

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

DEOMAN REEVES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Eighth Circuit

**APPLICATION FOR EXTENSION OF TIME TO FILE
A PETITION FOR A WRIT OF CERTIORARI**

JAMES W. SCHOTTEL, JR.
Counsel of Record

*Schottel & Associates, P.C.
906 Olive St., PH
St. Louis, MO 63101
(314) 421-0350
jwsj@schotteljustice.com*

**APPLICATION FOR EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF CERTIORARI**

To: The Honorable Brett M. Kavanaugh, Associate Justice for the Supreme Court of the United States and Circuit Justice for the United States Court of Appeals for the Eighth Circuit:

Under this Court's Rules 13.5, 22 and 30, Applicant Deoman Reeves requests an extension of sixty (60) days to file a petition for a writ of certiorari in this case. His petition will challenge the decision of the Eighth Circuit in *United States of America v. Deoman Reeves*, 143 F.4th 899 (8th Cir. 2025), a copy of which is attached hereto. In support of this application, Applicant states:

1. The Eighth Circuit issued its opinion on July 17, 2025. Without an extension, the petition for a writ of certiorari would be due on October 15, 2025. With the requested extension, the petition would be due on December 15, 2025. This Court's jurisdiction will be based on 28 U.S.C. § 1254(1).

2. This case is a serious candidate for review. It involves the fatal shooting of David Anderson ("Anderson") when he was shot and killed on October 21, 2019 in someone's backyard. Op. at 2-3. The shooting was in retaliation for co-defendant Arrion Jones ("Jones") being shot in the arm by someone of 3 men that co-defendant Deronte McDaniels ("McDaniels") described as "Some fellows...that I wasn't seeing eye to eye with...prior to that" and the Eighth Circuit described them as "rival drug traffickers." Op. at 2-3, 6-7, 10-11. Despite the description of the Eighth Circuit, there is no evidence

in the record the “fellows” sold drugs with the intent to distribute or were “rival drug traffickers”. On October 20, 2019, Jones was shot in the arm while inside his girlfriend’s apartment by one of the fellows that McDaniels wasn’t seeing eye to eye with. Op. at 2. On October 21, 2019, Reeves, McDaniels and Bell went driving around University City seeking revenge for the shooting of Jones. Op. at 2-3. McDaniels claimed to have spotted one of the 3 men he wasn’t seeing from the previous day. Reeves was charged with 11 counts and after jury trial, the jury found Reeves guilty on all counts, including a count for violating 924 (c)(1)(A) and 924(j). Op. at 1-2 and 9-11.

4. In reaching its decision, the Eighth Circuit in its opinion failed to properly analyze Applicant’s claim that the alleged shooting of Anderson by Reeves was not “**during and** in relation to a...drug trafficking crime” as set forth in 18 U.S.C. § 924(c)(1)(A). (*emphasis added*); Op. at 9-10. The Eighth Circuit only addressed the “in relation to” language of 18 U.S.C. § 924(c)(1)(A) in their holding. Op. at 10. The Eighth Circuit stated in its Opinion stated: “We first address the count charging Reeves with possession of a firearm in furtherance of a drug trafficking crime resulting in death, see 18 U.S.C. § 924(c)(1)(A) and (j)(1)...” Op. at 9. This not an accurate recitation of 18 U.S.C. § 924(c)(1)(A), which states in pertinent part: “any person who, during and in relation to any crime of violence or drug trafficking crime...” 18 U.S.C. § 924(c)(1)(A). This Honorable Court has analyzed the “in relation to” language of 18 U.S.C. § 924(c)(1)(A) in *Smith v. United States*, 508 U.S. 223, 113 S. Ct.

2050, 124 L. Ed. 2d 138 (1993) and in *Muscarello v. United States*, 524 U.S. 125, 118 S. Ct. 1911, 141 L. Ed. 2d 111 (1998) but has not addressed the “during and in relation to” conjunctive language of 18 U.S.C. § 924(c)(1)(A) and effect of this language of the statute.

6. This case presents an excellent opportunity to address this issue regarding statutory interpretation of 18 U.S.C. § 924(c)(1)(A).

7. This application for a 60-day extension seeks to accommodate Applicant’s legitimate needs in that Applicant’s undersigned counsel is a quadriplegic and on August 25, 2025, which causes severe pain in counsel’s arms, making the simple task of typing difficult.

8. On August 25, 2025, Defendant’s undersigned counsel suffered from a sudden severe illness, was transported to the hospital by ambulance and was diagnosed with sepsis. Subsequently, Defendant’s counsel was in the intensive care unit for 14 days before being transferred to a long-term care facility where he received a 6-week course of intravenous antibiotics. Counsel was then transferred to a rehabilitation facility. In addition to the aforementioned treatment, Counsel is currently restricted to bed rest and receiving treatment for decubitus ulcers that was the source of the sepsis diagnosis. According to the 3 doctors overseeing Counsel’s care, the undersigned should be discharged within the next 3 to 4 weeks.

9. For these reasons, Applicant respectfully requests that the due date for his petition for a writ of certiorari be extended to December 15, 2025.

Respectfully submitted,

SCHOTTEL & ASSOCIATES, P.C.

BY: s/James W. Schottel, Jr.

James W. Schottel, Jr.

906 Olive St., PH

St. Louis, MO 63101

(314) 421-0350

(314) 421-4060 facsimile

jwsj@schotteljustice.com

Counsel for Petitioner