

No. 23A908

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IN THE  
Supreme Court of the United States

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ALEJANDRO CARRASCO,

*Petitioner,*

*v.*

UNITED STATES OF AMERICA,

*Respondent.*

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ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

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**APPLICATION TO THE HON. KETANJI BROWN  
JACKSON FOR A FURTHER EXTENSION OF TIME  
WITHIN WHICH TO FILE PETITION FOR A WRIT OF  
CERTIORARI**

Petitioner respectfully requests a thirty-day extension of time to file a petition for a writ of certiorari from the U.S. Court of Appeals for the First Circuit's order denying a petition for rehearing *en banc* in *United States v. Carrasco*, 79 F.4th 153 (1st Cir. 2023), *pet. reh'g denied* Jan. 16, 2024. The certiorari petition is currently due on May 15, 2024.

Mr. Carrasco’s certiorari petition deals with highly contested legal issues of utmost importance, including the scope of the term “agent” in 18 U.S.C. § 666, the most prosecuted federal anticorruption statute. Specifically, one question the case asks is whether a private outside consultant with no managerial responsibilities is a “government agent” subject to liability (and up to 10 years in prison) under the statute. Currently there is a circuit split on the scope of the term “agent” and this case will give the Court the opportunity to settle this important issue, *i.e.*, the kinds of people to whom 18 U.S.C. § 666 applies to.

Another critical issue the case presents is whether the “official act” requirement that this Court deemed essential in *McDonnell v. United States*, 579 U.S. 550, 574-575 (2016) to avoid “significant” federalism, First Amendment, and due process concerns in the context of the bribery offense codified in 18 U.S.C. § 201(b) —which mostly applies to federal public officials— applies as well in the context of a bribery prosecution under 18 U.S.C. § 666.

The “substantial” constitutional concerns that this Court identified in *McDonnell* are even more pressing in the § 666 context, because the statute applies to over 19 million state, local, and tribal officials, and Congress’ interest in criminalizing state and local governmental corruption is less clear than in prosecuting corruption at the federal level.



Mr. Carrasco was convicted after a six-day jury trial. The undersigned attorney was not involved in this case at the trial level nor at the direct appeal stage. As such, I have been studying the extensive factual and procedural record, as well as the various and complex legal claims brought throughout trial and direct appeal. At the same time, I have had to fulfill additional duties in other court-assigned cases, including drafting and filing appellate briefs in the First Circuit and representing indigent clients before the U.S. District Court for the District of Puerto Rico.

I have already completed review of the voluminous trial and appellate record, conducted the necessary legal research, and began drafting the certiorari petition. Considering (1) the complexity and widespread applicability of the legal issues in this petition, (2) that the undersigned was not the attorney below and had to spent a significant amount of time familiarizing with the facts and procedural history, and (3) the undersigned's other professional commitments that have detracted from his ability to finish Mr. Carrasco's certiorari petition, the undersigned respectfully submits that good cause exists to extend the deadline by which to file the petition by a final thirty days (*i.e.*, until and including Friday, June 14, 2024).

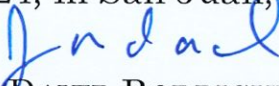
The extension is needed to complete the drafting process, edit the brief, allow for adequate supervisory review, prepare the appendix, and comply with all filing requirements. The undersigned will put on his best effort to

file the petition for certiorari before the requested June 14, 2024, extended date.

For these reasons, and to adequately present the consequential legal issues in this case, the undersigned respectfully seeks a final thirty-day extension, until June 14, 2024, to file the petition for certiorari.

Respectfully submitted.

Executed on May 3, 2024, in San Juan, Puerto Rico.

  
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