

No. \_\_\_\_\_

**In the Supreme Court of the United States**

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JONATHAN ALEXANDER MORALES-LOPEZ,

*Applicant,*

v.

UNITED STATES OF AMERICA,

*Respondents.*

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*ON PETITION FOR WRIT OF CERTIORARI TO  
THE UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT*

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**APPLICATION FOR AN EXTENSION OF TIME  
TO FILE A PETITION FOR WRIT OF CERTIORARI**

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Jonathan Alexander Morales-Lopez*

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

**To the Honorable Sonia Sotomayor, as Circuit Justice for the United States Court of Appeals for the Tenth Circuit:**

Applicant Jonathan Alexander Morales-Lopez respectfully requests an extension of 60 days in which to file his petition for writ of certiorari, seeking review of the Tenth Circuit's decision in *United States v. Morales-Lopez*, Case No. 22-4074 (10th Cir. Mar. 4, 2024), a copy of which is attached to this application.

In support of this application, Applicant states the following:

1. The Tenth Circuit issued denied Mr. Morales-Lopez's appeal on March 4, 2024. Accordingly, the petition for certiorari is currently due May 9, 2024.

Granting this extension would make it due on July 8, 2024.

2. The jurisdiction of this Court is invoked under 28 U.S.C. 1254(1).

3. This case asks whether 18 U.S.C. § 922(g)(3) is unconstitutionally vague on its face. Relying on precedent, the Tenth Circuit held the district court erred in even considering the facial challenge. The Tenth Circuit also relied on precedent to conclude that Mr. Morales-Lopez's conduct fell within the ambit of the statute. This decision reinforces the confusion regarding when a facial challenge to law can be brought. The circuit's decision rests on an inaccurate understanding of this Court's vagueness jurisprudence, and perpetuates the uncertainty as to what is prohibited conduct under §922(g)(3). Based on the ruling in his case, and the entrenched ambiguity, Mr. Morales-Lopez has determined he will seek review via a petition of certiorari.

4. This application is not sought for purposes of delay. Undersigned counsel is the lead attorney on several pending appeals. Undersigned counsel represented Mr. Morales-Lopez before the Tenth Circuit, and there are currently no other attorneys in the Federal Public Defender office who are familiar enough with the record in Mr. Morales-Lopez's case to be capable of preparing a petition by the current due date.

For these reasons, Mr. Morales-Lopez requests a 60-day extension of time in which to file a petition for a writ of certiorari.

Respectfully submitted,

*/s/ Jessica Stengel*

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*Jonathan Alexander Morales-Lopez*

No. \_\_\_\_\_

**In the Supreme Court of the United States**

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CHAD EUGENE CALDWELL,

*Applicant,*

v.

UNITED STATES OF AMERICA,

*Respondents.*

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CERTIFICATE OF SERVICE

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I hereby certify that a copy of this Application for an Extension of Time to File a Petition for Writ of Certiorari was served via UPS, upon the following counsel:

Elizabeth Prelogar  
Solicitor General of the United States  
Room 5614  
Department of Justice  
950 Pennsylvania Ave, N.W.  
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*/s/ Jessica Stengel* \_\_\_\_\_

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