
No.

IN THE SUPREME COURT OF THE UNITED STATES
OCTOBER TERM 2017

JOSEPH VAN SACH,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

**APPLICATION FOR EXTENSION OF TIME WITHIN WHICH
TO FILE PETITION FOR WRIT OF CERTIORARI**

To the Honorable Elena Kagan, Associate Justice of the Supreme Court
and Circuit Justice for the Seventh Circuit:

The Petitioner, Joseph Van Sach, respectfully requests, pursuant to
Sup. Ct. R. 13.5 and 30, the issuance of an order extending the time for filing
a petition for writ of certiorari from its present due date of February 26, 2018,
to April 27, 2018. In support of this application, petitioner states as follows:

1. The jurisdiction of this Court is invoked pursuant to 28 U.S.C.
§ 1254(1).

2. Counsel was appointed pursuant to the Criminal Justice Act of 1964 (18 U.S.C. § 3006A).

3. The decision of the Court of Appeals for the Seventh Circuit in this case is reported at *Van Sach v. United States*, 2017 WL 4842617 (7th Cir. Sep. 1, 2017). A copy of the Seventh Circuit's opinion is attached to this motion.

4. The opinion was entered on September 1, 2017. Van Sach filed a timely petition for rehearing and rehearing en banc, and that petition was denied on November 28, 2017.

5. Petitioner's counsel is requesting an extension of time because he has not had adequate opportunity to develop the petitioner's issues for this Court.

6. Counsel has primary responsibility for all post-conviction matters filed by the Federal Defender Program in the Northern District of Illinois. Counsel currently has over 40 cases in the district court, the Seventh Circuit, and this Court.

7. In addition to the more routine tasks arising from these cases, counsel has devoted considerable time to appellate filings. In the past 30 days, counsel has filed a petition for certiorari before this Court in *Michael Smith v. United States*, No. 17-7517, *Pickett v. United States*, No. 17A742,

and *Jefferson v. United States*, No. 17-2183 (7th Cir). In the past 30 days, counsel has filed a petition for rehearing with the Seventh Circuit in *Hill v. United States*, 877 F.3d 717 (7th Cir. 2017). In the next 30 days, counsel is scheduled to file opening briefs in three appeals before the Seventh Circuit.

WHEREFORE, it is respectfully requested that an extension of time to file a petition for writ of certiorari be granted from the present due date of February 26, 2018, to April 27, 2018.

Dated February 14, 2018, at Chicago, Illinois.

Respectfully submitted,

Federal Defender Program
Carol A. Brook,
Executive Director

By: s/William H. Theis
William H. Theis
Counsel of Record
For the Petitioner

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