

IN THE SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_  
No. A-\_\_\_\_\_

\_\_\_\_\_  
DEAMONTE LAW, APPLICANT

v.

UNITED STATES OF AMERICA

\_\_\_\_\_  
APPLICATION FOR AN EXTENSION OF TIME TO FILE A  
PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES  
COURT OF APPEALS FOR THE THIRD CIRCUIT

\_\_\_\_\_  
To the Honorable Samuel A. Alito, Jr., Circuit Justice for the  
United States Court of Appeals for the Third Circuit:

Pursuant to Rules 13.5 and 30.2 of this Court, Deamonte Law respectfully applies for a 60 day extension of time, to and including, August 29, 2025, within which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Third Circuit. The judgment of the Court of Appeals was entered on April 2, 2025. App. 5-6. Unless extended, the time for filing a petition for the

writ of certiorari will expire on June 30, 2025. The jurisdiction of this Court would be invoked under 28 U.S.C. 1254(1).

1. In November, 2020, the government charged Deamonte Law with possessing a firearm when he was not allowed to because of a prior felony conviction. 18 United States Code Section 922(g)(1). The *Indictment* identified two convictions as disqualifying Mr. Law from possessing that gun: conspiracy to possess with intent to distribute a quantity of cocaine and possession of a firearm in furtherance of a drug trafficking crime. App. 2.

2. Mr. Law moved to dismiss the Indictment. He argued that Section 922(g)(1) violates the Second Amendment both facially and as applied to him. The district court denied the motion. App.3. A jury trial was held with a single focus – did Mr. Law possess the gun. The jury returned a guilty verdict. As sentencing approached, Mr. Law sought reconsideration of his dismissal request based upon the 3<sup>rd</sup> Circuit’s intervening *en banc* decision in *Range v. Attorney General*, which was vacated and renamed, *Garland v. Range*, 144 S.Ct. 2706 (July 2, 2024). The District Court denied the motion to reconsider. App. 3.

3. On appeal, Mr. Law argued that pursuant to this Court's decision in *NYSRPA v. Bruen*, 597 U.S. 1 (2022), a ban on firearm possession by an individual with prior convictions like Mr. Law's is inconsistent with this Nation's historical tradition of firearm regulation.

4. The court of appeals affirmed. App. 4-6. In rejecting Mr. Law's as-applied challenge, the court of appeals found Mr. Law to still be serving his sentence when he possessed a gun in September 2020. App. 3. The court of appeals ruled the Second Amendment was not violated because founding-era forfeiture laws supported disarming an individual like Mr. Law. App. 4.

5. A pair of decisions were influential to the court of appeals. They were: *United States v. Moore*, 111 F.4<sup>th</sup> 266 (3d Cir. 2024) and *United States v. Quailes*, 126 F.4<sup>th</sup> 215 (3d Cir. 2025). *Moore* stands for the proposition that those on supervised release do not have Second Amendment rights. *Quailes* concludes, in similar fashion, that someone who is on probation does not enjoy the freedoms associated with the Second Amendment.

6. Both *Moore* and *Quailes* are ahead of Mr. Law in this Court's petition process seeking further review. *Moore* is docketed at 24-968 and his petition has been filed, the government has responded and the petitioner just filed a reply on June 10<sup>th</sup>. *Quailes* is docketed at 24-7033. A petition has been filed and on June 3<sup>rd</sup> the government filed its response.

7. The petitioners in *Moore* and *Quailes* have plowed the field on the topic. Mr. Law does not envision adding anything new or unique to his petition that has not already been advanced by those litigants. That being said, counsel recognizes the possibility that "new" case law which speaks on the 922(g)(1) issue may be published after petition practice closes in both *Moore* and *Quailes*.

8. Supportive of Mr. Law's ask for more time is the economic efficiencies gained by granting the request. Undersigned counsel was appointed in the district court. App. 8. That appointment continued in the court of appeals. App. 7. It continues today in this Court. See, Rule 9.1. Mr. Law's argument of unconstitutionality is the same as Mr. Moore's. Both were on supervised release when they possessed a gun.

Passing judgment on the petitions in *Moore* and *Quailes* before requiring Mr. Law to draft, what would be a virtual repeat of their arguments, is not a reasonable expenditure of public funds.

For these reasons, Mr. Law asks that he be allowed to file his petition no later than August 29, 2025.

Respectfully submitted,

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June 16, 2025