

No. ___ - _____

IN THE
SUPREME COURT OF THE UNITED STATES

SEAN J. TRAHAN,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

**APPLICATION FOR AN EXTENSION OF TIME IN WHICH TO FILE A
PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT**

To the Honorable Ketanji Brown Jackson, Circuit Justice for the First Circuit:

Petitioner hereby moves by his undersigned counsel, pursuant to Rule 13(5) of the rules of this Court, for an extension of time of 60 days, to and including January 5, 2025, for the filing of a petition for certiorari to review the decision of the United States Court of Appeals for the First Circuit dated August 8, 2024 (attached as Exhibit 1). The jurisdiction of this Court is based on 28 U.S.C. § 1254(1).

1. The date within which a petition for writ of certiorari would be due, if not extended, is November 6, 2024. The instant Application is therefore timely under Rule 13(5).

2. This case presents one or more substantial issues of law as to which there is disagreement among the circuits, including whether, under the “categorical approach,” the Massachusetts child pornography statute is “overbroad” such that a prior conviction under that statute cannot trigger a federal mandatory minimum sentence under 18 U.S.C. § 2252A. Compare, e.g., *United States v. Reinhart*, 893 F.3d 606, 608 (9th Cir. 2018) (holding that prior state convictions based on broader statutes were not offenses “relating to” child pornography) with *United States v. Bennett*, 823 F.3d 1316, 1324 (10th Cir. 2016) (holding that phrase “‘relating to’ has a broadening effect on § 2252A” and that prior state conviction triggers mandatory minimum even if it does not “mirror” the federal statute).

3. Petitioner’s counsel requires the additional requested time to research the legal issues, to consult with the Petitioner, and to prepare an appropriate petition for consideration by this Court.

4. Petitioner is currently serving the 126-month sentence of imprisonment imposed by the district court. Consequently, an extension of time will not delay service of his sentence or otherwise prejudice respondent.

For the foregoing reasons, Petitioner hereby requests that an extension of time to and including January 5, 2025, be granted within which Petitioner may file a petition for a writ of certiorari.

Respectfully submitted,

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