

ORAL ARGUMENT NOT YET SCHEDULED  
No. 18-3052

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IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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IN RE: GRAND JURY INVESTIGATION

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ANDREW MILLER,

*Appellant,*

v.

UNITED STATES OF AMERICA,

*Appellee.*

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*On Appeal from the United States District Court  
For the District of Columbia  
Grand Jury Action No. 18-GJ-34 (BAH)*

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**UNOPPOSED MOTION BY APPELLANT TO EXTEND TIME FOR  
FILING HIS OPENING BRIEF AND APPENDIX ONE BUSINESS DAY TO  
SEPTEMBER 10, 2018**

Pursuant to FRAP 26 (b) and 27(a), and D.C. Cir. R. 28(e)(2), Appellant Andrew Miller respectfully moves this Court for an Order extending the time for Appellant to file his opening brief and appendix one business day from Friday,

September 7, 2018, to Monday, September 10, 2018. Counsel for United States has been contacted and indicated that they do not oppose this motion.

1. Appellant filed his Notice of Appeal on August 13, 2018, and the appeal was docketed on August 14, 2018. Thereafter, the Court ordered Appellant to file his Docketing Statement, Statement of the Issues, and related papers on August 30, 2018, which he did. The Court further set an expedited briefing schedule requiring Appellant to file his opening brief and Appendix on Friday, September 7, 2018.

2. Due to the expedited nature of the briefing, the complexity of the issues to be briefed, the preparation of the brief and appendix, the filing of Appellant's response to a Motion to Intervene, the intervening Labor Day holiday, and the press of other business, Appellant's counsel, a sole practitioner with limited resources, requests one additional business day from Friday, September 7, 2018, to Monday, September 10, 2018, within which to file his opening brief and appendix.

WHEREFORE, for good cause shown, the time to file Appellant's opening brief and appendix should be extended to September 10, 2018.

Respectfully submitted,

Date: August 30, 2018

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**CERTIFICATE OF SERVICE AND COMPLIANCE**

Pursuant to FRAP 25(d), the undersigned hereby certifies that on the 30<sup>th</sup> day of August, 2018, he caused the foregoing Unopposed Motion To Extend The Time To File Appellant's Opening Brief and Appendix to September 10, 2018, to be filed electronically with the Clerk of the Court by using CM/ECF system. The participants in this case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

The undersigned further certifies that the foregoing motion complies with FRAP 27(d)(2)(A) and contains 227 words, as determined by Microsoft Word 2010 and complies with FRAP 32(a) (5)-(6) because it has been prepared with proportionally spaced font typeface using Microsoft Word 2010 in 14-point Times New Roman.

/s/Paul D. Kamenar  
Paul D. Kamenar