

No. \_\_\_-\_\_\_\_\_

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IN THE SUPREME COURT OF THE UNITED STATES

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CHRISTOPHER HAROLD GOINS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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**APPLICATION FOR AN EXTENSION OF TIME IN WHICH TO FILE A  
PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES  
COURT OF APPEALS FOR THE FOURTH CIRCUIT**

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To the Honorable John G. Roberts, Jr., Chief Justice of the United States and  
Circuit Justice for the Fourth Circuit:

Under 28 U.S.C. § 2101(c) and Rules 13.5, 22, and 30 of this Court, petitioner  
Christopher Harold Goins respectfully requests a 60-day extension of time, up to and  
including March 6, 2023, in which to file a petition for a writ of certiorari in this  
Court. The Fourth Circuit entered final judgment against Mr. Goins on May 17, 2022.  
It denied a timely filed petition for rehearing en banc on October 6, 2022. His time to  
file a petition for a writ of certiorari in this Court expires on January 4, 2023. Mr.  
Goins is filing this application more than 10 days before that date. A copy of the

Fourth Circuit's unpublished opinion in this case is attached to this application as Exhibit 1. A copy of the order denying rehearing and rehearing en banc is attached as Exhibit 2. This Court has jurisdiction under 28 U.S.C. § 1254(1).

Mr. Goins requests this extension for these reasons:

1. This petition will involve a challenge to Mr. Goins' sentence under the Armed Career Criminal Act (18 U.S.C. § 924(e)) after his guilty plea to being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g).
2. Recently, this Court addressed a critical provision of that Act—the requirement that a defendant have committed predicate crimes “on occasions different from one another.” *Wooden v. United States*, 142 S. Ct. 1063 (2022) (discussing 18 U.S.C. § 924(e)(1)). This Court held that the inquiry is “multi-factored in nature” and that “a range of circumstances may be relevant to identifying episodes of criminal activity.” *Id.* at 1070-1071. In so holding, this Court declined to address “whether the Sixth Amendment requires that a jury, rather than a judge, resolve whether prior crimes occurred on a single occasion.” *Id.* at 1068 n.3; *see also id.* at 1087 n.7 (Gorsuch, J., concurring in the judgment). An extension of time will help ensure that counsel has time to determine whether this recent legal development should be part of Mr. Goins' petition to this Court.

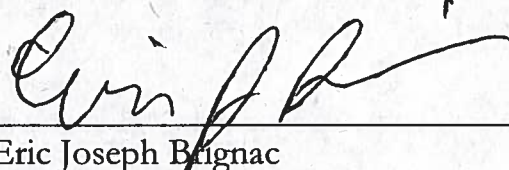


3. In addition, undersigned counsel's office has had an appellate attorney out on extended medical leave, increasing the workload for undersigned counsel and the other appellate attorneys in the office.
4. And due to the holiday season, undersigned counsel and his support staff has taken (and will take) extended annual leave.
5. An extension of time would help account for these circumstances.

Thus, Mr. Goins respectfully requests that an order be entered extending the time to petition for certiorari up to and including March 6, 2023.

Respectfully submitted today, December 16, 2022,

G. Alan DuBois  
FEDERAL PUBLIC DEFENDER



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