

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

UNITED STATES OF AMERICA,  
Plaintiff-Appellee,

v.

MICHAEL R. WALLI,  
MEGAN RICE, and  
GREG BOERTJE-OBED,  
Defendants-Appellants.

Nos. 14-5220/5221/5222

**MOTION FOR EXTENSION OF TIME  
WITHIN WHICH TO FILE A PETITION  
FOR REHEARING OR REHEARING EN BANC**

The United States hereby moves for a thirty-day extension of time within which to file a petition for rehearing or rehearing en banc. In support, the United States represents the following:

1. This Court issued its opinion on May 8, 2015. The fourteen-day time limit under Fed. R. App. P. 35(c) and 40(a) for filing a petition for rehearing or rehearing en banc expires on May 22, 2015.
2. The Court's decision was adverse to the government in that it vacated each defendant's sabotage conviction and remanded for resentencing on the remaining count of conviction.
3. The Solicitor General makes the determination whether the United States will seek rehearing en banc of any decision adverse to the government. *See*

28 C.F.R. § 0.20(b). A thirty-day extension of time is needed to allow the Solicitor General to thoroughly consider the Court's opinion, to consult with the United States Attorney's Office and the Criminal Division of the Department of Justice, and to determine whether to seek rehearing en banc.

4. If the Solicitor General concludes that rehearing en banc is not warranted, the United States Attorney's Office could nonetheless seek panel rehearing, and the additional time would be needed to prepare and file such a petition.

WHEREFORE, the United States respectfully requests that the Court grant an additional thirty days – up to and including June 22, 2015 – within which to file a petition for rehearing or rehearing en banc.

Respectfully submitted,

William C. Killian  
United States Attorney

By: s/ Jeffrey E. Theodore  
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### **CERTIFICATE OF SERVICE**

This motion was filed electronically on May 18, 2015, and notice of its filing was sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

s/ Jeffrey E. Theodore  
Jeffrey E. Theodore  
Assistant United States Attorney