

NO. _____

IN THE
SUPREME COURT OF THE UNITED STATES

GERARDO GAMEZ-REYES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

**APPLICATION FOR EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT**

VIRGINIA L. GRADY
Federal Public Defender

KATHLEEN SHEN
Assistant Federal Public Defender
Counsel of Record for Petitioner
633 17th Street, Suite 1000
Denver, Colorado 80202
(303) 294-7002
kathleen_shen@fd.org

To the Honorable Neil Gorsuch, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Tenth Circuit:

Petitioner Gerardo Gamez-Reyes respectfully requests a 60-day extension of time, up to and including February 17, 2025, to file a petition for a writ of certiorari, pursuant to Supreme Court Rule 13.5. In support of this request, Mr. Gamez-Reyes states as follows:

1. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).
2. Mr. Gamez-Reyes is seeking review of the Judgment of the United States Court of Appeals for the Tenth Circuit in case number 22-1245, which was issued on September 18, 2024. A copy of the orders is attached to this application.
3. Unless extended, the deadline to petition for a writ of certiorari is December 17, 2024, which is 90 days after the judgment. *See* Sup. Ct. R. 13.3. This petition is being filed at least ten days before that date.
4. If the requested 60-day extension of time is granted, the deadline to file a petition for writ of certiorari will be February 17, 2025.¹
5. Undersigned counsel requests a 60-day extension of time primarily due to a recent family medical emergency. A close family member was hospitalized on November 22, 2024, and has been diagnosed with a serious medical condition requiring ongoing care. As a result, undersigned counsel has unexpectedly been

¹ The sixtieth day after December 17, 2024, is Saturday, February 15, 2025. February 17, 2025, is the following business day.

required to take substantial quantities of leave. Furthermore, due to the nature of the condition, undersigned counsel expects that she will be required to take significant quantities of leave over the course of the next several months.

6. In addition, since the order and judgment in this case, undersigned counsel has filed briefs in *United States v. Garcia-Limon*, 10th Cir. No. 23-7055 (reply brief filed September 13, 2024); *United States v. Adams*, 10th Cir. No. 23-6121 (reply brief filed October 15, 2024); *United States v. Salazar*, 10th Cir. No. 24-1050 (reply brief filed November 6, 2024); and *United States v. Rodriguez-Parra*, 10th Cir. No. 24-6099 (opening brief filed November 18, 2024). Undersigned counsel also submitted oral argument in *United States v. Garcia-Limon*, 10th Cir. No. 23-7055, and *United States v. Jani*, 10th Cir. No. 23-1309, on November 21, 2024.

7. Given their own current caseloads, as well as the work undersigned counsel has put into this case as counsel of record, no other attorney in the Office of the Federal Public Defender is in a position to file the petition by its current due date.

For these reasons, Mr. Gamez-Reyes respectfully requests that an order be entered extending the time in which to petition for certiorari by 60 days, up to and including February 17, 2025.

-
-
-

Respectfully submitted,

VIRGINIA L. GRADY
Federal Public Defender

/s/ Kathleen Shen

KATHLEEN SHEN

Assistant Federal Public Defender

Counsel of Record for Petitioner

633 Seventeenth St., Suite 1000

Denver, Colorado 80202

(303) 294-7002