No. 26A___

In the Supreme Court of the United States

RONNARD WILLIAMS,

Applicant,

v.

UNITED STATES OF AMERICA,

MOTION TO THE HON. JOHN G. ROBERTS, JR., FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE A PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

Pursuant to Supreme Court Rule 13(5), Ronnard Williams respectfully requests a 60-day extension of time, to and including June 5, 2026, within which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the District of Columbia Circuit in this case. The judgment of the court of appeals was entered on August 26, 2025. The opinion of the court of appeals is reported as *United States v. Williams*, 153 F.4th 55 (D.C. Cir. 2025).

A petition for rehearing was denied on January 5, 2026. Absent an extension, the time for filing a petition for writ of certiorari will expire on April 6, 2026. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). Copies of the opinion of the court of appeals and the order denying rehearing are attached to this application.

In support of this request, Applicant states as follows:

1. This case presents the question of whether the Fourth Amendment permits a bright-line rule allowing police to order a driver to lower all of his windows during a traffic stop, without reasonable suspicion.

2. The D.C. Circuit's ruling cannot be reconciled with this Court's precedent. The D.C. Circuit created a new bright-line rule, holding that, as a minimally invasive safety precaution, "police may order a driver to lower his windows when something like the window's tint makes it hard to see inside the car." *Williams*, 153 F.4th at 56. The court of appeals reasoned that its decision was a logical extension of *Pennsylvania v. Mimms*, 434 U.S. 106 (1977), which held that "once a motor vehicle has been lawfully detained for a traffic violation, the police officers may order the driver to get out of the vehicle without violating the Fourth Amendment's proscription of unreasonable searches and seizure." *Id.* at 111 n.6. But *Mimms* is a narrow exception that this Court has declined to extend to other situations arising from traffic stops, absent reasonable articulable suspicion.

This Court has held that a search occurs "when an expectation of privacy that society is prepared to consider reasonable is infringed." *United States v. Jacobsen*, 466 U.S. 109, 113 (1984). This Court has been clear: "One who owns and possesses a car, like one who owns and possesses a house, almost always has a reasonable expectation of privacy in it." *Byrd v. United States*, 138 S. Ct. 1518, 1527 (2018).

It is well established that the Fourth Amendment protects the interior of one's vehicle and that opening the door of a vehicle to expose its interior constitutes a search. *See New York v. Class*, 475 U.S. 106, 114–15 (1986) (acknowledging that "a car's interior as a whole is . . . subject to Fourth Amendment protection"); *see also,*

e.g., *United States v. Hunt*, 253 F.3d 227, 231–32 (5th Cir. 2001) (opening car door was a search); *United States v. King*, 332 F. App'x 334, 337 (7th Cir. 2009) (same).

In *Ohio v. Robinette*, 519 U.S. 33 (1996), the Court explained that it has "consistently eschewed bright-line rules, instead emphasizing the fact-specific nature of the reasonableness inquiry" under the Fourth Amendment. *Id.* at 39; *see also id.* ("We have long held that the 'touchstone of the Fourth Amendment is reasonableness' . . . [and] [r]easonableness, in turn, is measured in objective terms by examining the totality of the circumstances." (quoting *Florida v. Jimeno*, 500 U.S. 248, 250 (1991))); *Florida v. Royer*, 460 U.S. 491, 506 (1983) (expressly disavowing any "litmus-paper test" or single "sentence or . . . paragraph . . . rule," in recognition of the "endless variations in the facts and circumstances" implicating the Fourth Amendment); *Florida v. Bostick*, 501 U.S. 429, 439 (1991) (reversing Florida Supreme Court's per se rule, reiterating that the proper inquiry necessitates a consideration of "all the circumstances surrounding the encounter"); *Michigan v. Chesternut*, 486 U.S. 567, 572–73 (1988) (rejecting both bright-line rules endorsed by the parties as contrary to the Fourth Amendment's "traditional contextual approach").

In the specific context of traffic stops, this Court has avoided categorical rules permitting searches based on the general interest in officer safety, without any particularized suspicion. In *Knowles v. Iowa*, 525 U.S. 113 (1998), this Court rejected Iowa's argument that officer safety could justify a search pursuant to a traffic stop during which an officer issues a citation but does not arrest the driver. The Court noted that the "threat to officer safety from issuing a traffic citation . . . is a good deal less than in the case of a custodial arrest," as a "routine traffic stop . . . is a relatively

brief encounter and is more analogous to a so-called *Terry* stop . . . than to a formal arrest." *Id.* at 117 (internal quotation marks omitted); *see also Jackson v. United States*, 56 A.3d 1206, 1214 (D.C. 2012) ("The stop in this case lacked many of the hallmarks of a particularly dangerous situation. The offense for which the officer stopped the van—illegal window tinting—was a minor one . . . ."). Aside from asking a driver and any passengers to step out of the vehicle, as explained in *Mimms* and *Maryland v. Wilson*, 519 U.S. 408 (1997), the other safety measures cited by the Court in *Knowles* all clearly require some quantum of individualized suspicion.

3. The D.C. Circuit's decision also conflicts with decisions of other federal courts of appeals and District of Columbia Court of Appeals. A year after *Ohio v. Robinette*, the Fourth Circuit, in *United States v. Stanfield*, 109 F.3d 976 (4th Cir. 1997), entertained the possibility of embracing a general rule that, during a lawful traffic stop, officers may open the door of a car with tinted windows to determine whether the driver was armed or whether there were passengers who could present a danger to officers. *See id.* at 981–83. Yet the court ultimately decided against establishing such a bright-line approach, and instead undertook an analysis of the specific facts. *See id.* at 984–89. Multiple courts of appeals have held that effectuating an intrusion through an order to roll down the windows is like the opening of a car door and likewise infringes on an individual's reasonable expectation of privacy. *United States v. Ingram*, 151 F. App'x 597, 599 (9th Cir. 2005) (officer's instruction to roll down window implicated defendant's Fourth Amendment rights); *Johnson v. Campbell*, 332 F.3d 199, 206 (3d Cir. 2003) (same).

The D.C. Court of Appeals has perhaps best explained why courts should reject per se rules based on the *Stanfield* opinion's dicta. Acknowledging the significant threat to officer safety in traffic stops generally, and the heightened risk with tinted windows in particular, the D.C. Court of Appeals nevertheless stated:

> [O]ur task, [] is to evaluate the individualized articulable facts supporting reasonable suspicion in this case, and we would fail in that task if we were to quote *Stanfield*'s unbridled language and perfunctorily conclude that the van's window tinting gave rise to reasonable suspicion in this case without checking that impulse against the facts of this case.

Jackson, 56 A.3d at1213.

The Third Circuit has also explained that cases have "extended *Mimms* and *Wilson* to include opening a car door . . . *only* when there was also reasonable suspicion." *United States v. Dowdell*, 70 F.4th 134, 144 n.5 (3d Cir. 2023) (emphasis added); *see Stanfield*, 109 F.3d at 984 (recognizing that "[e]ven absent a *Mimms/Wilson*-type *per se* rule," officers could reasonably conduct a "limited *search* [by] merely opening the [car] door" based on the totality of the circumstances (second emphasis added)); *United States v. Brown*, 334 F.3d 1161, 1169 (D.C. Cir. 2003) (opening a car door was reasonable "based on the totality of the circumstances"). Under the D.C. Circuit's approach, a suspected window tint violation would *always* justify an order to roll down car windows and expose the car's interior, even though law enforcement cannot confirm a tint violation without a tint meter.

4. An extension is warranted because of counsel's substantial briefing and argument obligations during the time for preparing the petition and during the requested extension. These obligations include, but are not limited to, *United States*

v. Bruno Cua, No. 25-3078 (D.C. Cir.) (opening brief filed March 10 in multi-defendant consolidated appeal; reply brief due June 10); *In re Sealed Case*, No. 23-3067 (D.C. Cir.) (opening brief due April 10); *United States v. Carl Cooper*, No. 22-3051 (D.C. Cir.) (opening brief due April 14); *United States v. Deivy Rodriguez Delgado*, No. 24-3148 (D.C. Cir.) (opening brief due May 5); *United States v. Charles Smith*, No. 22-cr-3076 (D.D.C.) (return of property/fees litigation pending *Cua*); *United States v. David Lee Judd*, No. 23-3029 (D.D.C.) (same); *United States v. Christopher Moynihan*, No. 23-3022 (D.D.C.) (same); and ongoing assistance with challenges to Executive Order 14333 and subsequent directives involving the surge of federal law enforcement in the District of Columbia. Counsel also has substantial obligations in other non-public matters that will occupy significant time in the coming weeks.

5. For these reasons, Applicant's counsel respectfully requests that an order be entered extending the time to file a petition for certiorari to and including June 5, 2026.

March 17, 2026

Respectfully submitted,

/s/ _____

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