

No. 25-_____

SUPREME COURT OF THE UNITED STATES

Christopher Wuchter,

Petitioner,

Vs.

The United States,

Respondent.

Application for an Extension of Time Within
Which to File for a Writ of Certiorari to the United States Court of Appeals
for the Eighth Circuit

**APPLICATION TO THE HONORABLE JUSTICE
BRETT KAVANAUGH AS CIRCUIT JUSTICE**

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October 03, 2025

APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Chirstopher Wutcher hereby requests a 30-day extension of time within which to file a petition for a writ of certiorari up to and including Monday, November 17, 2025.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is United States v. Chirstopher Wuchter, No. 24-2648 (8th Cir. Jul. 21, 2027) (attached as Exhibit 1).

JURISDICTION

This Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari is due to be filed on or before October 17, 2025. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

REASONS JUSTIFYING AN EXTENSION OF TIME

Applicant respectfully request a 30-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the United States Court of Appeals for the Eighth Circuit in this case, up to and including November 17, 2025.

1. This case presents an important and recurring constitutional question: whether the Second Amendment permits individuals who unlawful users of controlled substances are to possess firearms. A conflict has developed among

the circuits on this question, and no definitive guidance has yet been provided by this Court. *Compare United States v. Cooper*, 127 F.4th 1092 (8th Cir. 2025), with *United States v. Carter*, 750 F.3d 462 (4th Cir. 2014). In addition, other circuit courts, such as the Eleventh Circuit, have recently addressed this issue and thus counsel needs to ensure that the Petition contains the most up to date and accurate information. *See Florida Commissioner of Agriculture v. Attorney General of the United States*, 148 F.4th 1307, 1321 (11th Cir. 2025). Because of the complexities, additional time is required to ensure the petition fully and accurately presents the scope of the circuit conflict and the need for this Court's intervention.

2. Undersigned counsel has been appointed to represent Petitioner under the Criminal Justice Act, 18 U.S.C. § 3006A(b). Counsel's competing work obligations limit his ability to devote adequate time to Petitioner's petition for writ of certiorari between today and October 17, 2025.
3. In recent weeks, undersigned counsel's schedule has been substantially constrained by trial preparation and the appointment to five new federal cases, which necessitated unexpected travel to meet with clients in other cities. Counsel's responsibilities further include six active appeals, several with imminent deadlines, as well as other time-sensitive matters demanding his attention. These combined demands have limited the time available to devote to this matter. The requested extension will ensure that counsel can

prepare a petition that fully and adequately presents the important constitutional question at issue.

4. Moreover, an associate attorney who had been assisting with drafting and research has unexpectedly left the firm. In light of this staffing change and the current caseload, additional time is necessary for undersigned counsel to complete the petition.
5. For these reasons, Applicant respectfully requests a 30-day extension of time, to and including November 17, 2025, within which to file a petition for a writ of certiorari.

Dated: October 3, 2025

Respectfully submitted,

/s/ Charles D. Paul

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