

No. \_\_\_\_\_

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IN THE  
**Supreme Court of the United States**

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GREGORY ALLEN BONNIE,

Applicant,

v.

WARDEN DUNBAR,

Respondent.

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**On Application for an Extension of Time to  
File Petition for a Writ of Certiorari to the United  
States Court of Appeals for the Fourth Circuit**

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To the Honorable John Roberts, Chief Justice of the Supreme Court of the United States and Circuit Justice for the Fourth Circuit:

Pursuant to this Court's Rules 13.5, 22, 30.2, and 30.3, Applicant Gregory Allen Bonnie ("Applicant") respectfully requests that the time to file his petition for a writ of certiorari be extended for 60 days, up to and including Friday, June 5, 2026. The United States Court of Appeals for the Fourth Circuit issued its published opinion on November 5, 2025. (*See Exhibit A*). Applicant filed a timely petition for rehearing, which was denied on January 5, 2026. (*See Exhibit B*). Absent an extension of time, a petition for a writ would be due on April 6, 2026. This application is being filed more than ten days prior to that due date, and no prior application has been made in this case. The jurisdiction of this Court is based on 28 U.S.C. § 1254(1).

### **Background**

Applicant is a federal prisoner serving two sentences: (1) a 120-month sentence, which consists of concurrent 120-month sentences for convictions under 21 U.S.C. § 846 and 21 U.S.C. § 841; and (2) a separately imposed consecutive 24-month sentence for violating a supervised release term imposed for earlier convictions under 21 U.S.C. § 846 and 18 U.S.C. § 924(c). Applicant was designated to serve his sentences at the Satellite Prison Camp at FCI Williamsburg in South Carolina. During his incarceration, Applicant has diligently participated in recidivism reduction programming and productive activities, and the Bureau of Prisons ("BOP") has deemed Applicant to have a low risk of recidivism based upon BOP's risk assessment tool.

Under the First Step Act of 2018, federal inmates “who successfully complete[] evidence-based recidivism reduction programming or productive activities,” except for those serving a sentence for an ineligible offense as set forth in 18 U.S.C. § 3632(d)(4)(D), are eligible to earn time credits towards prerelease custody or supervised release. 18 U.S.C. § 3632(d)(4)(A). The drug offenses for which Applicant received a 120-month sentence are *not* among the 68 categories of ineligible offenses listed in § 3632(d)(4)(D). However, 18 U.S.C. § 924(c) is an ineligible offense, and revocation sentences are attributed to the original conviction. Therefore, if Applicant was serving only the 120-month sentence for the drug offenses, he would be eligible to earn FSA time credits. Conversely, if Applicant was serving only the 24-month revocation sentence, he would be ineligible to earn FSA time credits against that sentence.

Applicant requested that BOP classify him as eligible to earn First Step Act (“FSA”) time credits with respect to the 120-month sentence attributable to his drug convictions, as the drug offenses are not among the enumerated ineligible offenses under the FSA. The BOP denied Applicant’s request, treating his multiple terms of imprisonment as a single, aggregate term of imprisonment under 18 U.S.C. § 3584(c), and finding him ineligible because the aggregate sentence includes a sentence for an ineligible offense.

After exhausting his administrative remedies, Applicant filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 in the United States District Court for the District of South Carolina. The district court denied the petition. *See Bonnie v. Dunbar*, No. 4:23-cv-01215-DCN, 2024 WL 5691164 (D.S.C. May 9, 2024). On appeal,

the Fourth Circuit affirmed in a published opinion over the dissent of Judge Wynn. *See Bonnie v. Dunbar*, 157 F.4th 610 (4th Cir. 2025). The majority held that because Applicant’s sentence includes a consecutive 24-month sentence for a disqualifying conviction, Applicant is ineligible for FSA time credits as to his entire 144-month sentence. Judge Wynn dissented, concluding that the text, context, and purpose of the FSA make clear that Applicant is entitled to earn FSA time credits during the eligible portion of his sentence. Applicant filed a petition for rehearing and rehearing en banc, and the court denied the petition on January 5, 2026.

### **Reasons for Granting an Extension of Time**

The time to file a petition for a writ of certiorari should be extended for 60 days for the following reasons:

1. The statutory-interpretation issue to be presented in Applicant’s petition is substantial, implicates the liberty interests of a significant number of federal prisoners, and requires careful analysis. The petition will present the question whether a federal prisoner who is sentenced to multiple terms of imprisonment—some for offenses that are eligible for FSA time credits and some for offenses that are ineligible—may earn FSA time credits during the portion of the sentence attributable to the eligible offenses. This question requires a close examination of the interplay between 18 U.S.C. § 3632, which governs FSA time credits and identifies the ineligible offenses, and 18 U.S.C. § 3584(c), which directs the BOP to treat multiple terms of imprisonment as a single, aggregate term “for administrative purposes.” The

petition will also address the proper application of the rule of lenity and administrative deference in this context.

2. The undersigned counsel has been appointed to represent Applicant under the Criminal Justice Act. Counsel's competing work obligations limit his ability to devote adequate time to Applicant's petition for writ of certiorari between today and April 6, 2026. Specifically, the undersigned counsel has numerous litigation deadlines and hearings during that time period and is scheduled to begin a large, multi-defendant federal drug trial on April 13, 2026.

### **Conclusion**

For the foregoing reasons, Applicant respectfully requests that the time to file his petition for a writ of certiorari be extended for 60 days, up to and including Friday, June 5, 2026.

Respectfully submitted,

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Dated: March 3, 2026