

No. _____

IN THE
Supreme Court of the United States

JOSHUA VILLALOBOS,

Applicant/Petitioner,

v.

DAVID SHINN,

Respondent.

Application for an Extension of Time Within
Which to File a Petition for Writ of Certiorari
to the Ninth Circuit Court of Appeals

**APPLICATION TO THE HONORABLE JUSTICE ELENA KAGAN
AS CIRCUIT JUSTICE**

ELIZABETH RICHARDSON-ROYER*
Attorney-at-Law
3739 Balboa Street, Suite 1095
San Francisco, California 94121
(510) 679-1105
beth@richardsonroyer.com

Attorney for Petitioner
** Counsel of Record*

*Appointed under the Criminal
Justice Act, 18 U.S.C. § 3006A(d)(7)*

APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant/Petitioner Joshua Villalobos respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari, to and including December 9, 2024.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is *Villalobos v. Shinn*, No. 22-15213 (February 28, 2024) (attached as Exhibit 1). The Ninth Circuit denied Mr. Villalobos's petition for panel rehearing and rehearing en banc on July 10, 2024 (attached as Exhibit 2).

JURISDICTION

This Court will have jurisdiction over any timely filed petition for a writ of certiorari pursuant to 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for writ of certiorari is due to be filed on or before October 8, 2024. In accordance with Rule 13.5, this application is being filed 10 days in advance of the filing date for the petition for a writ of certiorari.

REASONS JUSTIFYING AN EXTENSION OF TIME

Applicant/Petitioner respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the Ninth Circuit Court of Appeals in this case, to and including December 9, 2024.

The extension of time is sought largely because of the press of counsel's other business and work on behalf of indigent clients. For example, since the petition for rehearing was denied in this case, undersigned counsel has been responsible for the

following: (1) an opening brief filed July 15, 2024 in *United States v. Baker*, No. 23-3534 (9th Cir.); (2) oral argument held August 19, 2024 in *United States v. Coats*, No. 22-10310 (9th Cir.); (3) an opening brief filed August 27, 2024 in *People v. Rauda*, No. B331030 (Cal. Ct. App.); (4) oral argument held September 12, 2024 in *Rodriguez v. Shinn*, No. 22-16297 (9th Cir.); and (5) a cert petition filed September 18, 2024 before this Court in *Simpson v. United States*, No. 24-5615. In addition, between today's date and the requested deadline of December 9, 2024, undersigned counsel is responsible for five additional opening briefs and three reply briefs in appointed cases before the Ninth Circuit and the California Court of Appeal.

CONCLUSION

For the foregoing reasons, Applicant/Petitioner Joshua Villalobos respectfully requests that this Court grant an extension of time of 60 days, to and including December 9, 2024, within which to timely file a petition for a writ of certiorari in this case.

Respectfully submitted,

DATED: September 27, 2024

/s/ Elizabeth Richardson-Royer
ELIZABETH RICHARDSON-ROYER*
Attorney-at-Law

Attorney for Petitioner
**Counsel of Record*