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IN THE
Supreme Court of the United States

DELBERT TYLER TREVINO
Applicant,

v.

UNITED STATES OF AMERICA,
Respondent.

**Application for Extension of Time
to File Petition for Writ of Certiorari to the
United States Court of Appeals for the Tenth Circuit**

**APPLICATION TO THE HONORABLE JUSTICE
NEIL M. GORSUCH, AS CIRCUIT JUSTICE**

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APPLICATION FOR EXTENSION OF TIME

Under this Court's Rule 13.5, Applicant Delbert Tyler Trevino respectfully requests a 30-day extension of time within which to file a petition for writ of certiorari, to and including September 18, 2026.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is *United States v. Trevino*, No. 24-2170 (10th Cir. May 21, 2026) (unpublished) (attached as Exhibit A).

JURISDICTION

This Court will have jurisdiction over any timely petition under 28 U.S.C. § 1254(1). The Tenth Circuit entered judgment on May 21, 2026. No party sought rehearing. In accordance with Rule 13.5, this application is being filed more than 10 days before the current due date of August 19, 2026.

REASONS JUSTIFYING AN EXTENSION OF TIME

Undersigned counsel of record has had several competing professional commitments since the decision of the Tenth Circuit was issued in Mr. Trevino's case. Specifically, in the Tenth Circuit, counsel argued *United States v. Freeman*, Case No. 25-5119 (May 14, 2026); filed an opening brief in *July v. Tinsley*, Case No. 25-5157 (June 12, 2026); filed a reply brief in *United States v. Washington*, Case No. 25-1349 (July 1, 2026); and filed a supplemental brief and supplemental reply brief in *United States v. Lewis*, Case No. 24-6148 (July 10 and July 31, 2026). Additionally, counsel is responsible for filing an opening brief in *United States v. Gonzales*, Case No. 26-1082 (due August 14, 2026, after three extensions of time). And, in this Court, counsel

assisted with the petition for certiorari filed in *McHenry v. United States*, Case No. 26-5212 (July 31, 2026).

Given their own current caseloads, as well as the work undersigned counsel has put into this case as counsel of record, no other attorney in the Office of the Federal Public Defender is in a position to file the petition by its current due date.

CONCLUSION

For these reasons, Applicant Delbert Tyler Trevino respectfully requests a 30-day extension of time within which to file a petition for writ of certiorari, to and including September 18, 2026.

Respectfully submitted,

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