

IN THE SUPREME COURT OF THE UNITED STATES

MICHAEL RECH,

Petitioner,

– against –

UNITED STATES OF AMERICA,

Respondent.

APPLICATION FOR AN EXTENSION OF TIME
TO FILE A PETITION FOR WRIT OF CERTIORARI

TO THE HON. JUSTICE SONIA SOTOMAYOR, AS CIRCUIT JUSTICE FOR THE
SECOND CIRCUIT:

The petitioner, MICHAEL RECH, respectfully applies, pursuant to Supreme Court Rule 13.5, for a 60-day extension of time to file a petition for writ of certiorari to the United States Court of Appeals for the Second Circuit, from March 19, 2025 to and including May 19, 2025 (the 60th day, May 18, 2025, falling on a Sunday).

Petitioner Rech was convicted in the United States District Court for the Western District of New York (Hon. Charles J. Siragusa, J.) of three counts of bank fraud, eight counts of wire fraud, 24 counts of money laundering under 18 U.S.C. § 1956(a)(1), and two counts of money laundering under 18 U.S.C. § 1957(a). On October 6, 2023, judgment was entered sentencing Rech to 57 months in prison followed by three years of supervised release.

Rech filed a timely Notice of Appeal and appealed as a poor person to the

Second Circuit. The undersigned, as CJA counsel, filed a brief on Rech's behalf, and, with the permission of the Court, Rech also filed a supplemental pro se brief and reply brief.

On December 19, 2024, the Second Circuit affirmed Rech's conviction and sentence. See United States v. Rech, Docket Nos. 23-6477-cr and 23-7364-cr, 2024 WL 5165454 (2d Cir. Dec. 19, 2024). A copy of the Second Circuit's decision is attached to this motion as required by this Court's rules. There has been no petition for rehearing and no order respecting rehearing.

On or about February 21, 2025, Rech was released from prison to halfway-house confinement to complete the remainder of his sentence. Shortly thereafter, Rech contacted the undersigned, and the undersigned then learned that Rech had never received either my letter of December 19, 2024 advising him of the Second Circuit's decision nor my follow-up correspondence. The undersigned immediately sent Mr. Rech, who now had email access, a copy of the decision as well as copies of my letters, which had discussed *inter alia* the timing and merit of a certiorari petition.

Earlier today, March 4, 2025, the undersigned spoke again with Rech regarding the possibility of a certiorari petition. Rech advised that he needed more time to decide, to discuss the issues to be raised on a petition, and to proceed with either the undersigned or different counsel. It would be impractical to do this prior to the current deadline of March 19, 2025.

Accordingly, it is respectfully requested that this Court extend Rech's deadline to file a certiorari petition by sixty (60) days, from March 19, 2025 to May 19, 2025,

the sixtieth day falling on a Sunday.

Pursuant to Supreme Court Rule 13.5, the undersigned represents that this Court has jurisdiction pursuant to 28 U.S.C. § 1254(1) because a final judgment of the United States Court of Appeals has been entered, that the party for whom the extension is being sought is Michael Rech, and that this application is timely made. The undersigned further submits that in light of the facts set forth above, in particular the fact that Rech received delayed notice of the Second Circuit's decision through the apparent error of the prison mail room rather than through any fault of his own, good cause exists to grant the requested extension.

WHEREFORE, in light of the foregoing, it is respectfully submitted that this Court should issue an Order granting this motion and granting such other and further relief to petitioner Rech as may appear just and proper.

Dated: New York, NY
March 4, 2025



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