

No.

In the Supreme Court of the United States

SLIGO CREEK CENTER,

Petitioner,

v.

UNITED STATES DEPARTMENT OF HEALTH & HUMAN SERVICES; ROBERT F.
KENNEDY, JR., SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES,

Respondents.

*On Petition for Writ of Certiorari
to the United States Court of Appeals
for the Fourth Circuit*

**APPLICATION TO THE HONORABLE JOHN G. ROBERTS,
JR. FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE
A PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR
THE FOURTH CIRCUIT**

ASHLEY LEVINE
SPENCER DAVENPORT
Pacific Legal Foundation
3100 Clarendon Blvd., Suite 1000
Arlington, VA 22201
(916) 419-7111
ALevine@pacificlegal.org
SDavenport@pacificlegal.org

OLIVER DUNFORD
Counsel of Record
Pacific Legal Foundation
4440 PGA Blvd., Suite 307
Palm Beach Gardens, FL 33410
(916) 503-9060
ODunford@pacificlegal.org

JOSEPH L. BIANCULLI
Health Care Lawyers, PLC
5990 Deale Beach Road
Deale, MD 20751
(703) 841-9330
bianculli@healthcarelawyers.com

Counsel for Petitioner

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

Pursuant to Supreme Court Rule 13.5, Petitioner Sligo Creek Center respectfully requests a 30-day extension of time, to and including October 5, 2026, within which to file its Petition for a Writ of Certiorari.

CORPORATE DISCLOSURE REQUIREMENT

Pursuant to Supreme Court Rule 29.6, Petitioner Sligo Creek Center states that it is owned by GHX TX Operations, LLC, which is owned by Genesis Holdings, LLC, an indirect subsidiary of Genesis Healthcare, Inc., which is a publicly traded company. (Its stock ticker is GENNQ on the Over-the-Counter market.) An organization chart is attached as Exhibit 1.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought was entered in *Sligo Creek Center v. United States Department of Health & Human Services*, No. 25-1669 (4th Cir.), on June 5, 2026. (Copies of the court's opinion and judgment are attached as Exhibit 2 and Exhibit 3, respectively.) This means a Petition is presently due on September 3, 2026. This application for an extension of time is filed more than ten days before that date.

JURISDICTION

This case arose under 28 U.S.C. § 1331. The court of appeals had jurisdiction under 42 U.S.C. § 1395i-3(h)(2)(B)(ii), which incorporates 42 U.S.C. § 1320a-7a(e). This Court's jurisdiction would be invoked under 28 U.S.C. § 1254(1).

REASONS FOR GRANTING EXTENSION OF TIME

Good cause exists for the requested extension.

This case presents an important constitutional question: Does the administrative adjudication of civil monetary penalties against Medicare-participating nursing facilities, by the U.S. Department of Health and Human Services, deprive the facilities of their Seventh Amendment right to a jury trial and impermissibly assign the judicial power to executive branch tribunals?

Oliver Dunford is counsel of record for Petitioner in this matter. He, along with other attorneys, have significant commitments through September, including a reply brief in support of a petition for writ of certiorari before this Court; merits briefing in the U.S. Courts of Appeals for the Second, Fifth, and D.C. Circuits, and in the Pennsylvania Supreme Court; and preparation for oral argument before the U.S. Court of Appeals for the Tenth Circuit. These commitments will limit counsel's availability to work on this matter between today and the current deadline.

No meaningful prejudice would arise from granting the proposed extension.

* * *

CONCLUSION

For the foregoing reasons, Petitioner requests that the Court grant an extension of 30 days, up to and including October 5, 2026, within which to file a Petition for a Writ of Certiorari.

DATED: August 7, 2026.

Respectfully submitted,

/s/ Oliver J. Dunford

OLIVER DUNFORD

Counsel of Record

Pacific Legal Foundation
4440 PGA Blvd., Suite 307
Palm Beach Gardens, FL 33410
(916) 503-9060
ODunford@pacificlegal.org

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Counsel for Petitioner