

**No.**

In the Supreme Court of the United States

MICHAEL THOMAS MCCOWAN, *PETITIONER*,

v.

UNITED STATES OF AMERICA, *RESPONDENT*.

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**APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR  
WRIT OF CERTIORARI TO THE UNITED STATES COURT OF  
APPEALS FOR THE FIFTH CIRCUIT**

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

Petitioner Michael Thomas McCowan requests a 60-day extension of time to file his petition for certiorari in this Court to and including March 5, 2026. *See* 28 U.S.C. § 2101(c); Sup. Ct. R. 13.5. The Fifth Circuit entered its judgment on October 6, 2025. Petitioner’s time to petition for certiorari in this Court expires January 4, 2026. This application is being filed more than 10 days before that date.

A copy of the opinion below, which is unpublished, is attached. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1).

As shown by the opinion below, this case involves whether 18 U.S.C. § 922(g)(1), the federal statute that prohibits anyone who has been convicted

of “a crime punishable by imprisonment for a term exceeding one year” from possessing a firearm, violates the Second Amendment either facially or as applied to an individual whose predicate conviction according to the criminal complaint was for a prior § 922(g)(1) offense. The court of appeals upheld petitioner’s conviction, citing its precedent that § 922(g)(1) can be constitutionally applied to defendants still on supervised release at the time of the § 922(g)(1) offense.

This case presents an important issue concerning the scope of a fundamental right that has divided the courts of appeals. An extension of the deadline to file a petition for certiorari will enable petitioner to thoroughly brief the matter so that this Honorable Court has as full a picture of the current legal landscape as possible.

For these reasons, petitioner respectfully requests that an order be entered extending his time to petition for certiorari in the above-captioned case to and including March 5, 2026.

Respectfully submitted.

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## **CERTIFICATE OF SERVICE**

I hereby certify that on this the December 17, 2025, have served a copy of the enclosed Application for Extension of Time to File a Petition for Writ of Certiorari on all parties required to be served by enclosing a copy of each in an envelope and delivering it to United States Postal Service for delivery within three calendar days to:

Solicitor General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue NW, Room 5614  
Washington, D.C. 20530

/s/ SHANNON LOCKE  
Shannon Locke