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NO. \_\_\_\_\_

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IN THE

**Supreme Court of the United States**

\_\_\_\_\_ TERM, 20\_\_

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Jacqusyn Zechariah Grubb - Petitioner,

vs.

United States of America - Respondent.

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Application for Extension of Time Within  
Which to File for a Writ of Certiorari to the United States Court of Appeals  
for the Eighth Circuit

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**APPLICATION DIRECTED TO THE HONORABLE JUSTICE  
BRETT KAVANAUGH AS CIRCUIT JUSTICE**

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ATTORNEY FOR PETITIONER

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Comes Now petitioner Jacquelyn Zechariah Grubb, through his attorney of record, First Assistant Federal Public Defender Heather Quick, who, pursuant to Supreme Court Rule 13.5, requests an additional thirty days in which to file a petition in this Court seeking certiorari to the Eighth Circuit Court of Appeals, up through Wednesday, August 20, 2025. In support, counsel submits as follows:

### **JUDGMENT FOR WHICH REVIEW IS SOUGHT**

Petitioner seeks an extension to file a petition for writ of certiorari. Petitioner is requesting review of the judgment issued by the Eighth Circuit Court of Appeals on April 21, 2025, stating that the district court's order denying Petitioner's motion to dismiss is reversed, the judgment is vacated, and the case is remanded. While the Eighth Circuit agreed with petitioner's argument that an as-applied challenge is viable, the Circuit held that an as-applied challenge must be litigated by going to trial. Further, the Eighth Circuit rejected Petitioner's facial challenge to § 922(g)(3). *See Camreta v. Greene*, 563 U.S. 692, 708 (2011) (holding that the litigant who was successful at the court of appeals could still seek certiorari as to part of the circuit's ruling).

### **JURISDICTION**

This Court will have jurisdiction over the timely filed petition pursuant to 28 U.S.C. § 1254(1). Under Supreme Court Rules 13.1, 13.3, and 30.1, the current deadline for the filing of a petition for writ of certiorari is Monday, July 21, 2025. Petitioner files this request for additional time at least 10 days before the date the petition is currently due, in compliance with Supreme Court Rule 13.5.

## **REASONS FOR APPLICATION FOR EXTENSION**

Defense counsel has a variety of other obligations before the federal judiciary. For example, in the last four weeks counsel of record has submitted three appellant's briefs to the Eighth Circuit Court of Appeals. Further, in the next four weeks, counsel of record has seven initial briefs due to the Eighth Circuit Court of Appeals as well as two additional petitions for writ of certiorari due in other matters to this Court.

Further, the undersigned needs additional time to discuss the practical aspects of a potential petition for writ of certiorari with Mr. Grubb, to determine if a petition for writ of certiorari is appropriate in this case. Additionally, the government has filed petitions for writ of certiorari in similar cases from the Eighth Circuit on as-applied Second Amendment challenges to 18 U.S.C. § 922(g)(3). *See United States v. LaVance Cooper*, 24-1247; *United States v. Keshon Baxter*, 24-1328. These petitions are currently pending. Potentially, if the government files a petition in Mr. Grubb's case, he would instead file a cross or conditional-cross petition for writ of certiorari.

Finally, the undersigned will be out of the country from July 12 to July 23.

## **CONCLUSION**

For the foregoing reasons, the petitioner respectfully requests that this Court grant a 30-day extension, to and including Wednesday, August 20, 2025, in which to file a petition for a writ of certiorari.

RESPECTFULLY SUBMITTED,

/s/ Heather Quick

Heather Quick

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