
NO. _____

IN THE

Supreme Court of the United States

_____ TERM, 20__

Michael Alan Welker- Petitioner,

vs.

United States of America - Respondent.

Application for Extension of Time Within
Which to File for a Writ of Certiorari to the United States Court of Appeals
for the Eighth Circuit

**APPLICATION DIRECTED TO THE HONORABLE JUSTICE
BRETT KAVANAUGH AS CIRCUIT JUSTICE**

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ATTORNEY FOR PETITIONER

Comes Now petitioner Michael Alan Welker, through his attorney of record, First Assistant Federal Public Defender Heather Quick, who, pursuant to Supreme Court Rule 13.5, requests an additional thirty days in which to file a petition in this Court seeking certiorari to the Eighth Circuit Court of Appeals, up through Friday, January 12, 2024. In support, counsel submits as follows:

JUDGMENT FOR WHICH REVIEW IS SOUGHT

Petitioner seeks an extension to file a petition for writ of certiorari. Petitioner is requesting review of the judgment issued by the Eighth Circuit Court of Appeals on July 27, 2023, affirming the petitioner's conviction and sentence. Petitioner filed a timely motion for petition for rehearing en banc, which the Eighth Circuit denied on September 14, 2023.

JURISDICTION

This Court will have jurisdiction over the timely filed petition pursuant to 28 U.S.C. § 1254(1). Under Supreme Court Rules 13.1, 13.3, and 30.1, the current deadline for the filing of a petition for writ of certiorari is Wednesday, December 13, 2023. Petitioner files this request for additional time at least 10 days before the date the petition is currently due, in compliance with Supreme Court Rule 13.5.

REASONS FOR APPLICATION FOR EXTENSION

Defense counsel has a variety of other obligations before the federal judiciary. For example, in the last four weeks counsel of record has submitted two appellant's brief and two reply briefs to the Eighth Circuit Court of Appeals. Further, in the next

four weeks, counsel of record has eight initial briefs due to the Eighth Circuit Court of Appeals and another petition for writ of certiorari due to this Court. These obligations will make it difficult for counsel to finalize and file a satisfactory petition by the current deadline, despite counsel's diligent efforts to do so.

CONCLUSION

For the foregoing reasons, the petitioner respectfully requests that this Court grant a 30-day extension, to and including Friday, January 12, 2024, in which to file a petition for a writ of certiorari.

RESPECTFULLY SUBMITTED,

/s/ Heather Quick
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