

IN THE SUPREME COURT OF THE UNITED STATES

VINCENT WILKERSON,
Petitioner

:

VS.

:

No. _____

SUPERINTENDENT, FAYETTE SCI, et al. :

**APPLICATION FOR EXTENSION OF TIME
FOR FILING PETITION FOR WRIT OF CERTIORARI**

Maria K. Pulzetti, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, respectfully requests the granting of the instant application for a 30-day extension of time for filing a petition for writ of certiorari, and in support represents as follows:

1. Petitioner Vincent Wilkerson’s pro se petition for writ of habeas corpus pursuant 28 U.S.C. § 2254 was granted, in part, on February 5, 2015, in the United States District Court for the Eastern District of Pennsylvania (the Hon. Paul S. Diamond, J.).

2. On March 9, 2015, the Commonwealth filed a notice of appeal. Mr. Wilkerson filed a notice of cross appeal on July 9, 2015. Following briefing, the Third Circuit reversed in part, affirmed in part, and remanded to the District Court with instructions to deny Appellee/Cross-Appellant’s petition for a writ of habeas corpus by judgment entered September 8, 2017. (Appendix “A”).

3. Pursuant to Rule 13.1, Mr. Wilkerson’s petition for writ of certiorari is due on December 7, 2017.

4. Counsel has been unable to complete the petition given that she is presently occupied preparing the opening brief and joint appendix due to be filed in the Third Circuit Court

of Appeals on November 24, 2017, in *United States v. Ruben Pena-Ortiz*, No. 17-2398. Counsel has a sentencing hearing on December 5, 2017, in *United States v. Aaron Wilson*, No. 13-cr-326 (E.D. Pa.). Counsel had also been recently working on the following cases for filing before the Third Circuit: *United States v. Christian Guerrero-Alvarez*, No. 17-1633, reply brief filed on October 25, 2017; and *David Mathias v. Superintendent Frackville SCI, et al.*, Nos. 14-4694 and 15-2694, petition for rehearing filed on October 11, 2017. Additionally, counsel is reviewing other cases to which she is assigned in preparation of filing of briefs.

5. Counsel respectfully requests an additional 30 days in which to complete the petition for writ of certiorari.

WHEREFORE, for all the foregoing reasons of good cause, Maria K. Pulzetti, Assistant Federal Defender, on behalf of the Federal Community Defender Office for the Eastern District of Pennsylvania, and on behalf of Vincent Wilkerson, Petitioner, respectfully requests that this Court grant this motion for a 30-day extension of time for filing of a petition for writ of certiorari.

Respectfully submitted,

/s/ Maria K. Pulzetti
MARIA K. PULZETTI
Assistant Federal Defender
Federal Community Defender Office
for the Eastern District of Pennsylvania
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CERTIFICATE OF SERVICE

I, Maria K. Pulzetti, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I have electronically filed this *Application for Extension of Time for Filing Petition for Writ of Certiorari* through the Supreme Court of the United States's Electronic Filing System (EFS) and served copies upon Assistant District Attorney Max C. Kaufman, by first class U.S. mail to his office located at Three South Penn Square, Philadelphia, PA, 19107 and upon the Office of the Solicitor General, by first class U.S. mail, at Department of Justice, Room 5614, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001.

/s/ Maria K. Pulzetti

MARIA K. PULZETTI

Date: November 21, 2017