

No. ____ - ____

IN THE
SUPREME COURT OF THE UNITED STATES

ROBERT MCLAMB,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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

To the Honorable John G. Roberts, Jr., Chief Justice of the United States and Circuit
Justice for the Fourth Circuit:

Petitioner, by his attorney, respectfully makes application pursuant to Supreme Court
Rules 13.5 and 22 for an extension of time of 44 days in which to file a petition for a writ of
certiorari in the above styled-case.

1. The United States Court of Appeals for the Fourth Circuit decided Petitioner's
direct appeal on January 25, 2018. *See United States v. McLamb*, 4th Cir. No. 17-4299 (copy
of published decision appended to this application). The issue on appeal is whether evidence
seized pursuant to a warrant should have been excluded from trial due to violations of the
Fourth Amendment. Petitioner did not seek rehearing. Accordingly, the petition for a writ
of certiorari is due on April 25, 2018.

2 Between the beginning of February and today (March 26), counsel, who is a trial attorney in the Office of the Federal Public Defender for the Eastern District of Virginia, has had the following obligations: filing pleadings and representing defendants at sentencing hearings in *United States v. Seerden*, E.D. Va. No. 2:17-cr-67 (Feb. 15, 2018), *United States v. Wise*, E.D. Va. No. 2:17-cr-130 (Feb. 26, 2018), and *United States v. Jones*, 4:17-cr-74 (Mar. 2, 2018); representing defendants in supervised release violation hearings in *United States v. Botts*, E.D. Va. No. 4:16-cr-32 (Feb. 14, 2018), *United States v. Burrus*, E.D. Va. No. 3:14-cr-135 (Feb. 26, 2018), *United States v. Jones*, E.D. Va. No. 4:12-cr-87 (Mar. 2, 2018), *United States v. Hill*, E.D. Va. No. 4:08-cr-61 (Mar. 5, 2018), and *United States v. Groux*, E.D. Va. No. 2:16-cr-98 (Mar. 15, 2018); and handling various pretrial hearings, discovery review, plea negotiations, and client consultations in other federal criminal matters.

3. Between today and April 25, counsel has the following obligations: the filing of sentencing pleadings and representation of defendants at contested sentencing hearings with multiple guideline objections in *United States v. Seay*, E.D. Va. No. 4:17-cr-100 (Apr. 11, 2018), and *United States v. Zinner*, E.D. Va. No. 4:17-cr-3 (Apr. 12, 2018); representing defendants in supervised release violation hearings in *United States v. Keith*, E.D. Va. No. 4:11-cr-55 (Mar. 28, 2018) and *United States v. Fritts*, E.D. Va. No. 2:13-cr-158 (Apr. 3, 2018); conducting trial preparations and plea negotiations in *United States v. Poteat*, E.D. Va. No. 2:18-cr-17 (tax fraud trial scheduled to begin April 24, 2018); and handling various

pretrial hearings, discovery review, plea negotiations, and client consultations in other federal criminal matters.

4. After April 25, counsel will have the following: preparing for and participating in two trials scheduled to begin in the United States District Court for the Eastern District of Virginia on May 15, 2018 and May 22, 2018, as well as handling various pretrial hearings, discovery review, plea negotiations, and client consultations in other federal criminal matters.

5. In light of his schedule and in order to effectively represent his client in this case, counsel seeks an extension of 44 days, from April 25 to June 8, 2018, in which to prepare the petition for a writ of certiorari.

Wherefore, Petitioner prays that this application be granted.

Respectfully submitted,

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Federal Public Defender
for the Eastern District of Virginia

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