

No. _____

IN THE
Supreme Court of the United States

YURI CHACHANKO,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

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

JASON J. TUPMAN

Federal Public Defender

MOLLY C. QUINN

Chief Appellate Attorney, *Counsel of Record*

Office of the Federal Public Defender

Districts of South Dakota and North Dakota

101 South Main Avenue, Suite 400

Sioux Falls, SD 57104

molly_quinn@fd.org

605-330-4489

Attorneys for Petitioner

APPLICATION FOR EXTENSION OF TIME

Petitioner Yuri Chachanko, through his attorney of record, Chief Appellate Attorney Molly C. Quinn, respectfully requests a 50-day extension of time, to and including Thursday, July 16, 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 Eighth Circuit in this case. This application is brought under Rules 13.5 and 30.3 of this Court.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is *United States v. Chachanko*, 162 F.4th 894 (8th Cir. 2025). App. 1a-9a.

JURISDICTION

This Court will have jurisdiction over a timely filed petition under 28 U.S.C. § 1254(1). The court of appeals entered its judgment on December 18, 2025, and denied Petitioner's timely petition for rehearing en banc on February 26, 2026. App. 9a-10a. Unless extended, the time within which to file a petition for a writ of certiorari will expire on Wednesday, May 27, 2026. *See* Sup. Ct. R. 13.1. Petitioner files this request for additional time at least 10 days before the date the petition is currently due, in compliance with Rule 13.5 of this Court. Copies of the court of appeals' opinion, judgment, and order denying rehearing are attached. App. 1a-10a.

REASONS JUSTIFYING AN EXTENSION OF TIME

This case arises out of the denial of Petitioner’s motion for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A) and USSG § 1B1.13. Petitioner argued below that he has shown extraordinary and compelling reasons under § 1B1.13(b)(6) based on the disparity between the mandatory consecutive 25-year sentence he is currently serving for his second conviction under 18 U.S.C. § 924(c) and the lower sentence he would face after the First Step Act’s amendment to 18 U.S.C. § 924(c)(1)(C)(i). *See* App. 2a-3a. The district court denied his motion, finding that he had not “served at least 10 years of the term of imprisonment” as required under § 1B1.13(b)(6). *Id.* The court of appeals affirmed. App. 1a-8a. This case raises the question of whether the requirement in § 1B1.13(b)(6) that the defendant “has served at least 10 years of the term of imprisonment” refers to the defendant’s total term of imprisonment (particularly when he is serving a mandatory consecutive sentence he would no longer face today) or to the specific term of imprisonment sought to be reduced. Petitioner submits that this is an important question of federal law.

Petitioner is aware that this Court is currently considering whether a nonretroactive change in the law—like the one at issue in his case—can constitute “extraordinary and compelling reasons” for a sentence reduction under § 3582(c)(1)(A). *See United States v. Rutherford*, No. 24-820 & *United States v. Carter*, No. 24-860. The question presented in *Rutherford* is, “Whether, as four circuits permit but six others prohibit, a district court may consider disparities

created by the First Step Act’s prospective changes in sentencing law when deciding if ‘extraordinary and compelling reasons’ warrant a sentence reduction under 18 U.S.C. § 3582(c)(1)(A)(i).” *Rutherford v. United States*, Pet’n for a Writ of Certiorari, at i, No. 24-820 (Jan. 30, 2025). And the question presented in *Carter* is: “Whether the Sentencing Commission acted within its expressly delegated authority by permitting district courts to consider, in narrowly cabined circumstances, a nonretroactive change in law in determining whether ‘extraordinary and compelling reasons’ warrant a sentence reduction.” *Carter v. United States*, Pet’n for a Writ of Certiorari, at i, No. 24-860 (Feb. 11, 2025). As of the date of this application, the Court has not yet issued an opinion in these cases.

Because the Court’s decision in *Rutherford* and *Carter* will likely impact the validity of § 1B1.13(b)(6) (the provision at issue in Petitioner’s case), Petitioner anticipates that the Court’s decision in those cases may impact whether he will file a petition for a writ of certiorari and, if he does, the contents of the petition. He submits that an extension of the deadline to file a petition for a writ of certiorari until after the Court is likely to issue its opinion in *Rutherford* and *Carter* would promote the interests of judicial economy and preservation of resources.

Counsel is also scheduled to be out of the country for personal travel June 28, 2026, through July 3, 2026.

For these reasons, Petitioner requests a 50-day extension of the deadline to file a petition for a writ of certiorari in order to allow time to review the Court’s

upcoming opinion in *Rutherford* and *Carter* and, if necessary, prepare the petition in his case.

CONCLUSION

For the foregoing reasons, Petitioner respectfully an extension of 50 days, to and including Thursday, July 16, 2026, in which to file a petition for a writ of certiorari.

Dated this 4th day of May, 2026.

Respectfully submitted,

JASON J. TUPMAN
Federal Public Defender
By:

/s/ Molly C. Quinn
Molly C. Quinn, Chief Appellate Attorney
Office of the Federal Public Defender
Districts of South Dakota and North Dakota
101 South Main Avenue, Suite 400
Sioux Falls, SD 57104
molly_quinn@fd.org
Phone: (605) 330-4489

Counsel of Record for Petitioner