

IN THE  
Supreme Court of the United States

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FIRST FINANCE INTERNATIONAL BANK, INC.,

Petitioner/Applicant

v.

OFFICE OF THE COMMISSIONER OF FINANCIAL INSTITUTIONS  
OF PUERTO RICO,

Respondents.  
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**RULE 13 APPLICATION  
FOR EXTENSION OF TIME TO FILE  
PETITION FOR CERTIORARI**

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**TO THE HONORABLE JUSTICE  
KETANJI BROWN JACKSON AS CIRCUIT JUSTICE**  
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**Attorneys for Petitioner/Movant**

\*Counsel of Record

Wednesday, June 26, 2024

To the Honorable Ketanji Brown Jackson, as Associate Justice of The United States Supreme Court and Circuit Justice for the United States Court of Appeals for the First Circuit:

### **APPLICATION FOR AN EXTENSION OF TIME**

Pursuant to this Court’s Rules 13.5, 22, 30.2, and 30.3, as well as 28 U.S.C. §2101(c), Applicant hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari, up to and including Friday, September 6, 2024.<sup>1</sup>

### **JUDGMENT FOR WHICH REVIEW IS SOUGHT**

The judgment for which certiorari review is sought is *First Finance International Bank, Inc. v. Office of The Commissioner of Financial Institutions*, Court of Appeals Puerto Rico No. KLRA202300209 (June 23, 2023) [attached as Exhibit A]. The Supreme Court of Puerto Rico denied Applicant’s motion for reconsideration of its denial of certiorari on April 10, 2024. [See Resolution, No. CC-2024-0022, attached as Exhibit B).]

### **JURISDICTION**

This Court will have jurisdiction over any timely-filed petition for certiorari in this case pursuant to 28 U.S.C. § 1258.<sup>2</sup> Based on the April 10, 2024 Puerto Rico

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<sup>1</sup> N.B. – Respondents did not timely respond to an email asking whether they consented or objected to the Application. [See Exhibit C.]

<sup>2</sup> See 28 U.S.C.A. §1258 (West) (“Final judgments or decrees rendered by the Supreme Court of the Commonwealth of Puerto Rico may be reviewed by the

Supreme Court’s ruling,<sup>3</sup> pursuant to Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari is due to be filed on or before Tuesday, July 9, 2024.

In accordance with Rule 13.5, this Application has been filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

### **REASONS JUSTIFYING THE EXTENSION**

This case presents issues of importance to criminal prosecutions nationwide. The Petition will present both legal and procedural issues involving allegations that Respondent OCIF is violating the Foreign Dormant Commerce Clause and the Equal Protection Clause through selective enforcement of Puerto Rico statutes and regulations. See, e.g., *Nat’l Pork Producers Council v. Ross*, 598 U.S. 356 (2023); *New York v. Grand River Enter. Six Nations, Ltd.*, 2020 WL 13252320 (W.D.N.Y.

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Supreme Court by writ of certiorari where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of the Commonwealth of Puerto Rico is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution or the treaties or statutes of, or any commission held or authority exercised under, the United States.”). See also *Carrier Corp. v. Perez*, 677 F.2d 162, 164 (1st Cir. 1982) (petitioner “can seek review of any final Commonwealth court decision by the Supreme Court of the United States”) (citing 28 U.S.C.A. §1258).

<sup>3</sup> See, e.g., *Int’l Basic Economy Corp. v. Blanco Lugo*, 267 F.2d 263, 265 (1st Cir. 1959) (order of Supreme Court of Puerto Rico denying petition for review of judgment of Superior Court of Puerto Rico constituted a reviewable “final decision”).

Mar. 10, 2020).

“The Puerto Rico Office of the Commissioner for Financial Institutions (“OCIF”) is the public office whose primary responsibility is to supervise and regulate Puerto Rico’s financial sector to ensure its safety and soundness, as well as to oversee a strict adherence to all applicable laws and regulations.” *de Pueyo v. RG Premier Bank of Puerto Rico*, 2013 WL 6097549, at \*4 (D.P.R. Nov. 20, 2013); *Bautista Cayman Asset Co. v. Centro Cardiovascular de Manati III, C.S.P.*, 2023 WL 11052520, at \*3 (D.P.R. Apr. 12, 2024) (OCIF is “the government agency charged with licensing mortgage servicers in Puerto Rico.”).

The extension is required due to the press of business on counsel’s numerous other matters. Counsel of record’s substantial commitments during the relevant time period include:

- A reply brief due June 28, 2024 in a criminal appeal in the Ninth Circuit, *United States v. Edward Buck*, Case No. #22-50091/50136.
- A reply to a Petition for Post-Conviction Relief due July 5, 2024 in *State of Arizona v. Rodney Dalton*, Yavapai County Superior Court, P1300CR201801024.
- A Petition for Certiorari due July 31, 2024 to this Court seeking review of *State of Arizona v. Troy York*, Arizona Supreme Court No. CR-23-0327-PR.

Both this Court and Applicant deserve the best possible effort in presenting these important arguments, and counsel’s existing commitments will prevent the full development and presentation of these issues. The proposed extension will permit

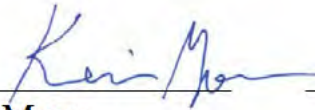
the best possible presentation to this Court.

Furthermore, an extension will not cause prejudice to Respondents, as this Court would likely hear oral argument and issue its opinion until the October 2024 Term, regardless whether an extension is granted.

### **CONCLUSION**

For the foregoing reasons, Applicant respectfully requests that this Court grant an extension of sixty (60) days, up to and including Friday, September 6, 2024, within which to file a petition for a writ of certiorari in this case.

RESPECTFULLY SUBMITTED this 26th of June, 2024.



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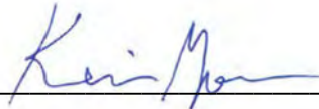
A copy of this Application was served by email and U.S. mail to the counsel listed below in accordance with Supreme Court Rule 22.2 and 29.3:

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26th of July, 2024.



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