

IN THE
UNITED STATES SUPREME COURT

TERRY DUANE QUALLS,
Petitioner.

v.
UNITED STATES OF AMERICA,
Respondent.

Case No.

MOTION FOR EXTENSION OF TIME TO FILE WRIT OF CERTIORARI AND
REQUEST FOR APPOINTMENT OF COUNSEL

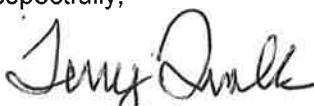
Petitioner Terry Duane Qualls, pro se, moves this Honorable Court for an extension of time to file his Writ of Certiorari. Petitioner is currently incarcerated at the Federal Correction Facility in Oakdale, Louisiana, with limited access to legal resources. Initially, Petitioner intended to file this Writ of Certiorari pro se; however, given the stringent filing and paper copy requirements, Petitioner prefers to have the assistance of counsel.

Petitioner has a meritorious claim that his appeal was not barred by his plea agreement's appeal waiver and that the sentence imposed by the Eastern District of Arkansas in case number 3:23-CR-32-1 was contrary to established law. Despite an assurance by the district court judge on the record that Petitioner was preserving his right to appeal the application of the Armed Career Criminal Act enhancement on the grounds that the state law applicable to Petitioner's prior offenses included hemp in the definition of marijuana and thus those offenses could not serve as the predicate offenses for the application of the enhancement, the Government moved to dismiss Petitioner's appeal (Case No. 25-1276), which the U.S. Court of Appeals for the Eighth Circuit granted without a written opinion. The mandate was issued on March 24, 2025.

Petitioner would like to request an extension of ninety (90) days.

Respectfully,

/s/

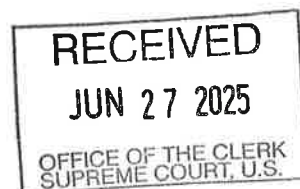


Terry Duane Qualls
Reg # 53507-510
FCI Oakdale I
P.O. Box 5000
Oakdale, LA 71463

VERIFICATION AND MAILING JURAT

Pursuant to 28 U.S.C. 1746, I, Terry Duane Qualls, declare that all of the foregoing is true and correct. Furthermore, I declare that I placed this document in a standard envelope with sufficient First-Class postage affixed in my facility's outgoing mailbox on Thursday, June 12, 2025.

/s/


Signature of Terry Duane Qualls

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

No: 25-1276

United States of America

Plaintiff - Appellee

v.

Terry Duane Qualls

Defendant - Appellant

Appeal from U.S. District Court for the Eastern District of Arkansas - Northern
(3:23-cr-00032-LPR-1)

JUDGMENT

Before LOKEN, ERICKSON, and STRAS, Circuit Judges.

The government's motion to dismiss the appeal is granted. The appeal is hereby dismissed. See [Eighth Circuit Rule](#) 47A(b).

February 25, 2025

Order Entered at the Direction of the Court:
Acting Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Maureen W. Gornik

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

No: 25-1276

United States of America

Appellee

v.

Terry Duane Qualls

Appellant

Appeal from U.S. District Court for the Eastern District of Arkansas - Northern
(3:23-cr-00032-LPR-1)

ORDER

The motion to file an untimely rehearing is granted. The petition for rehearing by the panel is denied.

March 17, 2025

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Susan E. Bindler