

substitute answering brief and supplemental excerpts of record, also oversized, after having received an extension of time to file them. Dkts. 126, 127. The Court then set March 20, 2017, as the due date for Mr. Cox to reply to the answering brief. *See* Dkt. 127.

Because the multiple issues presented by Mr. Cox's appeal and the government's answering brief are both novel and complex, an extension of 60 days to file his reply brief is warranted.

In addition, during the past month and coming two months, counsel for Mr. Cox are briefing or have recently briefed several appeals before this Court, in addition to submissions to and court appearances before the district court for the Western District of Washington.

This motion is brought under Rule 27 of the Federal Rules of Appellate Procedure, the attached declarations of counsel, and the records and files in this case. Counsel has corresponded with Assistant United States Attorney Yvonne Lamoureux, who stated by email that she does not oppose this motion.

DATED this 17th day of March, 2017.

Respectfully submitted,

s/ Michael Filipovic
Federal Public Defender

s/ Ann Wagner
Assistant Federal Public Defender
Attorneys for Francis Schaeffer Cox

CERTIFICATE OF SERVICE

I certify that on March 17, 2017, I electronically filed the foregoing document with the Clerk of the Court using the appellate CM/ECF system, which will send notification of filing to all registered parties.

I further certify I mailed a copy of this motion, first-class postage prepaid, to Francis Schaeffer Cox, Reg. No. 16179-006, USP Marion, P.O. Box 1000, Marion, IL 62959.

s/ Suzie Strait
Paralegal

6. Mr. Cox is housed at FCI Marion in the Communications Management Unit (CMU). Arranging for such a discussion requires that I either travel to Southern Illinois for our next meeting or arrange for more than one phone conference with the prison after I have a draft prepared and sent to him.

7. In addition to these logistical concerns, I have several other matters that required my attention this month and will require my attention over the next two months. With respect to cases, I have filed briefs in *In re: Galmesa Elemo*, No. 93716-8 (personal restraint petition in the Washington Supreme Court); *Mastro v. Corliss*, Adv. No. 14-01043-MLB (Fifth Amendment issue in adversary proceeding in United States Bankruptcy Court in the Western District of Washington); and *Chauncey Williams v. United States*, No. CV16-5559-BHS (related to § 2255 motion in United States District Court). Additionally, I have a brief due on March 27, 2017, in *Kenneth Agtuca v. United States*, No. CV16-1981-RSL (related to § 2255 motion in United States District Court); a petition for rehearing and rehearing en banc due on April 5, 2017, in *United States v. David Schwabland*, No. 16-30011 (in the Ninth Circuit Court of Appeals); and an opening brief due in *United States v. Templeton*, No. 17-30003, on April 11, 2017 (in the Ninth Circuit Court of Appeals). In addition I have a number of other trial-level matters pending in United States District Court for the Western District of

Washington, and as Federal Defender I have a number of management-related issues I need to attend to over the next two months.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 17th day of March, 2017.

Respectfully submitted,

s/ Michael Filipovic

Federal Public Defender

Attorney for Francis Schaeffer Cox

2. During the 60-day period between the current reply due date, March 20, 2017, and the requested extension due date, I am currently scheduled to submit two opening briefs to this Court in Case Nos. 16-35647 and 16-30293 and a reply brief in Case No. 16-35837, in addition to work in the district court.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 17th day of March, 2017.

s/ Ann Wagner
Assistant Federal Public Defender
Attorney for Francis Schaeffer Cox