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IN THE  
SUPREME COURT OF THE UNITED STATES

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JEFFREY KESTEN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

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**APPLICATION FOR EXTENSION OF TIME  
TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT**

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VIRGINIA L. GRADY  
Federal Public Defender

KATHLEEN SHEN  
Assistant Federal Public Defender  
*Counsel of Record for Petitioner*  
633 17th Street, Suite 1000  
Denver, Colorado 80202  
(303) 294-7002  
[kathleen\\_shen@fd.org](mailto:kathleen_shen@fd.org)

To the Honorable Neil Gorsuch, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Tenth Circuit:

Petitioner Jeffrey Kesten respectfully requests a 60-day extension of time, up to and including February 17, 2023, to file a petition for a writ of certiorari, pursuant to Supreme Court Rule 13.5. In support of this request, Dr. Kesten states as follows:

1. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).
2. Dr. Kesten is seeking review of the Judgment of the United States Court of Appeals for the Tenth Circuit in case number 22-1066, which was issued on August 23, 2022. Dr. Kesten's petition for rehearing was denied on September 20, 2022. Copies of both orders are attached to this application.
3. Unless extended, the deadline to petition for a writ of certiorari is December 19, 2022, which is 90 days after the denial of the petition for rehearing. *See* Sup. Ct. R. 13.3. This petition is being filed at least ten days before that date.
4. If the requested 60-day extension of time is granted, the deadline to file a petition for writ of certiorari will be February 17, 2023.
5. Undersigned counsel was appointed to represent Dr. Kesten in his direct appeal and has done so throughout the proceedings in the Tenth Circuit. However, Dr. Kesten desires to file a petition for a writ of certiorari *pro se*, without the assistance of counsel.

6. In light of his *pro se* status and lack of legal training, Dr. Kesten believes that a 60-day extension of time is needed to adequately prepare his petition for writ of certiorari.

For these reasons, Dr. Kesten respectfully requests that an order be entered extending the time in which to petition for certiorari by 60 days, up to and including February 17, 2023.

Respectfully submitted,

VIRGINIA L. GRADY  
Federal Public Defender

*/s/ Kathleen Shen*

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KATHLEEN SHEN

Assistant Federal Public Defender  
*Counsel of Record for Petitioner*  
633 Seventeenth St., Suite 1000  
Denver, Colorado 80202  
(303) 294-7002