

No.

In the Supreme Court of the United States

JOQUETTA RILEY, *PETITIONER*,

v.

UNITED STATES OF AMERICA, *RESPONDENT*.

**APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR
WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FIFTH CIRCUIT**

To the Honorable Samuel A. Alito, Jr., Associate Justice of the Supreme Court of the United States and Circuit Justice for the Fifth Circuit:

Petitioner Joquetta Riley requests a 60-day extension of time to file her petition for certiorari in this Court to and including March 21, 2026. *See* 28 U.S.C. § 2101(c); Sup. Ct. R. 13.5. The Fifth Circuit entered its judgment on October 22, 2025. Petitioner’s time to petition for certiorari in this Court expires January 20, 2026. This application is being filed more than 10 days before that date.

A copy of the opinion below, which is unpublished, is attached. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1).

Ms. Riley’s case presents an important question for this Court’s consideration: does the Mandatory Victims Restitution Act (MVRA) of 1996 —

as codified within 18 U.S.C. § 3663A — allow courts to confer vicarious restitution liability upon defendants convicted of conspiracy for the actions of their co-conspirators, and to what extent?

The case concerned a scheme to acquire mobile phones from Verizon Wireless under fraudulent pretext: Ms. Riley's coconspirator Joshua Daniels would place orders for iPhones on the Verizon website, and two Verizon customer service agents were improperly induced to preapprove the shipments in exchange for side-payments; the phones were then mailed to addresses throughout the Detroit metropolitan area. After a jury trial, Ms. Riley was convicted of one count of conspiracy to commit mail fraud and four counts of aiding and abetting mail fraud under 18 U.S.C. §§ 1341, 1349; 18 U.S.C. § 2.

The restitution judgment held Ms. Riley jointly and severally liable for the entirety of the value of the merchandise that was shipped throughout Detroit, a total of \$454,077.61. However, Ms. Riley's participation in the scheme was minimal: only 10 phones in total were delivered to her residence (and there was no evidence that she had knowledge of the many other deliveries); she had helped effectuate 4 wire-transfers (via CashApp) totaling \$2,400 to a Verizon customer-service agent, but this amounted to a small fraction of the entirety of the side-payments the Verizon customer-service agents received over the course of her co-conspirator's fraudulent scheme.

As the opinion below shows, the 5th Circuit decided to affirm restitution based on the “entire amount” of the fraud in the Detroit area, relying on a theory of vicarious liability: the court cited its precedent that “[conspirators] may be held jointly and severally liable for all foreseeable losses within the scope of their conspiracy regardless of whether a specific loss is attributable to a particular conspirator.” Therefore, this case provides an ideal opportunity to clarify when a loss may be deemed “foreseeable” in a conspiracy; and whether (and to what extent) the MVRA permits the imposition of vicarious liability in conspiracy cases.

Petitioner is requesting an extension of time due to other pressing matters in this Court and in Texas state courts — a petition for writ of certiorari due February 3, 2026, in *Michael Thomas McCowan v. United States* (25A731) and a jury trial on January 7, 2026, in Texas’s 175th District Court in *State of Texas vs. Emilie Kirk* (2025CR009475).

For these reasons, Petitioner respectfully requests that an order be entered extending her time to petition for certiorari in the above-captioned case to and including March 21, 2026.

Respectfully submitted.

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CERTIFICATE OF SERVICE

I hereby certify that on this the December 31, 2025, have served a copy of the enclosed Application for Extension of Time to File a Petition for Writ of Certiorari on all parties required to be served by enclosing a copy of each in an envelope and delivering it to United States Postal Service for delivery within three calendar days to:

Solicitor General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue NW, Room 5614
Washington, D.C. 20530

/s/ SHANNON LOCKE
Shannon Locke