
No.

IN THE SUPREME COURT OF THE UNITED STATES
OCTOBER TERM 2017

GERALD WINFIELD,
Petitioner,

v.

STEPHANIE DORETHY,
Respondent.

**APPLICATION FOR EXTENSION OF TIME WITHIN WHICH
TO FILE PETITION FOR WRIT OF CERTIORARI**

To the Honorable Elena Kagan, Associate Justice of the Supreme Court
and Circuit Justice for the Seventh Circuit:

The Petitioner, Gerald Winfield, respectfully requests, pursuant to Sup.
Ct. R. 13.5 and 30, the issuance of an order extending the time for filing a
petition for writ of certiorari from its present due date of February 12, 2018,
to April 3, 2018. In support of this application, petitioner states as follows:

1. The jurisdiction of this Court is invoked pursuant to 28 U.S.C.
§ 1254(1).

2. Counsel was appointed pursuant to the Criminal Justice Act of 1964 (18 U.S.C. § 3006A).

3. The decision of the Court of Appeals for the Seventh Circuit in this case is reported at *Winfield v. Dorethy*, 871 F.3d 555 (7th Cir. 2017). A copy of the Seventh Circuit's opinion is attached to this motion.

4. The opinion was entered on September 13, 2017. Winfield filed a timely petition for rehearing and rehearing en banc, and that petition was denied on November 14, 2017.

5. Petitioner's counsel is requesting an extension of time because he has not had adequate opportunity to develop the petitioner's issues for this Court.

6. Counsel has primary responsibility for all post-conviction matters filed by the Federal Defender Program in the Northern District of Illinois. Counsel currently has over 40 cases in the district court, the Seventh Circuit, and this Court.

7. In addition to the more routine tasks arising from these cases, counsel has devoted considerable time to appellate filings. In the past 30 days, counsel has filed a petition for certiorari before this Court in *Michael Smith v. United States*, No. 17-7517, and within the next month will be filing

certiorari petitions in *Van Sach v. United States*, 2017 WL 4842617 (7th Cir. Sep. 1, 2017), *Pickett v. United States*, 2017 WL 5899317 (7th Cir. Sep. 21, 2017), and *Jefferson v. United States*, No. 17-2183 (7th Cir.). In the past 30 days, counsel has filed a petition for rehearing with the Seventh Circuit in *Hill v. United States*, 877 F.3d 717 (7th Cir. 2017).

WHEREFORE, it is respectfully requested that an extension of time to file a petition for writ of certiorari be granted from the present due date of February 12, 2018, to April 3, 2018.

Dated January 31, 2018, at Chicago, Illinois.

Respectfully submitted,

Federal Defender Program
Carol A. Brook,
Executive Director

By: s/William H. Theis
William H. Theis
Counsel of Record
For the Petitioner

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