

IN THE SUPREME COURT OF THE UNITED STATES

No. 26-5206

OLAMIDE OLATAYO BELLO, Petitioner,

v.

UNITED STATES OF AMERICA, Respondent.

**PETITIONER'S OPPOSITION TO RESPONDENT'S MOTION TO EXTEND TIME TO
FILE RESPONSE, OR, IN THE ALTERNATIVE, REQUEST FOR A MATERIALLY
SHORTER EXTENSION**

Petitioner Olamide Olatayo Bello, proceeding pro se and presently incarcerated, respectfully opposes Respondent's request to extend the time for filing its response from September 23, 2026, through October 23, 2026. Alternatively, if additional time is permitted, Petitioner respectfully requests a materially shorter extension.

I. THE PROCEDURAL POSTURE WARRANTS PROMPT CONSIDERATION

The petition was docketed on August 3, 2026. Respondent thereafter waived its right to file a response. The petition was then distributed for conference. The Court subsequently requested a response from the United States and established September 23, 2026, as the response date.

The sequence is significant: Respondent initially elected not to respond; the petition proceeded to distribution; the Court thereafter requested a response; and Respondent now seeks an additional thirty days before providing that response.

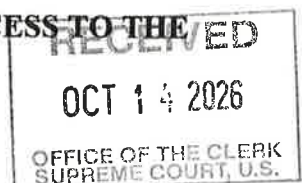
Petitioner recognizes that extensions are commonly granted and does not contend that Respondent lacks authority to request one. The question is whether the full requested extension is appropriate in light of the particular circumstances of this case and Petitioner's continuing incarceration.

II. THE REQUESTED DELAY HAS A CONCRETE LIBERTY CONSEQUENCE

Petitioner remains incarcerated under a substantial federal sentence while seeking this Court's review of an alleged deprivation of meaningful appellate review. The petition challenges the disposition of Petitioner's appeal without what Petitioner contends was constitutionally adequate notice and an opportunity to preserve meaningful appellate review.

An additional thirty days therefore has a practical consequence: it postpones Respondent's response, Petitioner's opportunity to reply, and the point at which the petition can proceed toward consideration with the briefing requested by the Court. Petitioner does not rely upon incarceration alone as a categorical basis to deny an extension. Rather, incarceration combined with the procedural history supplies a concrete reason to avoid unnecessary delay.

**III. RESPONDENT HAS HAD NOTICE OF THE PETITION AND ACCESS TO THE
GOVERNMENT'S OWN RECORD**



The petition was docketed on August 3, 2026. The United States initially reviewed the matter sufficiently to waive a response. After the Court requested a response, Respondent was required to address a record generated principally through proceedings involving the United States itself.

Petitioner is proceeding without counsel and from federal custody. Respondent has institutional access to the underlying federal proceedings and the Government's own litigation record. Petitioner does not suggest that Respondent should be denied a reasonable opportunity to prepare its position. These circumstances support the narrower request that the Court consider whether the entire additional thirty days is necessary.

IV. PETITIONER'S CUSTODIAL AND PRO SE STATUS MAKES PROMPT RESOLUTION PARTICULARLY IMPORTANT

Petitioner must litigate from federal custody without the resources available to Respondent. His access to legal materials, court records, copying, mailing, and communications is constrained by incarceration. An extension for Respondent also delays Petitioner's ability to receive the response, evaluate it under custodial conditions, prepare any reply authorized by this Court's Rules, and return that filing to the Court. The practical delay can therefore extend beyond the additional time requested by Respondent.

V. THE COURT'S REQUEST FOR A RESPONSE SHOULD NOT BE OVERSTATED, BUT IT SUPPORTS PROMPT COMPLETION OF THE REQUESTED BRIEFING

Petitioner does not contend that the Court's request for a response predicts that certiorari will be granted or reflects any determination concerning the merits. It does establish that, after Respondent waived a response and the petition was distributed, the Court determined that a response from the United States should be obtained before further disposition. Petitioner respectfully requests that the requested briefing be completed without unnecessary additional delay.

VI. A MATERIALLY SHORTER EXTENSION WOULD PROTECT BOTH SIDES

If the Court concludes that Respondent requires additional time, Petitioner respectfully requests a materially shorter extension. That course would provide Respondent additional preparation time while accounting for Petitioner's continuing incarceration, Respondent's prior waiver, the Court's subsequent request for a response, the period during which Respondent has possessed the petition, and the additional institutional-mail time Petitioner will need to receive and answer the Government's filing.

VII. ALTERNATIVE REQUEST IF THE CLERK HAS ALREADY ACTED

If the Clerk has already granted Respondent's requested extension before this opposition is received or docketed, Petitioner respectfully requests, to the extent permitted by Supreme Court Rule 30.4, that this filing be treated as a request that the Clerk's action be submitted to the Court or an appropriate Justice for consideration. Petitioner makes this alternative request because institutional mailing time may prevent a paper filing from reaching the Court before administrative action occurs.



PROOF OF SERVICE AND DECLARATION OF MAILING

I, Olamide Olatayo Bello, Petitioner pro se, declare that on September 25, 2026, I served a true and correct copy of the foregoing **Petitioner's Opposition to Respondent's Motion to Extend Time to File Response, or, in the Alternative, Request for a Materially Shorter Extension** on counsel of record for Respondent by electronic mail at **SUPREMECTBRIEFS@USDOJ.GOV**.

Counsel served for Respondent:

D. John Sauer

Counsel of Record

Solicitor General

United States Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

SUPREMECTBRIEFS@USDOJ.GOV

Telephone: (202) 514-2217

I further declare that on September 25, 2026, I placed the original filing and accompanying proof of service in the institution's legal-mail system, with first-class postage prepaid, addressed for filing by mail to:

Clerk of the Court

Supreme Court of the United States

1 First Street, NE

Washington, DC 20543

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 25, 2026.

/s/ Olamide Olatayo Bello

OLAMIDE OLATAYO BELLO

Petitioner, Pro Se

Reg. No. 65100-510

FCI Texarkana

P.O. Box 7000

Texarkana, Texas 75505

