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IN THE
SUPREME COURT OF THE UNITED STATES

Aaron Lee Porter,

Petitioner,

v.

United States of America,

Respondent.

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

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

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

Petitioner Aaron Lee Porter, by undersigned counsel, prays for a 30-day extension of time, to and including Wednesday, October 11, 2023, in which to file a petition for a writ of certiorari. In support of this request, counsel states as follows:

1. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).
2. Mr. Porter is seeking review of the Judgment of the United States Court of Appeals for the Tenth Circuit in case number 22-1134, which was issued on May 2, 2023. Mr. Porter's petition for rehearing was denied on June 13, 2023. Copies of both orders are attached to this application.
3. Unless extended, the deadline to petition for a writ of certiorari is September 11, 2023, which is 90 days after the denial of the petition for rehearing. *See* Sup. Ct. R. 13.3. This application is being filed at least ten days before that date.
4. If the requested 30-day extension of time is granted, the deadline to file a petition for a writ of certiorari will be October 11, 2023.
5. Since the Tenth Circuit Court of Appeals' order and judgment in this case, undersigned counsel has filed briefs in *United v. Reese*, 10th Cir. No. 23-1022 (opening brief filed July 31, 2023); and *United States v. Johnson*, 10th Cir. No. 23-1054 (opening brief filed August 15, 2023). Counsel has also worked on *United States v. Manuel*, 10th Cir. No. 23-6046 (*Anders* brief filed August 21, 2023); *United States v.*

Dittmer, 10th Cir. No. 22-4095 (opening brief due September 7, 2023); and *United States v. Ware*, 10th Cir. No. 22-6203 (opening brief due September 13, 2023).

6. Counsel has also been assisting with several cases in the District of Colorado, including *United States v. Delgado*, No. 23-cr-107-NYW; *United States v. Davis*, No. 22-cr-16-RMR; and *United States v. Pacheco*, No. 23-cr-94-DDD.

7. Given their own current caseloads, as well as the work undersigned counsel has put into this case as counsel of record, no other attorney in the Office of the Federal Public Defender is in a position to file the petition by its current due date.

* * *

For these reasons, Petitioner Aaron Lee Porter respectfully requests that an order be entered extending the time in which to petition for a writ of certiorari by 30 days, to and including Wednesday, October 11, 2023. *See* Sup. Ct. R. 13.5.

Respectfully submitted,

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