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IN THE
SUPREME COURT OF THE UNITED STATES

EDMOND CARL WARRINGTON.

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 Edmond Carl Warrington, by undersigned counsel, prays for a 30-day extension of time, to and including December 11, 2023, in which to file a petition for a writ of certiorari. In support of this request, counsel states as follows:

1. On August 11, 2023, the United States Court of Appeals for the Tenth Circuit affirmed Mr. Warrington's sentence. (Attachment A.)
2. Mr. Warrington has ninety days from that date to file a petition for a writ of certiorari. Sup. Ct. R. 13.3. The petition is therefore due on November 9, 2023. This application is being filed at least ten days before that date.
3. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).
4. Undersigned counsel is currently responsible in the Tenth Circuit Court of Appeals for a response to a motion to enforce plea waiver in *United States v. Van Dam*, 23-8049 & 23-8050 (due November 2), the opening briefs in *United States v. Jimenez-Barrios*, 23-5078 (due November 13) and *United States v. Martin*, 23-1191 (due November 13), and for presenting oral argument in *United States v. Daniels*, 22-1378 (set for November 15). Counsel recently filed a petition for certiorari in *United States v. Baca*, 22-1377 (filed October 12) in this Court, and must file another petition for certiorari in *United States v. Morrison*, 22-5014 (due January 11, but with an anticipated filing in mid-November to mid-December based on joint filing with co-defendant).

5. In the district courts of Colorado and Wyoming, counsel is also working on filing up to four compassionate release motions in the coming weeks, as well as a motion to suppress in *United States v. Pacheco*, D. Colo. case no. 23-cr-70 (due October 30). Counsel also is responsible for leading the FPD's review of individuals who are potentially eligible for a retroactive sentence reduction under the recent Amendment 821 to the United States Sentencing Guidelines. Counsel additionally will be out of the office from October 23rd through October 30th on long-scheduled leave. Finally, supervisory duties and counsel's ongoing work with colleagues in evaluating legal issues and assisting with pretrial motions in a number of cases in the district court also take up a significant amount of counsel's time. Finally, counsel requires additional time to confer with his client, who is confined in a Bureau of Prisons facility out of state.

6. 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 Edmond Carl Warrington. 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 December 11, 2023. *See* Sup. Ct. R. 13.5.

Respectfully submitted,

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