

IN THE SUPREME COURT OF THE UNITED STATES

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No. 25A\_\_\_\_

DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES,  
ET AL., APPLICANTS

v.

O. DOE, ET AL.

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DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES,  
ET AL., APPLICANTS

v.

NEW HAMPSHIRE INDONESIAN COMMUNITY SUPPORT, ET AL.

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APPLICATION FOR AN EXTENSION OF TIME  
WITHIN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

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Pursuant to Rules 13.5 and 30.2 of the Rules of this Court,  
the Solicitor General -- on behalf of applicants Donald J. Trump,  
President of the United States; U.S. Department of State; Marco  
Rubio, Secretary of State; U.S. Department of Agriculture; Brooke  
L. Rollins, Secretary of Agriculture; U.S. Department of Health  
and Human Services; Robert F. Kennedy, Jr., Secretary of Health  
and Human Services; U.S. Department of Homeland Security; Kristi

Noem, Secretary of Homeland Security; U.S. Social Security Administration; Frank J. Bisignano, Commissioner of Social Security; Centers for Medicare and Medicaid Services; Mehmet Oz, Administrator of the Centers for Medicare and Medicaid Services; and the United States -- respectfully requests a 31-day extension of time, to and including February 2, 2026, within which to file a petition for a writ of certiorari to review the judgments of the United States Court of Appeals for the First Circuit in these two cases. See Sup. Ct. R. 12.4 (permitting a single petition for a writ of certiorari covering multiple judgments from the same court involving identical or closely related questions).

The opinion of the court of appeals in No. 25-1169, Doe v. Trump, and No. 25-1170, New Jersey v. Trump (App., infra, 1a-100a) is reported at 157 F.4th 36. The opinion of the court of appeals in No. 25-1348, New Hampshire Indonesian Community Support v. Trump (NHICS) (App., infra, 101a-112a) is reported at 157 F.4th 29.

The court of appeals entered its judgments in these cases on October 3, 2025. Unless extended, the time within which to file a petition for a writ of certiorari will expire on January 2, 2026 (day after legal holiday). See Sup. Ct. R. 30.1.

1. On January 20, 2025, President Trump issued Executive Order No. 14,160, Protecting the Meaning and Value of American Citizenship, 90 Fed. Reg. 8449 (Citizenship Order). The Citizenship Order "identifies circumstances in which a person born in the United States is not 'subject to the jurisdiction thereof' and

thus is not recognized as an American citizen.” Trump v. CASA, Inc., 606 U.S. 831, 837 (2025).

An individual and two membership organizations filed a suit (Doe) in federal district court in Massachusetts. App., infra, 8a. A group of States and others filed another suit (New Jersey) in the same court, which consolidated that suit with Doe. Id. at 9a. Finally, three more membership organizations filed a third suit (NHICS) in federal district court in New Hampshire. Id. at 105a. In all three suits, the plaintiffs (respondents here) claim that the Citizenship Order violates the Constitution and federal law. App., infra, 9a-10a, 106a.

The district court in each case granted a preliminary injunction to respondents. App., infra, 10a, 106a-107a. The injunction in New Jersey applies nationwide, while the injunctions in Doe and NHICS are limited to the named individual respondent and the members of the respondent organizations. Ibid. Each court determined that respondents are likely to succeed on the merits of their claims that the Citizenship Order violates the Fourteenth Amendment’s Citizenship Clause and 8 U.S.C. 1401(a), which codifies the Clause. App., infra, 10a, 106a.

The First Circuit affirmed the preliminary injunctions in Doe and New Jersey. App., infra, 1a-100a. After rejecting objections to respondents’ standing, id. at 17a-35a, the court concluded that the Citizenship Order likely violates the Citizenship Clause and Section 1401(a), id. at 35a-89a. The court also concluded that

the equities support preliminary relief, id. at 89a-93a, and rejected the government's objections to the scope of the relief awarded by the district court, id. at 94a-99a.

The First Circuit affirmed the preliminary injunction in NHICS in part, vacated it in part, and remanded. App., infra, 101a-112a. Relying on its analysis in Doe and New Jersey, the court determined that preliminary relief was warranted in NHICS as well. Id. at 109a-110a. But the court vacated the district court's injunction in part and remanded the case for clarification of the scope of the relief awarded to the organizational respondents' members. Id. at 111a-112a.

2. Like Trump v. Barbara, No. 25-365, cert. granted (Dec. 5, 2025), these cases concern the lawfulness of the Citizenship Order. The Solicitor General has not yet determined whether to file a petition for a writ of certiorari in these cases (so that the petition could be held pending the resolution of Barbara). The additional time sought in this application is needed to continue consultation within the government and to assess the legal and practical impact of the court of appeals' decisions. Additional time is also needed, if a petition is authorized, to permit its preparation and printing.

Respectfully submitted.

D. JOHN SAUER  
Solicitor General  
Counsel of Record

DECEMBER 2025