

NO:

IN THE
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2023

KWUAN MONTRELL BAKER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION FOR A
WRIT OF CERTIORARI FROM THE JUDGMENT OF THE UNITED
STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

**TO THE HONORABLE CLARENCE THOMAS, ASSOCIATE JUSTICE OF
THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT
JUSTICE FOR THE ELEVENTH CIRCUIT**

Pursuant to Supreme Court Rules 13.5, 22, and 30, Kwuan Montrell Baker respectfully requests a sixty-day extension of time, to and including July 26, 2024, within which to file a petition for a writ of certiorari from the judgment of the United States Court of Appeals for the Eleventh Circuit. Petitioner has not previously sought an extension of time from this Court.

Petitioner is filing this Application at least ten days before the filing date, which is May 27, 2024. *See* S. Ct. R. 13.5. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1).

Petitioner appealed after being adjudicated guilty of (1) one count of Possession with Intent to Distribute a Controlled Substance and (2) one count of Possession of a Firearm in Furtherance of a Drug trafficking Crime. He challenged the court's denial of his motion to suppress evidence obtained following a traffic stop of a vehicle in which he was a passenger, which he contends violated the Fourth Amendment. The Eleventh Circuit affirmed the district court's denial. A copy of the Court of Appeals' Opinion is attached as Appendix A hereto.

Undersigned counsel will not have sufficient time to prepare and file the petition for writ of certiorari for Petitioner by May 27, 2024, as she is currently working on the following matters, among others: multiple time-sensitive motions based on the retroactive amendments to the Sentencing Guidelines; two motions for a Reduction in Sentence, one of which has an upcoming evidentiary hearing set for May 13, 2024 (*United States v. Rodney Taylor*, District Court Case No. 03-cr-80029; a trial set for June 3, 2024 in *United States v. Julian Flores*, District Court Case No. 23-cr-20472; and pretrial motions in *United States v. Gregory Brown*, District Court Case No. 24-cr-20011, which is set for trial on June 17, 2024.

Undersigned counsel believes that additional time is important to ensure the effective representation of Petitioner. No party will be prejudiced by the granting of a sixty-day extension.

Accordingly, since the time within which to file a petition for writ of certiorari in this case will expire on May 27, 2024 unless extended, Petitioner respectfully requests that an order be entered extending his time to file a petition for writ of certiorari by sixty days, to and including July 26, 2024.

Respectfully submitted,

HECTOR DOPICO
INTERIM FEDERAL PUBLIC DEFENDER

By: /s/ Marisa Taney _____
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