

IN THE SUPREME COURT OF THE UNITED STATES

No. A-____

THE PEOPLE OF THE STATE OF ILLINOIS,

Petitioner,

v.

DERRICK BONILLA,

Respondent.

**APPLICATION FOR AN EXTENSION OF TIME
IN WHICH TO FILE A PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME COURT OF ILLINOIS**

To the Honorable Brett M. Kavanaugh, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Seventh Circuit:

Pursuant to 28 U.S.C. § 2101(d) and Rules 13 and 30.2 of the Rules of this Court, applicant, the People of the State of Illinois, prays for a sixty day extension of time to file its petition for certiorari in this Court, to and including March 17, 2019. The Supreme Court of Illinois entered final judgment on October 18, 2018. The time to file a petition for certiorari in this Court accordingly expires on January 16, 2019. This application is being filed more than ten days before that date.

A copy of the Supreme Court of Illinois's opinion, published at 2018 IL 122484 (and not available yet in the North Eastern Reporter), is attached hereto as Exhibit 1. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

As may be seen from the attached opinion, this cases raises important issues regarding the interpretation of the Fourth Amendment to the United States Constitution. There are two principal questions: (1) Whether a sniff by a drug-detection dog conducted in the common area of an apartment building is a Fourth Amendment search under *Florida v. Jardines*, 133 S. Ct. 1409 (2013); and (2) If the dog sniff was an unreasonable search, whether the good-faith exception to the exclusionary rule applies when binding precedent held that (a) there was no reasonable expectation of privacy in the building common area, and (b) such dog sniffs did not implicate legitimate privacy interests.

Michael Glick, Chief of the Criminal Appeals Division in the Office of the Illinois Attorney General, is responsible for the preparation of and editing the petition for certiorari. Since the Illinois Supreme Court entered judgment, Mr. Glick has reviewed fifty-five pleadings and supervised oral argument in four cases in the Seventh Circuit Court of Appeals and the Illinois Supreme Court.

Eldad Malamuth, Assistant Attorney General, also is assigned to work on this matter. Mr. Malamuth has filed three pleadings in the United States District Courts responding to petitions for writs of habeas corpus pursuant to 28 U.S.C.

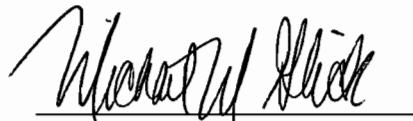
§ 2254 and one brief in the Illinois Appellate Court regarding the appeal from a petition for relief from judgment.

Additionally, a new Attorney General of Illinois, Kwame Raoul, will take office on January 14, 2019, and will need time to review the petition for certiorari.

Wherefore petitioner respectfully requests that an order be entered extending the time to file a certiorari petition to and including March 17, 2019.

January 4, 2019

Respectfully submitted,



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CERTIFICATE OF SERVICE AND STATEMENT OF TIMELY FILING

I, Michael M. Glick, counsel for the People of the State of Illinois and a member of the bar of this Court, hereby certify that on the fourth day of January, 2019, I have served an original and two (2) copies of this Application for Extension of Time to File a Petition for Writ of Certiorari, by mail, first class postage prepaid, to Mr. Scott S. Harris, Clerk, United States Supreme Court, Supreme Court Building, Washington, D.C. 20541, and also filed this Application using the Court's electronic filing system. I further certify that on this fourth day of January, 2016 a copy of this Application for Extension of Time to File a Petition for Writ of Certiorari was mailed, first class postage prepaid, to Hector Lareau, 1515 4th Avenue, Suite 301, Rock Island, Illinois 61201, hector@lareaulaw.com, and Katherine M. Strohl, 514 East Main Street, Ottawa, Illinois 61350, Katherine.m.strohl@gmail.com, counsel for the respondent herein, and that all parties required to be served have been served. An electronic version of the Application also was served by email to the email addresses indicated above.



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