
IN THE SUPREME COURT OF THE UNITED STATES

No. _____

MOHAMED AHMED HASSAN,
Petitioners,
v.

UNITED STATES OF AMERICA,
Respondent.

**Application to the Honorable Elena Kagan for Extension of Time
to File a Petition for a Writ of Certiorari
to the United States Court of Appeals for the Ninth Circuit**

Application to the Honorable Associate Justice Kagan as Circuit Justice

January 13, 2026

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Attorneys for Petitioner

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To the Honorable Elena Kagan, Associate Justice of the Supreme Court for
the United States and Circuit Justice for the Ninth Circuit:

Petitioner, Mohamed Ahmed Hassan, through counsel, respectfully requests that the time to file a petition for a Writ of Certiorari in this matter be extended for sixty days up to and including March 27, 2026. Petitioners seek review of the Ninth Circuit’s judgment in *United States v. Hassan*, 144 F.4th 1131 (9th Cir. 2025). The Court of Appeals denied a petition for rehearing or rehearing en banc on October 28,

2025. Absent an extension of time, the petition would be due on or before January 26, 2026. Both the opinion and the order denying en banc rehearing are attached to this motion, and this application is being filed at least ten days before the due date, all in accordance with S. Ct. R. 13.5. This Court has jurisdiction under 28 U.S.C. § 1257.

Reasons Justifying an Extension of Time

Counsel respectfully requests a 60-day extension of time because:

1. Additional time is needed so that counsel can prepare the petition for certiorari. Counsel is a Trial Attorney at Federal Defenders of San Diego, Inc., a community defender organization. As a public defender, counsel carries a significant active case load. Accordingly, over the last 90 days, counsel filed numerous motions and sentencings memorandums; prepared for a drug importation trial; and reviewed discovery in dozens of active cases. And counsel took one week of leave. The clients for whom counsel is representing are all either in pretrial custody or in custody related to alleged supervised release violations, meaning that delay could prejudice them. In contrast, Mr. Hassan is serving his custodial sentence with an anticipated release date of May 20, 2028.

2. Over the next three weeks, counsel must file four substantive motions to dismiss or suppress in open cases, as well as prepare for a mitigation conference before the Department of Justice's Capital Case Section that is scheduled for early March in a death eligible case. Counsel, therefore, must prioritize these deadlines.

3. Thus, counsel for petitioner will not be able to turn to this petition for certiorari until after January 26. The requested extension will give counsel enough time to prepare and file the petition.

4. Additional time is not sought for the purpose of delay, but rather, to provide effective assistance of counsel to petitioner.

For the reasons expressed above, Mohamed Ahmed Hassan, through counsel, respectfully requests that this Court grant a sixty-day extension to file a petition for a writ of certiorari up to and including March 27, 2026.

Respectfully submitted,

Date: January 13, 2026

/s/ Jessica J. Oliva

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Certificate of Service

I, Jessica J. Oliva, appointed to represent the petitioner under the Criminal Justice Act, certify that on January 12, 2026, one copy of the Application to the Honorable Elena Kagan for Extension of Time to File a Petition for a Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit in the above-captioned case were served by first-class mail, postage prepaid, to respondent's counsel. I further certify that all parties required to be served have been served. Service was addressed as follows:

Dean John Sauer
Solicitor General of the United States
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