

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

<b>UNITED STATES OF AMERICA,</b>	)	
<b>Plaintiff-Appellee,</b>	)	
	)	<b>APPEAL NO. 14-7543</b>
	)	
<b>v.</b>	)	<b>MOTION OF APPELLANT</b>
	)	<b>TO EXTEND TIME</b>
	)	<b>TIME TO FILE OPENING</b>
<b>JEFFREY R. MACDONALD,</b>	)	<b>BRIEF AND APPENDIX</b>
<b>Defendant-Appellant</b>	)	

**TO THE HONORABLE CLERK OF THE FOURTH CIRCUIT COURT OF APPEALS**

NOW COMES the Defendant and Appellant, Jeffrey R. MacDonald, through his undersigned attorney, William M. Palmer, Esq., and moves this Honorable Court to extend the time for the Appellant to file and serve his Opening Brief and Appendix for 30 days, to be reset to be due on May 16, 2015, and to reset subsequent due date(s) by the same time period.

In support of this Motion, the Defendant-Appellant provides the Court with the following:

1. William M. Palmer, Esq., attorney for Defendant-Appellant, appeared on February 9, 2015.
2. The Court set the Appellant's Brief and Appendix to be due on March 17, 2015, and the Response Brief to be due on April 10, 2015, and then reset those deadlines to be April 16, 2015 and May 11, 2015.
3. Attorney Palmer was not the Defendant-Appellant's attorney at the district court level, is new to this case and to this appeal, and up to the time of his appearance had never before studied the evidence before the Court in this case and in this appeal.

4. While Attorney Palmer was previously a federal public corruption and also a federal fraud prosecutor, having worked at the Fraud Section and Public Integrity Section of the Criminal Division and at the Offices of the U.S. Attorneys for the Central District of California and the Eastern District of Virginia, he is not a criminal appeals specialist, and he has no previous acquaintance with the Innocence Protection Act of 2004 nor with the science of forensic DNA testing.
5. This is a very complex case in which key evidence is circumstantial and moreover in significant part involves an application of a variety of forensic techniques. Attorney Palmer has been diligent about working on this case as a priority matter and has made progress on all fronts since the initial request for an extension but requires more time to study the evidence in this case and appeal; the prior filings that bear on the appeal, which are numerous and lengthy; the science of forensic DNA testing; and the relevant law; so as to be able to properly prepare and file a brief on behalf of his client.
6. Attorney Palmer also requires more time to communicate with his client regarding the arguments to be made in the brief. Dr. MacDonald, the defendant-appellant, is an inmate in FCI Cumberland (in Maryland) and attorney Palmer is based in Boston, Massachusetts, and thus such communications are not logistically simple.
7. The Plaintiff-Appellee, the U.S. government, consents to this request.

Dated: April 16, 2015

Respectfully submitted,

JEFFREY R. MACDONALD  
Defendant & Appellant,  
By

*/s/ William M. Palmer*

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**CERTIFICATION OF SERVICE**

I certify that on this day April 16, 2015, this paper is being served on all counsel of record by email through the ECF system pursuant to the Federal Rules of Appellate Procedure and the Local Rules.

/s/ William M. Palmer  
William M. Palmer