App No. _____

In The
Supreme Court of the United States

C.S., by her next friend, ADAM STROUB,

Applicant,

v.

CRAIG MCCRUMB, AMY LEFFEL, and MICHAEL PAPANEK,

Respondents.

On Application for an Extension of Time to File Petition for a Writ of Certiorari to the United States Court of Appeals for the Sixth Circuit

Application for Extension of Time to File a Petition for a Writ of Certiorari

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October 27, 2025

To the Honorable Brett Kavanaugh, as Circuit Justice for the United States Court of Appeals for the Sixth Circuit:

In accordance with this Court's Rules 13.5, 22, 30.2, and 30.3, Applicant C.S. respectfully requests that the time to file her petition for a writ of certiorari be extended for 60 days, up to and including Friday, January 9, 2026. The United States Court of Appeals for the Sixth Circuit issued its decision on May 2, 2025 (Exhibit A). The Sixth Circuit denied C.S.'s Petition for Rehearing on August 12, 2025 (Exhibit B). Absent an extension of time, the petition would be due on November 10, 2025. This application is being filed more than 10 days in advance of that date, and no prior application has been made in this case.

The jurisdiction of this Court is based on 28 U.S.C. 1254(1). This request is unopposed.

Background

This case presents an important question on the application of the First Amendment to public school regulation of messages printed on student clothing. In particular, this case challenges the actions of Respondents, public school officials, in prohibiting C.S., a public school student, from wearing a baseball cap to school that depicts a white star, the outline of an AR-style rifle, and the words "come and take it." There is disagreement on this matter among the lower courts. While the Sixth Circuit in the present case affirmed the District Court's ruling that the school can prohibit the hat, the Seventh Circuit has ruled that clothing depicting firearms in a non-violent, non-threatening manner is protected speech. Likewise, the Fourth

Circuit has ruled that clothing depicting weapons is protected speech.

On February 17, 2022, Applicant C.S., at the time a 3rd-grade student at Robert Kerr Elementary School in Durand, Michigan, wore a baseball-style hat to school on a day that School had designated as "hat day," on which students were encouraged to wear hats to school of the students' choices. The hat C.S. chose was black, with a white star, an image of an AR-style rifle, and the words "come and take it." The words "come and take it," especially when used with an image of a star and some kind of weapon, are a common slogan with a lengthy historical pedigree in this country used to show support for the right to keep and bear arms. Respondents, all school officials at Robert Kerr Elementary, collectively worked to require C.S. to remove the hat.

C.S. commenced this action to challenge the prohibition on the hat on First Amendment grounds. The District Court granted summary judgment to the Respondent school officials and the Sixth Circuit affirmed. The Sixth Circuit also denied C.S.'s petition rehearing, There were three separate opinions concurring in the denial of rehearing.

Reasons For Granting an Extension of Time

C.S. requests an extension of time because her counsel had surgery two days after the Sixth Circuit's denial of rehearing and counsel was away from the practice of law for several weeks.

There is also the press of business on numerous other matters. Substantial commitments of counsel of record during the relevant time period include:

- A brief at the Supreme Court of Georgia in *Robinson v. State,* No. S26A0282, due October 21, 2025;

- A brief at the Superior Court of Hall County, Georgia in *State v. Bolding,* No. 2022CR000948, due October 22, 2025;

- A reply brief at the Supreme Court of Georgia in *Dickey v. State,* No. S26A0046, due October 10, 2025;

- A brief at the Supreme Court of Georgia in *Compton v. State,* No. S26A0227, due October 9, 2025;

- A brief at the Supreme Court of Georgia in *Dickey v. State,* No. S26A0046, due September 11, 2025;

- A brief at the Court of Appeals of Georgia in *Warbington v. State,* No. A26A0378, due October 10, 2025;

- A brief at the Court of Appeals of Georgia in *Glover v. State,* No. A26A0236, due October 23, 2025;

- A reply brief at the Court of Appeals of Georgia in *West v. State,* No. A25A2207, due September 23, 2025;
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C.S. believes that review is warranted by this Court. A 60-day extension would allow C.S. sufficient time to fully prepare her petition for filing.

Conclusion

C.S. requests that the time to file a petition for writ of certiorari in the above-captioned matter be extended 60 days to and including January 9, 2026.

Dated this 27th day of October, 2025.

Respectfully submitted,

/s/ John R. Monroe

John R. Monroe