

**IN THE
SUPREME COURT OF THE UNITED STATES**

No. 25A464

THE GEO GROUP, INC.,

Applicant,

v.

UGOCHUKWU NWAUZOR, et al.,

Respondents.

**APPLICATION TO THE HON. ELENA KAGAN 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 NINTH CIRCUIT**

Petitioner hereby moves, pursuant to Rule 13(5) of the Rules of this Court, for a second and final 28-day extension of time in which to file a petition for writ of certiorari to and including January 9, 2026. A panel of the United States Court of Appeals for the Ninth Circuit issued a decision in this case dated January 16, 2025; the en banc Ninth Circuit denied a timely petition for rehearing on August 13, 2025. This Court has jurisdiction under 28 U.S.C. § 1254(1).

1. The date within which a petition for writ of certiorari would be due, if not extended, is December 12, 2025.

2. Petitioner recently retained undersigned counsel (Paul D. Clement, Counsel of Record, and Dominic E. Draye), who were not involved in the trial or appellate proceedings. Messrs. Clement and Draye must continue to familiarize themselves with the proceedings below and with the arguments presented in the Court of Appeals. Between now and the current due date of the petition, Mr. Clement

will present oral argument in *Cox Communications, Inc. v. Sony Music Entertainment*, No. 24-171 (U.S.) (scheduled for argument on December 1, 2025), in *FS Credit Opportunities Corp. v. Saba Capital Master Fund, Ltd.*, No. 24-345 (U.S.) (scheduled for argument on December 10, 2025), and in *Toupin v. Apple Valley*, No. 25-cv-2486-PJS-ECW (D. Minn.) (scheduled for argument on December 12, 2025). Mr. Clement also appellate briefs due in *Montgomery v. Caribe Transport II, LLC*, No. 24-1238 (U.S.) (due December 1, 2025), and in *SoundExchange, Inc. v. Sirius XM Radio Inc.*, No. 25-2150 (2d Cir.) (due on December 10, 2025).

3. This case presents substantial legal issues surrounding a state law requiring federal contractors to pay the state minimum wage to federal detainees who choose to participate in a voluntary work program that the federal government requires and for which it specifies a stipend of \$1 per day. Among those issues are whether the state law is invalid under (i) the intergovernmental immunity doctrine for directly regulating federal operations or for imposing an unequal burden federal operations relative to the State's own prisons and jails, and (ii) federal preemption under the web of laws regulating immigration detention.

4. Petitioner's counsel requires the additional requested time fully to research the legal issues and to prepare an appropriate petition for consideration by this Court.

5. Due to this litigation, the federal government has suspended its requirement that GEO offer the voluntary work program. As a result, an extension of time will not prejudice respondents, whose alleged injuries are strictly monetary (in the case of the individual respondents) or relate to the regulation of a program

that is suspended (in the case of the State).

For the foregoing reasons, petitioner hereby requests that an extension of time to and including January 9, 2026 be granted within which petitioner may file a petition for a writ of certiorari.

Respectfully submitted,



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CORPORATE DISCLOSURE STATEMENT

Pursuant to this Court's Rule 29.6, Applicant states as follows:

The GEO Group, Inc. ("GEO") is a nongovernmental corporate party organized and existing under the laws of the State of Florida, with its principal place of business in Boca Raton, Florida. GEO has no parent corporation. BlackRock Fund Advisors and Fidelity Management and Research (FMR), LLC each own 10 percent or more of GEO's stock.



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