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IN THE
SUPREME COURT OF THE UNITED STATES

Alexander Nicholas Sweet.

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 PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT**

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Federal Public Defender

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

Petitioner Alexander Nicholas Sweet, by undersigned counsel, prays for a 30-day extension of time, to and including January 16, 2025, in which to file a petition for a writ of certiorari. In support of this request, counsel states as follows:

1. On July 9, 2024, the United States Court of Appeals for the Tenth Circuit affirmed Mr. Sweet's convictions. (Attachment A.)
2. On August 7, 2024, Mr. Sweet petitioned for rehearing before the Tenth Circuit. That petition was denied on September 18, 2024. (Attachment B.)
3. Mr. Sweet has ninety days to file a petition for a writ of certiorari from the date of the denial of his petition for rehearing. Sup. Ct. R. 13.3. The petition is therefore due on December 17, 2024. This application is being filed at least ten days before that date.
4. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).
5. Since the Tenth Circuit Court of Appeals' denial of Mr. Sweet's petition for rehearing in this case, undersigned counsel has presented oral argument to the Tenth Circuit in *United States v. White*, Tenth Circuit Case No. 23-3122, on September 24, and in *United States v. Romero*, Tenth Circuit Case No. 23-2136, on November 19. Counsel also presented argument to the District of Colorado in a

motion hearing in *United States v. Goeritz*, 1:24-cr-00016-CNS, on October 8, and in an evidentiary hearing in *United States v. Beasley*, 1:24-cr-00015-PAB, on October 10.

6. In addition, counsel filed a petition for initial en banc review in *United States v. Willis*, Tenth Circuit Case No. 23-1058 (filed October 24), and an opening brief in *United States v. Simmons*, Tenth Circuit Case No. 24-6077 (filed December 4). Counsel also has a reply brief currently due on December 13 in *United States v. Tyler*, Tenth Circuit Case No. 24-6035.

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, Petitioner Alexander Nicholas Sweet respectfully requests that an order be entered extending the time in which to petition for a writ of certiorari by 30 days, to and including January 16, 2025. *See* Sup. Ct. R. 13.5.

Respectfully submitted,
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