

# In the Supreme Court of the United States

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Jessica Sweeney, *et al.*,  
*Applicants,*

v.

University of Colorado Hospital Authority; *et al.*,  
*Respondents.*

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To the Honorable Neil M. Gorsuch,  
Associate Justice of the United States and  
Circuit Justice for the Tenth Circuit

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## **APPLICATION TO EXTEND THE TIME TO FILE A PETITION FOR A WRIT OF *CERTIORARI***

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## APPENDIX

*Sweeney v. UCHA*, 25-1005 (10th Cir. October 21, 2025) ..... 1a  
(ruling of the court of appeals)  
*Sweeney v. UCHA*, 1:23-cv-2451 (USDC/D.CO, December 9, 2024) ..... 30a  
(opinion of the district court)

## **RULE 29.6 STATEMENT**

Applicants are natural persons.

**APPLICATION TO EXTEND TIME  
TO FILE PETITION FOR WRIT OF CERTIORARI**

To the Honorable Associate Justice Neil M. Gorsuch, as Circuit Justice for the United States Court of Appeals for the Tenth Circuit:

Pursuant to Supreme Court Rule 13(5), Jessica Sweeney, *et al.*, (“Applicants”) respectfully apply for an extension of 90 days from January 19, 2026 — to and including April 20, 2026 — to file a Petition for Writ of *certiorari*. The current deadline for filing the Petition is January 19, 2026. This application is more than ten days before the deadline.

In support of this request, Applicants state:

1. On October 21, 2025 (App:1a), the Tenth Circuit affirmed a 12(b)(6) dismissal of Petitioners’ claims. The Tenth Circuit established a new legal precedent holding that a government actor (UCHA) may require Respondents to receive an investigational drug as a condition of public employment.

2. Undersigned counsel’s obligations constrain his ability to complete the Petition timely, including filing two opening briefs to the Ninth Circuit (EFR on January 9, 2026) and (City of LA on January 9, 2026) and filing a Petition for Writ of Certiorari by April 6, 2026, in *Curtis v. Inslee*, 24-1869 (9<sup>th</sup> Cir. October 6, 2025), in addition to daily case work.

3. Due to the national impact of the *Sweeney* decision (*Sweeney* has been cited in multiple district court cases as supplemental authority supporting Rule 12(b)(6) dismissal), and because the undersigned counsel is a solo-practitioner, additional counsel is being sought to assist in the writing of the petition and

argument before this Court, which will ensure that Petitioners are properly represented.

4. The 90-day extension would not prejudice the respondents.

### **CONCLUSION**

Applicants request a 90-day extension—to and including April 20, 2026—to file a Petition for Writ of *Certiorari*.

Dated: December 17, 2025

Respectfully submitted,

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### **CERTIFICATE AS TO FORM**

Pursuant to Sup. Ct. Rules 22 and 33, I certify that the foregoing application is proportionately spaced, has a typeface of Century Schoolbook, 12 point, and contains 2 pages (and 282 words) respectively, excluding this Certificate as to Form, the Table of Contents, and the Certificate of Service.

### **CERTIFICATE OF SERVICE**

The undersigned certifies that, on the 17<sup>th</sup> day of December, 2025, in addition to filing the foregoing document—together with its appendix—via the Court's electronic filing system, one true and correct copy of the foregoing document and appendix was served by Regular Mail, with a PDF courtesy copy served via electronic mail on the following counsel:

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The undersigned further certifies that, on this 17<sup>th</sup> day of December, 2025, an original and two true and correct copies of the foregoing document and its appendix were sent electronically with paper copies following by Priority Mail delivery to the Court.

Executed December 17, 2025

*s/ David J. Schexnaydre*

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David J. Schexnaydre