

**IN THE UNITED STATES SUPREME COURT**

**JAMES PERRIN,** :  
**Petitioner**

v. : **NO.**\_\_\_\_\_

**UNITED STATES OF AMERICA,** :  
**Respondent**

**APPLICATION FOR EXTENSION OF TIME  
FOR FILING PETITION FOR WRIT OF CERTIORARI**

Keith M. Donoghue, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, respectfully requests the granting of the instant application for a 30-day extension of time for filing a petition for writ of certiorari, and in support states:

1. James Perrin was charged by indictment in the Western District of Pennsylvania with conspiring and possessing with intent to distribute one kilogram or more of heroin, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A) and § 846; possession of a firearm in furtherance of a drug trafficking offense, in violation of 18 U.S.C. § 924(c); and possession of a firearm after conviction of a felony, in violation of 18 U.S.C. § 922(g)(1). Mr. Perrin proceeded to trial and was found guilty as charged. On June 27, 2022, he was sentenced by the Honorable Mark R.

Hornak to an aggregate period of 380 months' imprisonment. Perrin thereafter timely appealed.

2. On August 25, 2025, the court of appeals affirmed the judgment of the district court and issued a precedential opinion published at 149 F.4th 267 and submitted herewith as Appendix A. On December 2, 2025, the court of appeals denied a petition for rehearing by order submitted herewith as Appendix B. Accordingly, pursuant to Rule 13.1, a petition for writ of certiorari is presently due on March 2, 2026.

3. Counsel anticipates filing a petition for writ of certiorari seeking review of an issue on which the decision below created a circuit split: whether a state or local jurisdiction's chief prosecutor may delegate authority to apply for wiretaps under Title III of the Omnibus Crime Control and Safe Streets Act of 1968, 18 U.S.C. § 2510 *et seq.* The Ninth Circuit has held Title III to require personal review of wiretap applications by the chief. *Villa v. Maricopa County*, 865 F.3d 1224, 1234 (9th Cir. 2017), *cert. denied*, 584 U.S. 961 (2018). By contrast, the decision below concluded, *see* App. A at 13-14, that Title III permits delegation of wiretap authority and does not require the jurisdiction's chief prosecutor to review applications.

4. Counsel respectfully requests an extension of time for filing of the anticipated petition as he has been occupied with a number of other matters,

including *United States v. Jerome Roberts*, C.A.3 No. 24-2119, opening brief and joint appendix filed February 4, 2026; *United States v. Tahreik Watford*, C.A.3 No. 25-2286, step-three brief presently due February 26, 2026; *United States v. Khalil Halley*, C.A.3 No. 25-2787, opening brief and joint appendix due February 27, 2026; and *United States v. Thomas Autry*, C.A.3 No. 25-2490, opening brief and joint appendix due March 4, 2026.

5. Counsel respectfully requests an additional thirty (30) days, or until April 1, 2026, for preparation and filing of a petition for writ of certiorari.

**WHEREFORE**, for all the foregoing reasons of good cause, Keith M. Donoghue, Assistant Federal Defender, on behalf of the Federal Community Defender Office for the Eastern District of Pennsylvania, and on behalf of James Perrin, respectfully requests that this Court grant this application for a 30-day extension of time, or until April 1, 2026, for filing of the petition for writ of certiorari.

Respectfully submitted,

/s/ Keith M. Donoghue

KEITH M. DONOGHUE

Assistant Federal Defender

**CERTIFICATE OF SERVICE**

I, Keith M. Donoghue, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I caused the foregoing document to be electronically filed and served a copy upon Assistant United States Attorney Matthew S. McHale, by first class U.S. mail, postage prepaid, at the United States Attorney's Office, 700 Grant Street, Suite 4000, Pittsburgh, PA, 15219, and upon the Office of the Solicitor General, by first class U.S. mail, postage prepaid at the Department of Justice, Room 5614, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530-0001.

*/s/ Keith M. Donoghue*  
\_\_\_\_\_  
KEITH M. DONOGHUE

DATE: February 18, 2026