

No. \_\_\_\_\_

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IN THE

**Supreme Court of the United States**

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ADRIAN GOUDELOCK, *PETITIONER*

V.

UNITED STATES OF AMERICA

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**APPLICATION FOR AN EXTENSION OF TIME TO FILE A  
PETITION FOR A WRIT OF CERTIORARI**

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To the Honorable Sonia Sotomayor, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Court of Appeals for the Second Circuit:

1. Pursuant to Supreme Court Rule 13.5, petitioner Adrian Goudelock respectfully requests a 40-day extension of time, until Tuesday, September 2, 2025, to file a petition for a writ of certiorari.

2. The Court of Appeals for the Second Circuit issued the attached summary order [hereinafter “SO”] on February 10, 2025. On March 27, 2025, Goudelock filed a timely petition for panel rehearing or rehearing en banc. On April 25, 2025, the Second Circuit issued the attached order denying Goudelock’s request for rehearing.

3. Goudelock is currently serving a prison term for which his projected release date is November 19, 2040. This Court has jurisdiction to review his case under 28 U.S.C. § 1254(1).

4. Pursuant to Supreme Court Rules 13.1 and 13.3, Goudelock’s petition for certiorari is currently due on July 24, 2025. This application is being filed more than 10 days in advance of that date.

5. This case presents exceptionally important questions relating to the principle of party presentation and the extent to which federal courts of appeals may affirm criminal convictions based on factual and/or legal arguments that were not presented by the government. In addition, this case presents the unsettled question of whether a criminal defendant-appellant must “establish the actual partiality of the jury that convicted him,” SO.3, in order to secure a reversal where the district court excluded, as a group, all prospective jurors who candidly admitted that they did not fully agree with then-existing criminal drug laws.

6. This case is an ideal vehicle for the Court to address either or both of these issues. In affirming Goudelock’s conviction for conspiring to commit money laundering under 18 U.S.C. § 1956(a)(1)(B)(i), SO.5, the Second Circuit ignored the

government's presented factual theory and based its ruling on an alternative theory—one that necessarily would have exculpated two of the five codefendants charged under the relevant count—that was not presented to the jury, the district court, or the court of appeals. Moreover, in rejecting Goudelock's challenge to the categorical for-cause exclusion of prospective jurors who merely admitted that they had policy disagreements with certain criminal drug laws, the Second Circuit imposed a novel "prejudice" requirement that was not even suggested by the government. SO.3. Finally, the Second Circuit's *sua sponte* determination that Goudelock was required to "establish the actual partiality of the jury that convicted him," *ibid.*, conflicts with the Third Circuit's prior determination that "prejudice may be presumed" in the event of a "wholesale exclusion of a particular group" from the jury. *United States v. Salamone*, 800 F.2d 1216, 1227 (3d Cir. 1986).

7. Pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, the undersigned was appointed to represent Goudelock before the Second Circuit as substitute appellate counsel. Soon after the Second Circuit issued the attached order denying rehearing, I met with Goudelock and began working on a petition for certiorari. However, because of the press of work in other cases, it has recently become clear that I will require additional time to conduct adequate research and prepare an effective petition while also attending to other, pre-existing obligations.

8. I am effectively a solo practitioner with respect to the appellate matters I am assigned as a member of the CJA panels for the First and Second Circuits. Over the next two months, I will have briefs due in both of those courts

and will also be preparing a petition for certiorari arising from another recently-decided Second Circuit appeal.<sup>1</sup>

9. Because of these and various other responsibilities and obligations, I respectfully request an additional 40 days to prepare Goudelock's petition for *certiorari*.

Dated: New York, New York  
June 26, 2024

Respectfully submitted,  
/s/ Lucas Anderson  
Lucas Anderson  
*Of Counsel*  
Rothman, Schneider,  
Soloway & Stern, LLP  
100 Lafayette Street, Suite 501  
New York, New York 10013  
(212) 571-5500

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<sup>1</sup> Unlike the other case in which I will soon be preparing a certiorari petition, the record in this case is voluminous: the sealed and unsealed minutes of the trial and jury selection proceedings amount to 3,653 pages.