

No.

In the Supreme Court of the United States

DAYNE ADRIAN SITLADEEN, ALSO KNOWN AS DANTE PETERSON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent,

**PETITIONER'S APPLICATION TO EXTEND TIME
TO FILE PETITION FOR A WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT**

To the Honorable Brett M. Kavanaugh, Associate Justice, as Circuit Justice for the United States Court of Appeals for the Eighth Circuit:

Pursuant to 28 U.S.C. § 2101(c) and Rules 13.5, 22, and 30.2 of this Court, Petitioner Dayne Adrian Sitladeen respectfully requests that the time to file a petition for a writ of certiorari in this case be extended for sixty days to and including October 7, 2023. The court of appeals entered judgment on April 4, 2023. *See United States v. Sitladeen*, 64 F.4th 978 (8th Cir. 2023). A copy of the Eighth Circuit's opinion is attached as Exhibit 1. The court of appeals denied both Mr. Sitladeen's petition for en banc rehearing and panel

rehearing on May 10, 2023. A copy of the Eighth Circuit's order is attached as Exhibit 2. Mr. Sitladeen's time to file a petition for a writ of certiorari in this Court will currently expire on August 8, 2023. This application is being filed more than 10 days before that date.

There is good cause to extend the time for petitioning for a writ of certiorari here. Mr. Sitladeen is located in a detention facility in a different country than Counsel, which has impacted the ability for meaningful and efficient communication about Supreme Court review. Further, Counsel is continuing to analyze the impact of this Court's recent grant of certiorari in *United States v. Rahimi*, No. 22-914, on any potential certiorari petition filed on behalf of Petitioner. Finally, Counsel for Petitioner has and continues to have numerous other professional and personal obligations, including international travel with family in both July and August and preparing for two upcoming trials. Counsel was appointed under the Criminal Justice Act and was the primary appellate attorney in this matter, and it would be challenging for a different attorney to prepare a certiorari petition.

Wherefore, Petitioner respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari by 60 days up to and including October 7, 2023.

Respectfully submitted,

Dated: July 26, 2023

s/ Caitlinrose H. Fisher

Caitlinrose H. Fisher

Counsel of Record

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