

No. _____

Seventh Circuit Appeal No. 19-2373

IN THE
SUPREME COURT OF THE UNITED STATES

ERIN GRAHAM, JR.,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

To the Honorable Amy Coney Barrett, Associate Justice for the Supreme Court of the United States and Circuit Justice for the Seventh Circuit:

Pursuant to Supreme Court Rules 13.5, 22, and 20.2, Petitioner Erin Graham, Jr., through counsel and pursuant to the attached affidavit of counsel (Exhibit A), respectfully requests that the time to file a Petition for Writ of Certiorari in this matter be extended for forty-five days to and including March 13, 2023.¹ Counsel was appointed pursuant to the Criminal Justice Act of 1964 (“CJA”). (Exhibit B - Appointment Order.)

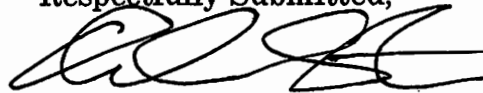
¹ A true 45-day extension would have the petition due on March 12, 2023, which is a Sunday.

On August 29, 2022, the Court of Appeals for the Seventh Circuit issued its opinion affirming Mr. Perez's sentence in his federal case. (Exhibit C - Court of Appeals Opinion.) Mr. Perez timely filed a petition for rehearing with the Seventh Circuit, which that court denied on October 28, 2022. (Exhibit D - Court of Appeals Order.) Therefore, absent an extension of time, Mr. Mitchell's Petition would be due on January 26, 2023. Petitioner is filing this Motion at least ten days before that date. See S. Ct. R. 13.5. This Court would have jurisdiction over the judgment of the District Court for the Western District of Wisconsin and Court of Appeals for the Seventh Circuit under 18 U.S.C. § 1254(1).

For the foregoing reasons, and pursuant to the attached affidavit of counsel, Mr. Graham respectfully requests that the Court extend the time to file a Petition for a Writ of Certiorari in this matter forty-five days to and including March 13, 2023.

Date: Dec 19, 2022

Respectfully Submitted,



Adam Stevenson
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