

No:

IN THE  
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2023

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VICTOR VARGAS,

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

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

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**TO THE HONORABLE CLARENCE THOMAS, ASSOCIATE  
JUSTICE OF THE SUPREME COURT OF THE UNITED  
STATES AND CIRCUIT JUSTICE FOR THE  
ELEVENTH CIRCUIT:**

Pursuant to Supreme Court Rules 13.5, 22, and 30.3, Victor Vargas respectfully requests a 30-day extension of time within which to file a petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. Mr. Vargas has not previously sought an extension of time from this Court.

This is a case that presents issues regarding speedy trial rights and the proper standard for clear error review.

Mr. Vargas was convicted of conspiracy to distribute and possession with intent to distribute heroin in violation of 21 U.S.C. §§846 and 841. He entered a conditional plea to the charges and preserved his challenges to a 35-month post-indictment speedy trial delay. The Eleventh Circuit affirmed his conviction in an opinion dated April 3, 2024. *See* attached Exhibit A, *United States v. Vargas*, 97 F.4<sup>th</sup> 1277 (11<sup>th</sup> Cir. 2024).

Mr. Vargas now seeks to file a petition for writ of certiorari with this Court to review the decision of the Eleventh Circuit. The petition is due July 2, 2024. This motion for extension of time is being filed more than ten days before the cert petition filing date. *See* S.Ct. Rule 13.5. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1).

Counsel believes that additional time will be important for the careful preparation of the petition for writ of certiorari in this matter, and that additional time will be necessary due to the press of previously assigned matters with proximate due dates. The Solicitor General has no objection to this request.

In light of the above, Mr. Vargas seeks a 30-day extension of time within which to file a Petition for Writ of Certiorari.

No party will be prejudiced by the granting of this request.

Accordingly, petitioner respectfully requests that this Court extend the time to file a petition for writ of certiorari by 30 days, to and including August 1, 2024. S.Ct. Rule 30(1).

Respectfully submitted,

HECTOR A. DOPICO  
INTERIM FEDERAL PUBLIC DEFENDER

Fort Lauderdale, Florida  
May 31, 2024

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