

IN THE UNITED STATES SUPREME COURT

TONY PHILLIPS, :
 Petitioner :
 v. : **NO.** _____
UNITED STATES OF AMERICA, :
 Respondent

**APPLICATION FOR EXTENSION OF TIME
FOR FILING PETITION FOR WRIT OF CERTIORARI**

Robert Epstein, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, respectfully requests the granting of the instant application for a 30-day extension of time, or until December 31, 2025, for filing a petition for writ of certiorari, and in support states:

1. Tony Phillips was charged by sixth superseding indictment in the District of New Jersey with racketeering conspiracy in violation of 18 U.S.C. § 1962(d) (count 1); murder in aid of racketeering in violation of 18 U.S.C. § 1959(a)(1) (count 2); two counts of use and carrying a firearm during a crime of violence in violation of 18 U.S.C. § 924(c)(1)(A) (counts 3 & 10); violent crime in aid of racketeering in violation of 18 U.S.C. § 1959(a)(5) (count 4); two counts of attempted murder in aid of racketeering in violation of 18 U.S.C. §§ 1959(a)(5) and 2 (counts 5 & 6); violent crime in aid of racketeering, in violation of 18 U.S.C. § 1959(a)(6) (count 7); and two counts of assault with a dangerous weapon in aid of racketeering, in violation of 18 U.S.C. §§ 1959(a)(3) and 2 (counts 8 and 9).

2. After an original trial and a six-week long re-trial, Mr. Phillips was found guilty. He was sentenced on December 4, 2018, by the Honorable Madeline Cox Arleo to a total term of life imprisonment, five years of supervised release, restitution and a special assessment. Mr. Phillips filed timely notice of appeal in this matter on January 31, 2023.

3. On June 4, 2025, the Court of Appeals for the Third Circuit affirmed the judgment of the district court and issued a not precedential opinion, submitted herewith as Appendix A. On September 2, 2025, the court denied a petition for panel rehearing and rehearing *en banc*. The denial of the petition is submitted herewith as Appendix B.

4. Counsel respectfully requests an extension of time as he has been occupied with other appeals to which he is assigned, including *United States v. Mashaq White*, Third Cir. No. 22-2197; and *United States v. Alfred Stewart*, Third Cir. No. 22-1721.

5. Counsel respectfully requests an additional thirty (30) days, or until December 31, 2025, for preparation of a petition for writ of certiorari.

WHEREFORE, for all the foregoing reasons of good cause, Robert Epstein, Assistant Federal Defender, on behalf of the Federal Community Defender Office for the Eastern District of Pennsylvania, and on behalf of Tony Phillips, respectfully requests that this Court grant this application for a 30-day

extension of time, or until December 31, 2025, for filing of the petition for writ of certiorari.

Respectfully submitted,

/s/ Robert Epstein
ROBERT EPSTEIN
Assistant Federal Defender

CERTIFICATE OF SERVICE

I, Robert Epstein, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I have electronically filed and served a copy of the *Application for Extension of Time for Filing Petition for Writ of Certiorari* upon Assistant United States Attorney Mark E. Coyne, by first class U.S. mail, postage prepaid, at the United States Attorney's Office, 970 Broad Street, Room 700, Newark, NJ, 07102, and upon the Office of the Solicitor General, by first class U.S. mail, postage prepaid at the Department of Justice, Room 5614, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530-0001.

/s/ Robert Epstein
ROBERT EPSTEIN

DATE: November 13, 2025