

IN THE SUPREME COURT OF THE UNITED STATES

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No. 25A\_\_\_\_\_

UNITED STATES OF AMERICA, APPLICANT

v.

ALDO ALI CORDOVA PEREZ

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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 EIGHTH CIRCUIT

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Pursuant to Rules 13.5 and 30.2 of the Rules of this Court, the Solicitor General -- on behalf of applicant United States of America -- respectfully requests a 30-day extension time, to and including November 20, 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 Eighth Circuit in this case. The opinion of the court of appeals (App., infra, 1a-14a) is available at 2025 WL 2046897. The order of the district court (App., infra, 15a-22a) is available at 2023 WL 12119825.

The court of appeals entered its judgment on July 22, 2025. Unless extended, the time within which to file a petition for a writ of certiorari will expire on October 20, 2025. The jurisdiction of this Court would be invoked under 28 U.S.C. 1254(1).

1. A federal grand jury in the U.S. District Court for the Southern District of Iowa indicted respondent on one count of possessing a firearm as an unlawful user of a controlled substance, in violation of 18 U.S.C. 922(g)(3), and on other counts that are not pertinent here. See App., infra, 15a. A jury found him guilty on the Section 922(g)(3) count but acquitted him on the other counts. See ibid. Respondent moved for a judgment of acquittal on the Section 922(g)(3) count on the ground that the statute violates the Second Amendment on its face and as applied to him, but the district court rejected that argument and denied the motion. Id. at 17a-19a.

2. The Eighth Circuit vacated and remanded. App., infra, 1a-14a. The court explained that circuit precedent foreclosed respondent's facial challenge, see id. at 4a, but required further analysis of his as-applied challenge, see id. at 5a. Specifically, the court explained that, under its precedent, Section 922(g)(3) comports with the Second Amendment when use of the controlled substance (1) "made the defendant act like someone who is both mentally ill and dangerous" or (2) would cause the defendant to "induce terror, or pose a credible threat to the physical safety of others with a firearm." Id. at 7a (brackets and citation omitted). The court remanded the case so that the district court could apply that standard in the first instance. See id. at 12a.

The court of appeals later granted the government's motion to stay its mandate until October 20, 2025. See C.A. Order (Aug. 7, 2025).

3. The Solicitor General has not yet determined whether to file a petition for a writ of certiorari in this case. The United States has filed, and this Court is currently considering, several petitions for writs of certiorari involving as-applied Second Amendment challenges to Section 922(g)(3). See United States v. Hemani, 24-1234 (filed June 2, 2025); United States v. Cooper, No. 24-1247 (filed June 5, 2025); United States v. Daniels, No. 24-1248 (filed June 5, 2025); United States v. Sam, No. 24-1249 (filed June 5, 2025); United States v. Baxter, No. 24-1328 (filed June 27, 2025). The additional time sought in this application would enable the Solicitor General to review this Court's disposition of those petitions before deciding whether to file a petition in this case. Additional time is also needed, if a petition is authorized, to permit its preparation and printing.

Respectfully submitted.

D. JOHN SAUER  
Solicitor General

OCTOBER 2025