

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

RAFAEL ANTONIO BRACERO-NAVAS,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

On Petition for Writ of Certiorari to the
United States Court of Appeals
for the Eleventh Circuit

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

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

To the Honorable Clarence Thomas, Circuit Justice for the United States Court of Appeal for the Eleventh Circuit:

Pursuant to Rule 13.5 of the Rules of the Supreme Court of the United States, Petitioner Rafael Antonio Bracero-Navas respectfully requests a 30-day extension of time, up to and including November 11, 2024, to file his Petition for Writ of Certiorari.

BASIS FOR JURISDICTION

The United States District Court for the Middle District of Florida had original jurisdiction over this criminal case under 18 U.S.C. § 3231. The United States Court of Appeals for the Eleventh Circuit reviewed the district court's judgment under 18 U.S.C. § 3742 and 28 U.S.C. § 1291. The Eleventh Circuit issued its decision on July 12, 2024.

This Court will have jurisdiction over a timely filed petition for certiorari in this case under 28 U.S.C. § 1254(1). Mr. Bracero-Navas's petition for writ of certiorari is due on October 10, 2024, and he is filing this application more than 10 days before that date pursuant to Supreme Court Rule 13.5. Under to that Rule, the Court may extend the time to file a petition for certiorari for a period not exceeding 60 days.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

On July 12, 2024, the Eleventh Circuit affirmed Mr. Bracero-Navas's judgment and conviction. See *United States v. Bracero-Navas*, No. 22-12887, 2024 WL 3385134 (11th Cir. July 12, 2024). A copy of the opinion is attached as Appendix A. He did not seek rehearing.

REASONS FOR GRANTING AN EXTENSION OF TIME

The undersigned counsel of record is a Research and Writing Attorney for the Federal Defender's Office in the Middle District of Florida. At present, he is counsel of record in 19 open appeals in the Eleventh Circuit and this Court, in addition to several compassionate release cases in the district court. Counsel also handles other responsibilities, such as assisting private attorneys appointed under the Criminal Justice Act and assisting attorneys within his Office's trial unit.

In September, counsel presented oral argument to the Eleventh Circuit in *United States v. Hayden*, No. 19-14780 (11th Cir.) and *United States v. Read*, No. 23-10271 (11th Cir.), and filed a motion for summary reversal in *United States v. Townsel*, No. 22-14118 (11th Cir.) based on this Court's recent decision in *Erlinger v. United States*, 144 S. Ct. 1840 (2024). In the next 40 days, counsel is preparing initial briefs in *United*

States v. Johnson, No. 24-12870 (11th Cir.), *United States v. Jones*, No. 24-11133 (11th Cir.), *United States v. Wein*, No. 24-12497 (11th Cir.), and *United States v. Zamora-Estrada*, No. 24-11455 (11th Cir.), and a reply brief in *United States v. Johnson*, No. 23-14064 (11th Cir.).

A 30-day extension (until November 11, 2024) would allow the undersigned counsel to contribute effectively to pending client matters, including Mr. Bracero-Navas's petition, as well as various administrative matters. He respectfully submits that these facts support a finding of good cause under S. Ct. R. 13.5.

CONCLUSION

Wherefore, undersigned counsel respectfully asks this Court to grant a 30-day extension of time, until November 11, 2024, in which to file Mr. Bracero-Navas's petition for a writ of certiorari.

Respectfully submitted,

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