

IN THE SUPREME COURT OF THE UNITED STATES

---

No. 26A\_\_\_\_

---

KIMBERLEY ANN TEW,

*Applicant,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

---

**APPLICATION TO THE HON. NEIL M. GORSUCH  
FOR FURTHER EXTENSION OF TIME WITHIN WHICH TO  
FILE A PETITION FOR A WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

---

Pursuant to Supreme Court Rule 13(5), Kimberley Ann Tew hereby moves for an extension of time of 60 days, to and including September 3, 2026, for the filing of a petition for a writ of certiorari. Unless an extension is granted, the deadline for filing the petition for certiorari will be July 5, 2026.

In support of this request, Applicant states as follows:

1. The United States Court of Appeals for the Tenth Circuit rendered its decision on April 6, 2026 (Exhibit A). This Court has jurisdiction under 28 U.S.C. § 1254(1).

2. This case presents a significant and timely question of Fourth Amendment law: whether the good faith exception to the exclusionary rule permits an officer to rely on a warrant that allows the government to seize virtually all data spanning over two and a half years from a person's iCloud account—every email, text

message, photograph, video, location record, internet tab, financial transaction, contact, and calendar entry, on every device linked to that account—limited only by reference to six broad federal statutes, including perhaps the broadest statute of all: conspiracy under 18 U.S.C. § 371. The invasiveness of this type of warrant has no parallel in this Court’s precedents. Warrants to search an entire home, examine the complete contents of a cell phone, or track a person’s precise movements for years have each raised serious constitutional concern standing alone. This warrant swallows all of them.

3. The Tenth Circuit itself acknowledged the good faith issue was a “close call” and grounded its analysis in part on the “absence of on-point caselaw that would have given law enforcement agents specific guidance on how to draft and execute this type of search warrant.” Ex. A at 43. That acknowledgment underscores the need for this Court’s guidance. Cloud-based warrants have become increasingly common in criminal proceedings and no settled standard governs when such a warrant sweeps so broadly that no reasonable officer could rely on it in good faith.

4. This case presents an ideal vehicle to resolve that question. The Tenth Circuit here found a clear Fourth Amendment violation: a warrant so overbroad that it authorized access to the entirety of Applicant’s iCloud account, with no meaningful limitation. *See id.* at 37. Yet the Tenth Circuit nonetheless held that the officers relied on the warrant in good faith, relying largely on contextual factors to support its good faith finding. That holding tees up the good faith question in its sharpest form, unencumbered by collateral issues that might otherwise obscure the analysis.

5. Undersigned counsel, Justin A. Lollman, is the only attorney at the firm familiar with this case and would benefit from additional time to prepare a petition that best presents the issues for this Court's consideration.

6. Counsel also has substantial professional obligations between now and July 5, 2026, including preparing a motion to dismiss in *Kent Distributors, Inc. v. Magellan Pipeline Co.*, 7:26-CV-76 (W.D. Tex.), due July 2, 2026; appearing for argument on a motion to dismiss in *Dehart v. Fort Sill Apache Tribe*, CJ-2025-657 (Comanche Cnty., Okla.), on June 16, 2026; and serving as a presenter at the Oklahoma Bar Association Midyear Meeting in Oklahoma City, Oklahoma, from June 17 to 19, 2026. Counsel also has a prepaid family vacation scheduled from June 22 to 28, 2026.

7. Applicant thus requests an additional extension of 60 days.

WHEREFORE, for the foregoing reasons, Applicant requests that an extension of time to and including September 3, 2026, be granted within which Applicant may file a petition for a writ of certiorari.

Dated: June 15, 2026

Respectfully submitted,

/s/ Justin A. Lollman

Justin A. Lollman

**HOFLAND/LOLLMAN**

401 S. Boston Ave., Ste. 500

Tulsa, Oklahoma 74103

Telephone: 918.221.7440

Fax: 918.221.7556

*jlollman@hoflandlollman.com*

**COUNSEL FOR APPLICANT**