

No. _____

IN THE
Supreme Court of the United States

BRET HEALY,

Applicant,

v.

HEALY RANCH PARTNERSHIP; HEALY RANCH INC.; MARY ANN OSBORNE;
BARRY HEALY; BRYE HEALY; ALBERT STEVEN FOX; LARRY MINES; SHEILA
MINES; JANINE M. KERN; MARK E. SALTER; JON C. SOGN; PATRICIA J.
DEVANEY; SCOTT P. MYREN; STEVEN R. JENSEN; SUPREME COURT OF SOUTH
DAKOTA,

Respondents.

**APPLICATION FOR EXTENSION OF TIME TO
FILE A PETITION FOR A WRIT OF CERTIORARI**

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**APPLICATION FOR EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF CERTIORARI**

To: Honorable Associate Justice Brett M. Kavanaugh, Circuit Justice
for the United States Court of Appeals for the Eighth Circuit:

Under this Court's Rules 13.5 and 22, Applicant Bret Healy ("Applicant") respectfully requests an extension of thirty (30) days to file a petition for a writ of certiorari. The petition will seek review of the decision of the Eighth Circuit in *Healy v. Supreme Court of South Dakota*, No. 24-1996, 2025 WL 999468 (8th Cir. 2025), a copy of which is attached to this application. In support of this application, Applicant states the following:

1. The Eighth Circuit issued its decision on April 3, 2025. The Eighth Circuit, relying on prior published case law, held that the district court did not abuse its discretion when it sanctioned Applicant personally—but not his attorney—under Fed. R. Civ. P. 11(b)(1). On May 9, 2025, the Eighth Circuit issued a decision denying rehearing *en banc*. The Eighth Circuit's rule permitting Rule 11 sanctions against a party, without any individualized findings of bad faith, is wrong and potentially splits with decisions from other Circuits.

2. Without an extension, the petition for a writ of certiorari will be due on August 7, 2025. With the requested extension of thirty (30) days, the petition would be due on September 6, 2025. Consistent with Rule 13.5, the instant application is filed more than ten (10) days before the petition for certiorari is currently due. This Court's jurisdiction will be based on 28 U.S.C. § 1254(1).

3. Applicant has recently retained the undersigned to act as counsel of record in the Supreme Court. The requested extension is needed to permit undersigned counsel to fully investigate the complex legal issues involved in the case, and to prepare a petition for certiorari crystalizing and addressing those issues worthy of the Court's consideration.

4. In addition, because the undersigned have multiple personal and professional engagements between now and August 7, 2025, a short extension is warranted. Lead undersigned counsel, Mr. Sullivan, will be on paternity leave from early July to August 11 due to his wife recently giving birth to their fourth child. Undersigned counsel Mr. Goldman has a jury trial in federal court scheduled to begin on July 21, to last one to two weeks.

5. This application should be granted, and the deadline for Applicant to file his petition for a writ of certiorari should be extended to September 6, 2025.

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Dated: June 27, 2025

Respectfully submitted,

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