

**FEDERAL PUBLIC DEFENDER
WESTERN DISTRICT OF NORTH CAROLINA**

Anthony Martinez
Federal Public Defender

129 West Trade Street
Suite 300
Charlotte, NC 28202
(704) 374-0720
Fax (704) 374-0722



1 Page Avenue
Suite 210
Asheville, NC 28801
(828) 232-9992
Fax (828) 232-5575

November 20, 2018

The Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
1 First Street, NE
Washington, D.C. 20543

Re: United States v. Gerald Wheeler
Case No. 18-420

Dear Mr. Harris:

The petition for certiorari in the above case was filed on October 3, 2018. The Chief Justice extended the time to file the petition from September 9, 2018 to October 9, 2018. Mr. Wheeler filed a waiver of the right to respond, and the Court requested a response on November 13. Mr. Wheeler's response is now due December 13, 2018. We respectfully request, under Rule 30.4 of the Rules of the Court, an extension of time up to and including January 14, 2018, within which to file Mr. Wheeler's response.

This extension is requested to allow us sufficient time to adequately complete Mr. Wheeler's response while meeting other pending deadlines. Specifically, Mr. Wheeler's counsel is responsible for deadlines in the following cases: *United States v. Lockhart*, Fourth Cir. No. 16-4441 (oral argument held November 15, 2018); *United States v. Cornette*, Fourth Cir. No. 18-4061 (reply brief due November 26, 2018); *United States v. Patterson*, Fourth Cir. No. 18-4402 (opening brief due November 26, 2018); *United States v. Stroupe*, Fourth Cir. No. 18-4565 (opening brief due November 26, 2018); *United States v. Chase*, Fourth Cir. No. 17-4306(L) (reply brief due November 30, 2018); *United States v. Collins*, Fourth Cir. No. 18-4525 (opening brief due December 5, 2018); *United States v. Shiraz*, Fourth Cir. No. 18-4651 (opening brief due December 7, 2018); *United States v. Parks*, Fourth Cir. No. 18-4641 (opening brief due December 13, 2018); *United States v. Davis*, Fourth Cir. No. 18-4710 (opening brief due December 26, 2018); and *United States v. Dinkins*, Fourth Cir. No. 18-6264 (opening brief due December 26, 2018). This is counsel's first request for an extension and is not being made for purposes of delay.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. B. Carpenter', with a long horizontal flourish extending to the right.

Joshua B. Carpenter
Appellate Chief

cc: Noel J. Francisco, Solicitor General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530