

No. _____

In The Supreme Court of The United States

Milton N. Ward III,
Petitioner(s),

v.

United States Respondent(s).

**APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI TO THE
DISTRICT OF COLUMBIA COURT OF APPEALS**

To the Honorable John G. Roberts, Jr., Chief Justice of the Supreme Court of the United States and Circuit Justice for the District of Columbia Court of Appeals:

Petitioner Milton N. Ward III, respectfully request that time to file a petition for writ of certiorari in this matter be extended for sixty days up to and including April 16, 2018. The Court of Appeals issued its order denying rehearing en banc on November 17, 2017. Absent an extension of time, the Petition would therefore be due February 15, 2018. Petitioner is filing this Application at least ten days before that date.

The opinion of the District of Columbia Court of Appeals is attached. This Court would have jurisdiction over the judgment under 28 U.S.C. §1257.

Background

Petitioner plead guilty to carrying a pistol without a license in 2011 and was sentenced to nine months of unsupervised probation and a \$50 fine.

In 2015 Petitioner filed a motion to withdraw guilty plea pursuant to Superior Court Rules of Criminal Procedure 32(e) and or D.C. Code § 23-110 on the grounds that (1) The plea was not made knowingly and voluntarily, (2) That the defendant was denied his Sixth Amendment right to effective assistance of counsel and (3) That the

charge(s) were the result of an unreasonable search and seizure in violation of the Fourth Amendment of the U.S. Constitution and that the relevant statute(s) infringe upon the defendants right to keep and bear arms and therefore violates the Second Amendment of the U.S. Constitution and that the District of Columbia could not constitutionally prosecute. On February 11, 2016 the Superior Court of the District of Columbia denied the Petitioner's motion. On April 28, 2017 the District of Columbia Court of Appeals affirmed the trial court's denial of the motion and on November 11, 2017 the Court of Appeals denied the motion for rehearing en banc. The Petitioner challenges the District of Columbia's denial of his motion to withdraw his guilty plea claiming it violates his rights under the Second and Sixth Amendments of the U.S. Constitution and conflicts with the rulings of this Court.

Reason For Granting An Extension Of Time

The Appellant works as an Over the Road (OTR) truck driver and is only home 4 days out of the month at most and needs additional time to research and prepare his petition.

Conclusion

For the foregoing reason, the time to file a Petition for a Writ of Certiorari in this matter should be extended sixty days up to and including April 16, 2018.

Respectfully submitted,

Milton N. Ward III
1450 3rd St. SW
Hickory, NC 28602



January 27, 2018