

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

ROCCO MALANGA,

Petitioner,

v.

UNITED STATES OF AMERICA,

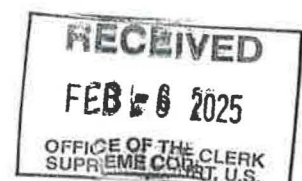
Respondent.

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

TO THE HONORABLE SUPREME COURT OF THE UNITED STATES:

Petitioner, Rocco Americo Malanga respectfully moves for a 60-day extension of time, to and including April 11, 2025, in which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Third Circuit in *United States v. Malanga*, No. 23-1602.

The Third Circuit issued its decision on Sept 3, 2024 (Mandate issued November 12, 2024), and the current deadline for filing a petition for a writ of certiorari is February 10, 2025.



Petitioner respectfully requests this extension for the following reasons:

1. Petitioner has been unable to complete the petition by the current deadline despite diligent efforts:
 - Petitioner originally submitted a motion on January 20, 2025, requesting either the appointment of counsel or an extension of time to file a petition for a writ of certiorari. However, on February 3, 2025, Petitioner received notice dated January 27, 2025, from this Court stating that:
 - (1) counsel is not appointed for certiorari petitions and,
 - (2) motions for an extension of time must be filed separately from other motions.

As a result, Petitioner was unaware that a separate request for an extension was required and now respectfully submits this motion to formally request additional time to file the petition.

2. Time Constraints Due to the Complexity of the Case:
 - The petition raises substantial constitutional issues regarding due process, judicial deference to agency-created sentencing rules, and loss calculation methodologies under the Sentencing Guidelines, requiring additional time to finalize legal arguments and supporting materials.
3. Pro Se Status and Need for Additional Time:
 - Petitioner is proceeding without counsel and requires additional time to ensure that the petition fully complies with Supreme Court Rules and formatting requirements.

4. Granting this extension will not prejudice the United States, as no immediate deadlines or pending proceedings would be affected by this request.

Conclusion

For the foregoing reasons, Petitioner respectfully requests that the Court grant this 60-day extension, making the petition for writ of certiorari due on April 11, 2025.

Respectfully submitted,

/s/ Rocco Americo Malanga

Petitioner, Pro Se

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Dated: February 4, 2025
