

No. 25A-_____

IN THE
Supreme Court of the United States

REPUBLICAN NATIONAL COMMITTEE, NATIONAL REPUBLICAN CONGRESSIONAL
COMMITTEE, AND REPUBLICAN PARTY OF PENNSYLVANIA,

APPLICANTS-PETITIONERS,

V.

BETTE EAKIN, ET AL.

RESPONDENTS.

**APPLICATION OF PETITIONERS REPUBLICAN NATIONAL
COMMITTEE, NATIONAL REPUBLICAN CONGRESSIONAL
COMMITTEE, AND REPUBLICAN PARTY OF PENNSYLVANIA
FOR EXTENSION OF TIME TO FILE A PETITION FOR A WRIT OF
CERTIORARI TO THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

To the Honorable Samuel A. Alito, Jr., Associate Justice of the Supreme Court
and Circuit Justice for the Third Circuit:

1. Pursuant to Supreme Court Rules 13.5, 22, and 30, Applicants Republican National Committee, National Republican Congressional Committee, and Republican Party of Pennsylvania, Intervenor-Defendants-Appellants below, respectfully request a 30-day extension of time, up to and including Wednesday, February 11, 2026, to file a petition for a writ of certiorari to the United States Court of Appeals for the Third Circuit. They seek review of that court's decision invalidating Pennsylvania's requirement that mail voters date a declaration on the outer return envelopes in which they place their mail ballots as inconsistent with the First and Fourteenth Amendments to the United States Constitution. A panel of the Third Circuit issued

its decision on August 26, 2025, and the Third Circuit entered an order denying Applicants’ timely petition for rehearing en banc on a 7–6 vote on October 14, 2025. These decisions are attached as Appendix A and Appendix B, respectively. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1), and the time to file a petition for a writ of certiorari will otherwise expire on Monday, January 12, 2026. This Application for Extension of Time is timely because it has been filed more than ten days prior to the date on which the time for filing the petition is to expire.

2. Applicants have good cause for an extension of time. This case involves important questions regarding the role of the federal judiciary in superintending the constitutional prerogative of States to “prescribe[]” the “Times, Places and Manner of holding Elections.” U.S. Const. art. I, § 4, cl. 1. As Judge Bove observed below, the Third Circuit’s opinion “reflects a particularly invasive ... anti-democratic seizure of power from the People’s politically accountable representatives.” *Eakin v. Adams Cnty. Bd. of Elections*, 158 F.4th 185, 196 (3d Cir. 2025) (Bove, J., dissenting from denial of rehearing en banc). This Court will benefit from a careful presentation of these weighty issues. The Commonwealth of Pennsylvania, which likewise will be filing a petition for certiorari in this matter, has already requested and received a 30-day extension, and aligning the parties’ deadlines will promote the orderly administration of this case. *See Order, Commonwealth of Pennsylvania v. Eakin*, No. 25A658 (Dec. 5, 2025).

3. Counsel of record for Applicants has had, and continues to have, extensive professional and personal obligations over the period for filing a petition with

this Court. For example, in recent weeks, counsel of record has presented oral argument in Cole County, Missouri, *see Luther v. Hoskins*, No. 25AC-CC06964 (Nov. 11, 2025), and the United States Court of Appeals for the Fifth Circuit, *see La Union del Pueblo Entero v. Abbott*, No. 24-50783 (Dec. 2, 2025). He is currently scheduled to present oral argument on December 16, 2025, and to participate throughout December and January in discovery and related proceedings for a multi-day bench trial starting on January 26, 2026, in Jackson County, Missouri. *See Wise v. Missouri*, No. 2516-CV29597. He is currently scheduled to file a reply brief in the Fifth Circuit on December 19, 2025. *See La Union del Pueblo Entero v. Abbott*, No. 25-50246. He also has a pre-paid international family vacation scheduled for December 24, 2025–January 1, 2026.

4. Other members of the legal team likewise have conflicting professional and personal commitments. Additionally, the time period for seeking certiorari includes the Thanksgiving, Christmas, and New Year’s holidays. The issues in this case warrant careful briefing and consideration, which counsels in favor of the requested extension.

5. WHEREFORE, Applicants respectfully request that an order be entered extending the time to February 11, 2026.

Dated: December 10, 2025

Respectfully submitted,

/s/ John M. Gore

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