

IN THE

Supreme Court of the United States

NIDAL AHMED WAKED HATUM,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

**Application for 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**

**APPLICATION TO THE HONORABLE
JUSTICE CLARENCE THOMAS, AS CIRCUIT JUSTICE**

RICHARD C. KLUGH
KLUGH WILSON LLC
40 NW 3RD STREET, PH1
Miami, Florida 33128
Tel. (305) 536-1191
rklugh@klughwilson.com

JOSHUA J. FOUGERE
Counsel of Record
SIDLEY AUSTIN LLP
1501 K Street NW
Washington, DC 20005
(202) 736-8729
jfougere@sidley.com

HOWARD SREBNICK
BLACK SREBNICK
201 S. Biscayne Blvd., Suite 1300
Miami, Florida 33131
Tel. (305) 371-6421
hsrebnick@royblack.com

Counsel for Applicant

June 18, 2026

APPLICATION FOR EXTENSION OF TIME

Under this Court's Rule 13.5, Applicant Nidal Ahmed Waked Hatum respectfully requests a 30-day extension of time within which to file a petition for a writ of certiorari, to and including August 7, 2026.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is Order Denying Petition for Rehearing En Banc, *United States v. Nidal Ahmed Waked Hatum*, No. 22-13312 (11th Cir. Apr. 9, 2026) (attached as Exhibit 1). That Order followed *United States v. Nidal Ahmed Waked Hatum*, No. 22-13312, 2026 WL 100562 (11th Cir. Jan. 14, 2026) (attached as Exhibit 2).

JURISDICTION

This Court will have jurisdiction over any timely petition under 28 U.S.C. § 1257 and *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469 (1975). The United States Court of Appeals for the Eleventh Circuit issued its judgment on April 9, 2026. In accordance with Rule 13.5, this application is being filed more than 10 days before the current due date of July 8, 2026.

REASONS JUSTIFYING AN EXTENSION OF TIME

1. Counsel at Sidley Austin LLP has not been a part of this appeal previously and recently joined this litigation for the purposes of filing a petition for certiorari. Counsel therefore require additional time to familiarize themselves with the record and history of the case. An extension will also allow counsel time to coordi-

nate with co-counsel and to prepare a petition that will aid the Court's review of the issues.

2. An extension is also warranted because of the press of counsel's other business. Counsel of record's commitments in the time before the current filing deadline include:

- A mediation brief due in the Superior Court of the District of Columbia on June 19th in *District of Columbia v. Amazon.com, Inc.*, No. 2024-CAB-007611, and a mediation on June 26th;
- A motion to dismiss due in the United States District Court for the District of Columbia on July 13th in *Daniel et al. v. Novo Nordisk Inc.*, No. 21-cv-00055;
- A response brief due in the United States Court of Appeals for the Ninth Circuit on July 27th in *Washington v. Novo Nordisk, Inc.*, Nos. 25-7674, 25-7678.

Other counsel, including the undersigned co-counsel, also have significant commitments that will affect the preparation of a petition, including:

- A reply brief due in the United States Court of Appeals for the First Circuit on June 25th in *American Hospital Ass'n v. Abbvie*, No. 25-2237;
- A petition for rehearing en banc due in the United States Court of Appeals for the Second Circuit on June 29th in *Banco San Juan v. Federal Reserve*, No. 25-1144;
- A motion to seal due in the United States District Court for the District of New Jersey due on June 29th in *Merck & Co. v. Merck KGAA*, No. 2:16-cv-00266;
- A response brief due in the United States Court of Appeals for the Third Circuit on July 10th in *Lewandowski v. Johnson & Johnson*, No. 26-1107;
- A motion to dismiss due in the United States District Court for the Southern District of New York on July 10th in *New York v. Jazz Pharmaceuticals PLC*, No. 1:25-cv-08797;
- An oral argument in the United States Court of Appeals for the Eleventh Circuit on June 24th in *United States v. Tardon*, No. 14-15140;

- An oral argument in the United States Court of Appeals for the Eleventh Circuit on June 25th in *United States v. Rene*, No. 24-13113;
- An initial brief due in the United States Court of Appeals for the Eleventh Circuit on June 29th in *United States v. Boyd*, No. 26-11018;
- An initial brief due in the United States Court of Appeals for the Eleventh Circuit on June 30th in *United States v. Polit*, No. 24-13432;
- A state court trial beginning on June 29th;
- An initial brief due in the United States Court of Appeals for the Eleventh Circuit on July 10th in *United States v. Steminsky*, No. 26-10489;
- An answer brief due in the United States Court of Appeals for the Eleventh Circuit on July 11th in *United States v. Nauta*, Nos. 26-10503, 26-10674.
- An ongoing trial of a complex manslaughter case in state court over the past month that is likely to continue for more than a week.

CONCLUSION

For these reasons, Applicant respectfully requests a 30-day extension of time within which to file a petition for a writ of certiorari, to and including August 7, 2026.

Respectfully submitted,

RICHARD C. KLUGH
 KLUGH WILSON LLC
 40 NW 3RD STREET, PH1
 Miami, Florida 33128
 Tel. (305) 536-1191
 rklugh@klughwilson.com

JOSHUA J. FOUGERE
Counsel of Record
 SIDLEY AUSTIN LLP
 1501 K Street NW
 Washington, DC 20005
 (202) 736-8729
 jfougere@sidley.com

HOWARD SREBNICK
 BLACK SREBNICK
 201 S. Biscayne Blvd., Suite 1300
 Miami, Florida 33131
 Tel. (305) 371-6421
 hsrebnick@royblack.com