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IN THE
SUPREME COURT OF THE UNITED STATES

JUSTIN MILES NESS,

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**

VIRGINIA L. GRADY
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 Justin Miles Ness prays for a thirty-day extension of time, to and including April 30, 2025, in which to file his petition for writ of certiorari. In support of this request, counsel states as follows:

1. On December 31, 2024, the United States Court of Appeals for the Tenth Circuit issued its opinion in this case. A copy of that opinion is an attachment to this application.

2. Mr. Ness has ninety days from December 31, 2024 to petition for a writ of certiorari. Sup. Ct. R. 13.3. Ninety days from December 31, 2024 is March 31, 2025. This application is being filed at least ten days before March 31.

3. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

4. I have determined there is a conflict of interest that prevents this office from further representing Mr. Ness. The extension of time is sought to allow new counsel to be appointed to represent Mr. Ness in seeking review in this Court by the filing of a petition for writ of certiorari.

I have today filed a motion with the Tenth Circuit requesting that conflict-free counsel be appointed for Mr. Ness for that purpose.

5. The requested extension is for thirty days, to and including April 30. This amount of time is sought to allow new counsel to be appointed, to become familiar with this case and to prepare any petition for writ of certiorari.

WHEREFORE Justin Miles Ness respectfully requests that an order be entered extending his time in which to petition for certiorari by thirty days, to and including April 30, 2025.

Respectfully submitted,

VIRGINIA L. GRADY
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/s/ Howard A. Pincus
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