

No. _____

IN THE
Supreme Court of the United States



Thomas D. Selgas,

Petitioner,

v.

United State of America

Respondent.

**On Petition for Writ of Certiorari from the
From United States Court of Appeals Fifth Circuit**

**APPLICATION FOR EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF
CERTIORARI FROM THE UNITED STATES COURT
OF APPEAL FOR THE FIFTH CIRCUIT**

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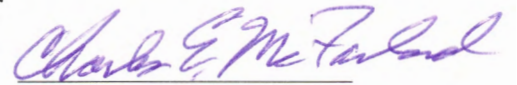
To the Honorable Samuel A. Alito, Jr., Associate Justice of the Supreme Court of the United States and Circuit Justice for the Fifth Circuit:

Petitioner Thomas D. Selgas respectfully requests a 49-day extension of time, up to and including February 20, 2023, to file a petition for a writ of certiorari, pursuant to Supreme Court Rule 13.5. In support of this request, Thomas Selgas states as follows:

1. The jurisdiction of this Court is invoked under 28 U.S.C. §1254(1).
2. Thomas Selgas is seeking review of the Judgment of the United States Court of Appeals for the Fifth Circuit in case number 21-10672, which was issued on August 24, 2022. Thomas Selgas's petition for rehearing was denied on October 4, 2022. Copies of both orders are attached to this application.
3. Unless extended, the deadline to petition for a writ of certiorari is January 2, 2023, 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 49-day extension of time is granted, the deadline to file a petition for writ of certiorari will be February 20, 2023.
5. Charles E. McFarland will continue to represent Mr. Selgas. However, Attorney McFarland had abdominal surgery at the La Grange Baptist Health Hospital on December 2, 2022. Dr. Thomas Hart will be performed the surgery and indicated it would take at least six and possibly seven weeks for recovery.
6. Attorney McFarland is currently under Dr. Hart's care, taking medication and under extreme pain from the surgery.
7. Undersigned counsel represented Thomas Selgas in his direct appeal and has done so throughout the proceedings in the Fifth Circuit.

8. In light of his attorney's medical situation and time for recovery from the surgery, Selgas believes that a 49-day extension of time is needed for his attorney to adequately prepare the petition for writ of certiorari.
9. For these reasons, Thomas D. Selgas respectfully requests that an order be entered extending the time in which to petition for certiorari by 49 days, up to and including February 20, 2023.

Respectfully submitted this 5th day of December, 2022.



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