

No. _____

IN THE
Supreme Court of the United States

ANTHONY LEE DANIELS,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

**APPLICATION FOR AN EXTENSION OF TIME TO FILE A PETITION FOR A
WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE FOURTH CIRCUIT**

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

Under 28 U.S.C. § 2101(c) and Rules 13.5, 22, and 30 of this Court, petitioner Anthony Lee Daniels respectfully requests a sixty-day extension of time, up to and including September 25, 2026, in which to file a petition for a writ of certiorari in this Court. The Fourth Circuit affirmed Mr. Daniels’s 180-month sentence under the Armed Career Criminal Act on April 27, 2026. Mr. Daniels’s time to file a petition for certiorari in this Court expires on July 27, 2026. This application is being filed more than ten days before that date. A copy of the Fourth Circuit’s opinion in this case is attached as Exhibit 1. This Court has jurisdiction under 28 U.S.C. § 1254(1).

This case presents the question whether an acknowledged error under *Erlinger v. United States*, 602 U.S. 821 (2024), may be harmless and, if so, what standard applies to make that determination.

The Court of Appeals here determined that the District Court erred, but the error was harmless because Mr. Daniels was informed of the penalties provided by the Armed Career Criminal Act in the indictment and at arraignment, he did not seek to withdraw his plea, and he “did not dispute the accuracy of any of the information in his presentence report.” Slip. Op. at 3. It also found the evidence of different occasions “strong” where the predicate offenses were committed on five different days over a two-and-a-half month period. *Id.* at 4.

In addition to this petition, the undersigned is currently drafting the opening brief and joint appendix in *United States v. Taylor*, Fourth Cir. No. 26-4209. She is also preparing for oral argument in *United States v. Peters*, Fourth Cir. No. 24-6704; *United States v. Taylor*, Fourth Cir. No. 24-727; and *United States v. Street*, No. 25-4051, all of which are tentatively scheduled for oral argument in September. The undersigned requests this extension of time to permit her to research the relevant legal and factual issues and to prepare a petition that fully addresses the important questions raised by the proceedings below.

For these reasons, Mr. Daniels respectfully requests that an order be entered extending the time to petition for certiorari up to and including September 25, 2026.

This the 13th day of July, 2026.

Respectfully submitted,

/s/ Jaclyn L. Tarlton

JACLYN L. TARLTON

ASSISTANT FEDERAL PUBLIC DEFENDER

OFFICE OF THE FEDERAL PUBLIC DEFENDER

EASTERN DISTRICT OF NORTH CAROLINA

150 Fayetteville St., Suite 450

Raleigh, N.C. 27601

(919) 856-4236

jackie_tarlton@fd.org

Counsel for Petitioner