

No. _____

IN THE
Supreme Court of the United States

DEMETRIUS GREEN,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

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

**APPLICATION FOR AN EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA
CIRCUIT**

To the Honorable John G. Roberts, Jr., as Circuit Justice for the United States

Court of Appeals for the District of Columbia Circuit:

Pursuant to Rules 13.5 and 30, petitioner Demetrius Green respectfully asks the Court for a 60-day extension of time, to and including March 6, 2026, to file a petition for a writ of certiorari in this matter. The Court of Appeals issued a memorandum opinion affirming the district court's judgment on August 12, 2025.

(App. A.) The Court of Appeals denied a petition for rehearing en banc on October 6, 2025. (App. B.) This Court's jurisdiction is invoked under 28 U.S.C. §1254(1).

1. The date within which the petition for certiorari would be due, if not extended, is January 5, 2026.

2. Petitioner's lead counsel in the Court of Appeals for the District of Columbia Circuit is now a Trial Unit Assistant Federal Public Defender in the District of Arizona who is engaged in the full-time representation of indigent clients before the District Court. In the time since rehearing was denied and continuing through the next few months until the requested new deadline, Ms. Runkle has been or will be occupied with at least the following obligations in the District of Arizona: (1) sentencing hearings in *United States v. De Jesus-Ocana* (CR-25-01163); *United States v. Molina* (CR-25-01180); *United States v. Garcia-Velasquez* (CR-25-01327); *United States v. Thomas* (CR-24-01110); *United States v. Vazquez-Daniel* (CR-25-01595); and *United States v. Ordonez-Munoz* (CR-25-1592); (2) final disposition hearings in *United States v. Steward* (CR-24-08043); *United States v. Perez* (CR-25-50028); *United States v. Curleyhair* (CR-18-08147); and *United States v. Patrick* (CR-23-00051 & CR-13-00340); (3) detention hearings in *United States v. Carpio* (CR-25-01322); *United States v. Patrick* (CR-23-00051 & CR-13-00340); *United States v. Carrera-Hidalgo* (CR-25-00807); *United States v. Curleyhair* (CR-18-08147); and *United States v. McCall* (CR-25-605-2); and (4) change of plea hearings and admit/deny hearings in a number of matters. Additionally, Ms. Runkle is the assigned duty attorney on December 16 and December 19, 2025, meaning that she

anticipates likely obtaining new clients on those dates. Moreover, Ms. Runkle currently has approximately 23 active cases in the District Court, requiring her to review significant amounts of discovery, investigate the cases, negotiate and review plea agreements, meet with clients, and draft sentencing memoranda and/or motions. Prompt work is required in some of these cases to ensure that clients do not overserve any eventual sentences. Furthermore, she anticipates that additional hearings will be set in the upcoming months in some of these (and in any new) matters.

3. In addition, Ms. Runkle was on leave October 14-15, 2025, and again November 26-December 5, 2025. Furthermore, she anticipates being on leave again December 22-26, 2025, for the Christmas holiday.

4. This case presents an important issue of law, namely, whether law enforcement's use of a pole camera that captures the back door of a private residence is a Fourth Amendment search. This weighty question has divided judges across the country, including an evenly divided en banc First Circuit. *See, e.g. United States v. Gregory*, 128 F.4th 1228 (11th Cir. 2025) (petition for writ of certiorari pending, 25-412); *United States v. House*, 120 F.4th 1313 (7th Cir. 2024); *United States v. Moore-Bush*, 36 F.4th 320 (1st Cir. 2022) (en banc); *People v. Tafoya*, 494 P.3d 613 (Colo. 2021) (en banc); *State v. Jones*, 903 N.W.2d 101 (S.D. 2017). And this question is exceptionally important, especially as pole cameras become less expensive and more technologically advanced. *See, e.g.*, App. A at 16 ("And as other technologies like artificial intelligence and facial recognition improve, the potential capabilities of

ubiquitous cameras may grow exponentially.”). Additional time is needed for counsel to research, prepare, and file the petition.

5. Mr. Green has not previously requested an extension of this deadline.

For the foregoing reasons, Mr. Green respectfully requests that the time for filing a petition for a writ of certiorari in this case be extended by 60 days, to and including March 6, 2026.

Respectfully submitted,

JON M. SANDS
Federal Public Defender

s/ Molly Runkle
MOLLY RUNKLE
Assistant Federal Public Defender
FEDERAL PUBLIC DEFENDER’S OFFICE
FOR THE DISTRICT OF ARIZONA
250 N. 7th Ave, Suite 600
Phoenix, AZ 85007
(602) 382-2700
molly_runkle@fd.org
*Counsel for Applicant**

December 9, 2025

* Ms. Runkle is appearing under Rule 9.1 as an attorney appointed under federal law, as she is an Assistant Federal Public Defender. But she anticipates filing an application for admission to the Supreme Court Bar shortly.