel, pursuant to United States Supreme Court Rule 13(5), hereby moves this Honorable Court for an extension of time of up to sixty days in which to file a petition for a writ of certiorari. As grounds therefore, Mr. Ellis states as follows:

1. Petitioner Romney Ellis is currently serving a sentence from a judgment imposed in the United States District Court for the Middle District of Florida.
2. Mr. Ellis took a timely direct appeal from that judgment and sentence. In the direct appeal, Mr. Ellis raised the question of whether, in sentencing him on a conviction for making interstate threats, the District Court erred as a matter of law in assessing a six-level offense level enhancement under U.S.S.G. § 2A6.1(b)(1) for the offense allegedly involving conduct evidencing an intent to carry out the underlying threats?

3. On April 14, 2022, the Eleventh Circuit issued a panel opinion affirming the judgment and sentence. *See attached.*
4. Mr. Ellis has requested counsel to file a petition for a writ of certiorari in this Court. Counsel believes that the petition would be meritorious because the Circuit Courts of Appeal appear to be split on the question of the type of relevant conduct that triggers the application of the Section 2A6.1(b)(1) enhancement.
5. A petition for a writ of certiorari would be due on July 13, 2022.
6. Undersigned counsel practices in a small firm that has been diligently representing clients in numerous state and federal cases at the trial, appellate, and post-conviction levels. Due to his firm's schedule in recent months, coupled with extraordinary family obligations in recent weeks, counsel has been unable to complete a petition for a writ of certiorari on behalf of Mr. Ellis as of the current date. Counsel's firm is also currently preparing for two upcoming murder trials, one of which begins on July 10, 2022 and the second of which begins on August 8, 2022. Based on his upcoming schedule, counsel does not anticipate that the petition for a writ of certiorari can be completed by the current due date.

WHEREFORE, for the reasons set forth above, counsel is respectfully requesting an extension of time of 60 days to file and serve a petition for a writ of certiorari in the instant case.

Respectfully Submitted on this 8th day of July 2022,



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