

No:

IN THE
Supreme Court of the United States

FRANCIS JOSEPH,

Petitioner,

vs.

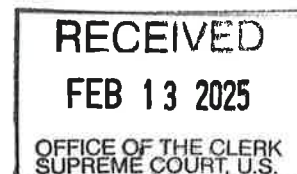
UNITED STATES OF AMERICA,

Respondent.

**APPLICATION FOR EXTENSION OF TIME TO FILE PETITION
FOR WRIT OF CERTIORARI**

Francis Joseph 1004642
Legal Mail
Clinton County Jail
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McElhattan, PA 17748

Pro Se



TO THE HONORABLE NEIL M. GORSUCH, ASSOCIATE
JUSTICE OF THE UNITED STATES AND CIRCUIT JUSTICE FOR
THE TENTH CIRCUIT:

Pursuant to Rule 13.5 of the Rules of the Supreme Court of the United States, Francis Joseph respectfully requests an extension of time of 60 days, to and including April 24, 2025, within which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Tenth Circuit in *United States v. Joseph*, 108 F.4th 1273 (10th Cir. 2024). The judgment was entered on July 29, 2024, and the Tenth Circuit denied a timely petition for rehearing on November 25, 2024. The time to file a petition for writ of certiorari currently expires on February 23, 2025. This application is timely filed at least ten days prior to that date, as required by Rule 30.2.

JURISDICTION

This Court has jurisdiction under 28 U.S.C. § 1254(1).

REASONS FOR GRANTING AN EXTENSION

Dr. Joseph seeks an extension of time to file his petition for certiorari for good cause, as required under Rule 13(5). The extension is

necessary to address new and critical factual developments that will strengthen the arguments presented in his petition, including newly uncovered details related to the bankruptcy proceedings of Eric Papalini in Florida. These proceedings directly pertain to Dr. Joseph's central argument: that his financial actions, which the government characterized as fraudulent, were legally justified under Colorado's Corporate Practice of Medicine (CPOM) laws.

A. New Facts from the Florida Bankruptcy Proceedings

Papalini's bankruptcy case has revealed critical information about his financial dealings and motivations during his involvement with Springs Medical Associates. This evidence further demonstrates that Papalini's actions violated CPOM and required Dr. Joseph to act to preserve the integrity of his medical practice in compliance with Colorado law. Additional details from this case are expected to bolster the argument that Dr. Joseph's actions were not fraudulent but were compelled by legal obligations to prevent corporate intrusion into his practice.

B. This Request Is Not for Delay or Negligence

Dr. Joseph is diligently working with his legal team to obtain these facts from the Florida bankruptcy proceedings. The extension of time is necessary to ensure that the petition fully addresses these critical facts and presents the strongest possible arguments for the Court's review. This application is made in good faith and not for the purpose of delay or any lack of diligence.

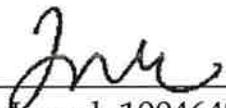
C. Importance of the Issues Presented

This case raises a novel legal issue of national importance: whether compliance with CPOM laws can serve as a defense to federal fraud charges. The exclusion of CPOM evidence in Dr. Joseph's trial deprived the jury of the opportunity to consider his lawful justification for financial actions taken to comply with state law. Resolving this issue is critical to ensuring that physicians nationwide are not unfairly prosecuted for actions taken in compliance with state regulatory laws designed to protect the sacrosanct doctor-patient relationship.

CONCLUSION

For the foregoing reasons, Dr. Joseph respectfully requests that this Court grant an extension of 60 days, to and including April 24, 2025, within which to file a petition for a writ of certiorari.

Done this 10th day of February 2025.



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