

No. 25A1272

In the
Supreme Court of the United States

MICHAEL SHANE RAGLAND,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

**APPLICATION DIRECTED TO THE HONORABLE CLARENCE THOMAS
FOR A FURTHER 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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June 17, 2026

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

Pursuant to 28 U.S.C. § 2101(c) and Supreme Court Rules 13.5, 22, and 30.3, Applicant Michael Ragland respectfully requests a further 27-day extension of time, up to and including August 3, 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 Eleventh Circuit in this case. Applicant initially moved for a 60-day extension of time. Your Honor initially granted Applicant a 33-day extension, and the petition for certiorari is currently due on July 6, 2026. Jurisdiction to review the judgment of the Eleventh Circuit in this case will be invoked under 28 U.S.C. § 1254(1).

Applicant intends to raise an important and recurring question regarding a district court's jurisdiction over second or successive habeas applications. As explained in Applicant's initial motion for extension of time, filed on May 14, 2026, the Eleventh Circuit cemented an acknowledged circuit split concerning whether a district court has jurisdiction to adjudicate particular claims raised in a Section 2255 motion that are not specifically authorized by a court of appeals. *See* 28 U.S.C. § 2255. The Eleventh Circuit's atextual rule breaks sharply with the rule adopted by the First, Second, Fourth, Seventh, and Ninth Circuits, which hold that a court of appeals' authorization to file a second or successive Section 2255 application runs to "the application" as a whole, rather than to individual claims, thereby allowing an applicant to later amend a Section 2255 application in subsequent district court proceedings. Corrected Judgment, *Goodridge v. United States*, No. 16-1219 (1st Cir. July 29, 2016); Order, *Llamas v. United States*, Nos. 16-2093 & 16-2412 (2d Cir. Aug.

28, 2020); *United States v. MacDonald*, 641 F.3d 596, 614-16 & n.12 (4th Cir. 2011); *Reyes v. United States*, 998 F.3d 753, 761 (7th Cir. 2021); *Nevius v. McDaniel*, 104 F.3d 1120, 1121 (9th Cir. 1996).

Undersigned counsel respectfully requests an additional 27 days within which to file the petition. Undersigned counsel did not serve as Applicant's counsel in the Eleventh Circuit and was retained to assist in the evaluation and preparation of a petition for a writ of certiorari shortly prior to Applicant's first application for an extension of time. Additional time will enable counsel to fully review the record, narrow the issues for this Court's consideration, and adequately prepare and file a petition for certiorari. It will also facilitate counsel's communication about the petition with Applicant, who remains incarcerated. Your Honor has granted additional extensions of time in similar circumstances, *see, e.g., Philip Morris USA Inc. v. Jordan*, No. 18A182 (Sept. 14, 2018) (Thomas, J.) (granting additional 35-day extension after having granted a 25-day extension), and should grant the additional 27-day extension here.

Counsel has been working diligently on the petition, but has, and has had, several other matters with proximate due dates, including in *Ted Entertainment, Inc. v. Meta Platforms, Inc.*, No. 25-cv-10931 (N.D. Cal.) (motion to dismiss filed May 13, 2026; reply brief in support of motion to dismiss due June 26, 2026); *Medley Management, Inc. v. Lowenstein Sandler, LLP*, No. 2025-05511 (N.Y. App. Div. 1st Dep't) (merits brief filed May 22, 2026); *Clark v. Instant Checkmate*, No. 25-cv-02724-DDD-MDB (D. Colo.) (presented oral argument on June 16, 2026); *Faculty, Alumni*

& Students Opposed to Racial Preferences (FASORP) v. Northwestern University, No. 26-1349 (7th Cir.) (merits brief due July 1, 2026); *Samuels v. AH Capital Management, LLC*, No. 25-05701 (9th Cir.) (reply brief due July 16, 2026); *Marin et al. v. Meta Platforms, Inc.*, 26-cv-05438 (N.D. Ill.) (response to complaint due July 20, 2026); *Cirkunovs v. Zuffa LLC*, No. 25-7906 (9th Cir.) (reply brief currently due July 24, 2026); and *Fason v. Hamlet*, No. 26-1373 (8th Cir.) (merits brief due July 27, 2026).

Additionally, counsel Margaret Upshaw and Ben Harris have had other professional obligations during the time period for preparing this petition. Ms. Upshaw has, or has had, deadlines in *Buchholz v. LeanRx, Inc., et al.*, No. 26-cv-00846 (N.D. Cal.) (reply brief in support of motion to dismiss filed June 15, 2026); *A.A. v. Meta Platforms, Inc.*, No. 25-cv-08852 (N.D. Cal.) (opposition to motion for leave to file first amended complaint due June 24, 2026); *Old Ironsides Energy LLC v. Marsh & McLennan Agency LLC, et al.*, No. 2025-P-1075 (Mass. Ct. App.) (presenting oral argument on July 7, 2026); and *M.D. v. Google LLC*, No. 24-cv-06369 (N.D. Cal.) (presenting oral argument on motion to dismiss on July 14, 2026). And Mr. Harris has had competing obligations as well, including in *Epic Games, Inc. v. Apple Inc.*, No. 25-1311 (reply brief in support of a petition for a writ of certiorari filed June 9, 2026); *Republican National Committee v. Mi Familia Vota, et al.*, No. 25-1017 (brief in opposition to certiorari filed May 26, 2026); *Payton v. Union Pacific R.R. Co.*, No. 26-1946 (7th Cir.) (merits brief filed June 9, 2026); *Toptal, LLC v. Beneschott*, No. 26-11767 (11th Cir.) (merits brief currently due June 29, 2026).

Currently, the petition is due on Monday, July 6, 2026, the first business day following the Fourth of July weekend, when undersigned counsel will be engaging in long-planned family travel. An additional 27-day extension will permit counsel to fully research and, as appropriate, refine the issues for this Court's review and prepare a petition that addresses the important questions raised by this case in the most direct and efficient manner for the Court's consideration. The additional time also will assist potential amici in considering this case.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests that the time for filing a petition for a writ of certiorari in this case be extended by 27 days up to and including August 3, 2026.

June 17, 2026

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Respectfully submitted,



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