

No. _____

In the Supreme Court of the United States

RYAN RICHMOND,

Applicant,

v.

UNITED STATES,

Respondent.

**APPLICATION FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE
A PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE SIXTH CIRCUIT**

*To the Honorable Brett M. Kavanaugh, Associate Justice of the Supreme Court of the
United States and Circuit Justice for the Sixth Circuit:*

Pursuant to 28 U.S.C. § 2101(d) and Rules 13.1 and 13.5 of the Rules of this Court, applicant Ryan Richmond respectfully requests a 60-day extension of time, to and including Monday, August 17, 2025, to file a petition for a writ of certiorari in this case.

1. The Court of Appeals denial of reconsideration is dated March 19, 2025. This Court's jurisdiction will be invoked under 28 U.S.C. § 1257(a). Attached is a copy of the underlying merit decision and the order denying reconsideration.

2. This case originated from a jury trial in the U.S. District Court for the Eastern District of Michigan before Hon. Linda V. Parker.

3. On September 8, 2023, a jury found Defendant Ryan Daniel Richmond guilty of one count of corruptly endeavoring to obstruct or impede the due administration of the Internal Revenue Laws, three counts of tax evasion-evasion of assessment for calendar years 2012, 2013, and 2014, and one count of willfully failing to file a federal individual income tax return for the 2014 calendar year by the filing deadline. (ECF No. 114.) Richmond was found not guilty on one count of making a false statement in a matter within the jurisdiction of the United States Government and one count of tax evasion-evasion of assessment for the 2011 calendar year. (*Id.*) On June 5, 2024, the Court sentenced Richmond to a term of imprisonment of 24 months on each count, to run concurrently. (ECF No. 143.) He is currently at the Federal Correctional Institute in Morgantown West Virginia.

4. Mr. Richmond appealed his conviction to the Sixth Circuit arguing in part that Congress lacked the constitutional authority to punitively tax marijuana sales that were done in compliance with state law under 26 U.S.C. § 280E. *United States v Richmond*, ___F App'x___; 2025 U.S. App. LEXIS 2302, at *6-7 (CA 6, Jan. 30, 2025). The argument failed. The Sixth Circuit ruled that it was bound by this Court's ruling in *Gonzales v. Raich*, 545 U.S. 1, 6-7, 15-22, 125 S. Ct. 2195, 162 L. Ed. 2d 1 (2005).

5. Mr. Richmond wishes to challenge this ruling based on Justice Thomas' opinion in [*Standing Akimbo, Inc. v. United States*, 141 S. Ct. 2236, 2236-38, 210 L.](#)

[Ed. 2d 974 \(2021\)](#) (Thomas, J., respecting the denial of certiorari). The majority rejected the argument while finding a procedural default, the Court found under controlling precedent that their hands were tied.

6. The reconsideration motion raised two issues. The first focused on a Commerce Clause challenge. Richmond submitted that the panel erred in declining to consider his Commerce Clause challenge to 26 U.S.C. § 280E on procedural default grounds. A facial constitutional challenge, unlike an as-applied one, does not turn on case-specific facts and may be raised for the first time on appeal. Because Commerce Clause jurisprudence focuses on the regulation of “classes of activities” rather than individual conduct, the constitutionality of § 280E as applied to state-legal medical marijuana operations presents a broad legal issue that transcends Mr. Richmond’s individual case. He also argued that his challenge to *Gonzales v. Raich*, 545 U.S. 1 (2005), merits serious reconsideration given the radically changed legal landscape surrounding cannabis. A growing majority of states have legalized marijuana for medical or recreational purposes, creating a legal regime that diverges sharply from the one Congress sought to regulate through the Controlled Substances Act (CSA). Federal appropriations laws now actively restrict enforcement of the CSA in medical contexts, and prosecutorial discretion further demonstrates a de facto shift in federal policy.

7. Mr. Richmond also challenged his restitution issue which was presented to both the Sixth Circuit on the merits and on reconsideration. Reconsideration was denied on March 19, 2025.

8. On June 1, 2025, Mr. Richmond's wife contacted counsel indicated that Mr. Richmond wished to proceed to the Supreme Court. Counsel's assistant is in the process of scheduling a phone call with Mr. Richmond to address his thoughts and concerns, but it will take approximately two weeks to book an inbound call based on scheduling issues with counsel and the prison.

9. In this case, good cause exists for an extension of time to prepare a petition for a writ of certiorari. Counsel is working diligently to prepare a petition for certiorari, but other pressing deadlines and court hearings have interfered with his ability to draft the petition. The undersigned has a brief due in a major murder case due during this time period, has a scheduled out-of-town immigration conference, and evidentiary hearing on ineffective assistance of counsel (where counsel is the counsel handling the challenge).

10. There is some possibility that this brief will require formally printed briefed and counsel needs to budget for that contingency.

11. This request is filed more than ten days before the current deadline for filing a petition.

For the foregoing reasons, the application for a 60-day extension of time, to and including Monday, August 17, 2025 (the first business day after the 60th day), within which to file a petition for a writ of certiorari should be granted.

Respectfully submitted,

/s/ Stuart G. Friedman

FRIEDMAN LEGAL SOLUTIONS, PLLC
2667 CENTRAL PARK BLVD
SUITE 300
SOUTHFIELD, MI 48076
stu@crimapp.com
(248) 228-3322

June 3, 2025