

No. 25A542

**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

**SECOND APPLICATION FOR EXTENSION OF TIME TO FILE
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, having granted an extension of sixty (60) days to file a petition for a writ of certiorari in this case, made Mr. Reeves petition for a writ of certiorari due December 14, 2025, which in turn made it due today, December 15, 2025, as December 14, 2025 was a Sunday. This petition will challenge the decision of the Eighth Circuit in *United States of America v. Deoman Reeves*, 143 F.4th 899 (8th Cir. 2025), (Op.) a copy of which was attached to Mr. Reeves's first

Application for Extension of Time to File a Petition for Writ of Certiorari. In support of this application, Applicant states as follows:

1. The Eighth Circuit issued its opinion on July 17, 2025. Without an extension, the petition for a writ of certiorari would have been due on October 15, 2025. With the requested extension, the petition would be due on December 15, 2025. This Court's jurisdiction is 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 2 men that co-defendant Deronte McDaniels ("McDaniels") described as "Some fellows...that he 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 eye to eye with 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.

3. In reaching its decision, the Eighth Circuit in its opinion failed to properly analyze Applicant's claim that the alleged shooting of Anderson in that 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.

4. This case presents an excellent opportunity to address this issue regarding statutory interpretation of 18 U.S.C. § 924(c)(1)(A) and the issue of what is defined as "rival drug traffickers".

5. This application for a 29-day extension, making Applicant's

petition for writ of certiorari due Monday, January 12, 2026, seeks to accommodate Applicant's legitimate needs in that Applicant's undersigned counsel is a quadriplegic and, since the filing of Applicant's first Application for Extension of Time to File a Petition for Writ of Certiorari filed on October 15, 2025, counsel had skin flap surgery on November 11, 2025 to assist the healing of a large decubitus ulcer.

6. Applicant's undersigned counsel was on complete bed rest, could not type and thus, could not timely complete Applicant's Petition for Writ of Certiorari. The skin flap surgery was a last-minute decision made by counsel's doctor.

7. For these reasons, Applicant respectfully requests that this second application be granted and the due date for his petition for a writ of certiorari be extended to January 12, 2026.

Dated: December 15, 2025.

s/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

Counsel for Petitioner