

IN THE SUPREME COURT OF THE UNITED STATES

No. A-_____

DEAGO LEE EDDINGS, APPLICANT

v.

UNITED STATES OF AMERICA

APPLICATION FOR AN EXTENSION OF TIME
WITHIN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

To the Honorable Samuel A. Alito, Jr., Circuit Justice for the United States
Court of Appeals for the Third Circuit:

Pursuant to Rules 13.5 and 30.2 of this Court, Deago Lee Eddings respectfully
applies for a 60-day extension of time, to and including September 12, 2025, within
which to file a petition for a writ of *certiorari* to review the judgment of the United
States Court of Appeals for the Third Circuit in this case. The judgment of the court
of appeals was entered on April 14, 2025. App., *infra*, 5a. Unless extended, the time
for filing a petition for a writ of certiorari will expire on July 14, 2025. The
jurisdiction of this Court would be invoked under 28 U.S.C. 1254(1).

1. Applicant Deago Lee Eddings was charged with and convicted of
violating 18 U.S.C. § 922(g)(1). App., *infra*, 3a. In the district court and on appeal he
argued that § 922(g)(1) violates the Second Amendment on its face and as applied.

2. The court of appeals affirmed, relying on its decisions in *United States v. Moore*, 111 F.4th 266 (3d Cir. Aug. 2, 2024), *petition for certiorari denied*, S. Ct. 24-968 (June 30, 2025), and *United States v. Quailles*, 126 F.4th 215 (3d Cir. 2025), *petition for writ of certiorari filed*, S. Ct. 24-7033.

3. As Mr. Eddings did here, the individuals in those cases relied on the Second Amendment and this Court's precedent to seek dismissal of § 922(g)(1) charges, arguing that the government had not yet identified any historical tradition that would support permanently disarming individuals for the conduct at issue in their underlying predicate crimes. Rather than resolve that question, the Third Circuit decided to address a different question entirely: whether the government may disarm individuals while they are serving a term of supervised release or state probation or parole. In *Moore*, the Court held that "history and tradition support disarming convicts who are completing their sentences," including individuals on supervised release at the time of the charged possession. *Moore*, 111 F.4th at 273. In *Quailles*, the Court extended the rule it had announced in *Moore* to those serving a sentence of state probation and those on state parole. *Quailles*, 126 F.3d at 223. Mr. Eddings was on state parole when he was found in possession of the charged firearm; the court of appeals found his case was controlled by *Quailles*. App.2a.

4. Although the petition for writ of *certiorari* was denied in *Moore*, the petition filed in *Quailles* remains pending. S. Ct. 24-7033 (distributed for conference of September 29, 2025).

4. Counsel for Mr. Eddings respectfully requests a 60-day extension of time, to and including September 12, 2025, within which to file a petition for writ of *certiorari*. Additional time is necessary to consult with Mr. Eddings, who is incarcerated at some distance from undersigned counsel, about this week's order denying the request for *certiorari* in *Moore*, about pending related petitions for writ of *certiorari*, and about how to proceed in the instant matter. In addition, undersigned counsel is currently preparing a Third Step Brief to be filed in the Third Circuit in *United States v. Shelton*, Nos. 24-1302, 24-1322, 24-1491 (due July 7, 2024) as well as a Reply Brief in the case of *United States v. McNeill*, No. 2:06-cr-383 (W.D.Pa.) (also due July 7, 2024) and a 28 U.S.C. 2255 motion in that case. She is also engaged in investigation and legal research in another 2255 matter while working on multiple other direct appeals, including another cross-appeal, *United States v. Gamble*, Nos. 23-2105, 23-2199. In light of the foregoing, counsel represents that additional time is needed to consult with Mr. Eddings and to prepare the petition in this case.

Respectfully submitted.

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/s/ Renee Pietropaolo
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