

No. \_\_\_\_\_

**IN THE  
SUPREME COURT OF THE UNITED STATES**

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ELENA MUKHINA,

*Petitioner,*

v.

WALMART, INC.,

*Respondent.*

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**APPLICATION FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE A  
PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES  
COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

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**TO THE HONORABLE CLARENCE THOMAS,  
JUSTICE OF THE SUPREME COURT OF THE UNITED STATES AND  
CIRCUIT JUSTICE FOR THE ELEVENTH CIRCUIT**

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Under Supreme Court Rules 13(5) and 30(3), Ms. Elena Mukhina respectfully requests an extension of time, to and including April 22, 2026, within which to file a petition for a writ of certiorari from the judgment of the United States Court of Appeals for the Eleventh Circuit. Unless an extension is granted, the deadline for filing the petition for certiorari will be March 23, 2026. Mukhina has not previously sought an extension of time from this Court to file this petition.

1. The United States Court of Appeals for the Eleventh Circuit issued its decision on December 22, 2025, (Exhibit A), and the time to file a petition for rehearing expired on January 12, 2026. This Court has jurisdiction under 28 U.S.C. § 1254(1).

2. Petitioner is filing this Application at least ten days before the filing date, which is March 23, 2026. *See* S. Ct. R. 13(5). The jurisdiction of this Court will be invoked under 28 U.S.C. Section 1254(1).

3. Mukhina, a Russian immigrant and practicing Russian Folk Christian, fled persecution in 2018 and received asylum in the United States. She speaks Russian fluently, but her English is limited. Mukhina eventually moved to Daphne, Alabama and began working at Walmart. Customers and coworkers harassed her daily over her Russian origin and language difficulties. Mukhina endured constant ridicule over the course of several months, and multiple supervisors who knew about the hostile environment failed to take corrective action. Additionally, Walmart scheduled Mukhina for work on New Years Eve, which is an important religious holiday for Russian Folk Christians. She requested time off to celebrate the important holiday

and informed her manager that New Years Eve was “like Christmas” to Russians. The manager denied her requests for time off, even though another associate received four days off to celebrate Christmas. Eventually, Mukhina decided that Walmart was unwilling to remedy the environment at the store, so she resigned and had her daughter return her company cellphone.

4. Mukhina filed an EEOC charge describing the discrimination she faced and Walmart’s denial of her religious request. Mukhina received a right-to-sue letter. She then filed a pro se complaint against Walmart alleging national-origin discrimination, religious discrimination, and retaliation. Walmart moved for summary judgment on all counts. The district court granted Walmart’s motion. (Exhibit B.) It reasoned that the *McDonnell Douglas* framework was the only way Mukhina could defeat Walmart’s motion for summary judgment. The court then held that Mukhina had not made a prima facie case of discrimination or retaliation.

5. On appeal, Mukhina asked the United States Court of Appeals for the Eleventh Circuit to reverse for multiple reasons. First, the *McDonnell Douglas* framework is not the only way to establish her claims. Second, Walmart discriminated against her because of her Russian origin. Third, Mukhina established circumstantial evidence of religious discrimination. And fourth, Walmart retaliated against Mukhina after she engaged in statutorily protected activity. The Eleventh Circuit affirmed.

6. Counsel will have insufficient time to file the petition for writ of certiorari for Ms. Mukhina for several reasons. First among them, the Appellate Advocacy

Clinic at the University of Alabama allows law student interns (under attorney supervision) to provide legal representation to clients in appellate matters. Thus, the work the Clinic performs is principally student driven. Although the Eleventh Circuit issued its final decision in this case on December 22, 2025, there were no students enrolled in the Clinic until January 5, 2026. Thus, during the first fourteen days of the ninety-day period allowed for filing a petition for a writ of certiorari, there were no law student interns in the Clinic to work on the petition. Further, new students entering the Clinic require some training and instruction before beginning casework. This created additional delays in the Clinic's work on the petition.

7. Counsel also has significant professional conflicts that have and will interfere with the filing of the certiorari petition. Among them, counsel had briefing obligations in unrelated cases in February 2026. He also expects to file briefs in unrelated cases in March 2026 and to appear at oral argument in an unrelated case on March 24, 2026.

8. As a result, additional time is necessary for the careful preparation of the petition for writ of certiorari in this case. No party will be prejudiced by the granting of the extension. Moreover, counsel has contacted the counsel who represented the parties who will be respondents to the petition, and they do not object to the relief Ms. Mukhina requests.

Therefore, Petitioner Elena Mukhina respectfully requests that an order be entered extending his time to file a petition for writ of certiorari from March 23, 2026, to and including April 22, 2026.

Respectfully submitted,

s/ E. Travis Ramey

E. Travis Ramey

*Counsel of Record*

Appellate Advocacy Clinic

University of Alabama School of Law

Box 870392

101 Paul W. Bryant Drive, East

Tuscaloosa, Alabama 35487

(205) 348-4960

tramey@law.ua.edu

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