

No. 26A _____

In The Supreme Court of the United States

JUSTIN PAUL DREILING

v.

UNITED STATES OF AMERICA,

**APPLICATION 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 FEDERAL CIRCUIT**

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August 14th, 2026

RECEIVED

AUG 18 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Pursuant to Rules 13.5 and 30.2 of the Rules of this Court, Justin Paul Dreiling respectfully requests a 60-day extension of time, to and including October 19, 2026, within which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Federal Circuit in this case. The court of appeals entered its judgment on May 22, 2026. No petition for re-hearing was submitted by the petitioner. Unless extended, the time within which to file a petition for writ of certiorari will expire on August 20, 2026. The jurisdiction of this Court would be invoked under 28 U.S.C. 1254(1). The order of the court of appeals (App., 1a-3a) is unreported.

Rule 13.5 of the Rules of this Court specifies that an application for extension of time to file a petition for writ of certiorari must be filed with the Clerk at least 10 days before the date the petition is due, *except* in extraordinary circumstances. (emphasis added). This application is within the 10-day window. Dreiling finalized his petition for writ of certiorari on 21 July 2026 (a month before the deadline) and provided the petition to a printing company the same day to conform to Rule 33.1. The petition, unfortunately, was not printed and mailed until 13 August 2026. It should arrive to the Court before Monday, 17 August 2026 and before the deadline for filing.

There should be no need for this application, however, in the abundance of caution, and the fact that 28 U.S.C. 2101(c) is jurisdictional, Dreiling humbly submits this application to extend the filing deadline. Even though the petition is likely to be delivered and filed by the Court on time, there is a possibility the clerk will not file the petition before the deadline of 20 August 2026. In such a scenario, Dreiling believes there is a possible chance of the petition being barred due to the statute of limitations, even though the petition was delivered to the court on time. However, 28 U.S.C. 2101(c) also states a “justice of the Supreme Court, for good cause shown, may extend the time for applying for a writ of certiorari for a period no exceeding sixty days.”

Dreiling requests an extension of time for filing in the potential unfortunate event whereby the clerk deems his filing as untimely, even though the petition was mailed on 13 August 2026 and likely delivered to the court before the deadline. This is good cause for granting the application, as Dreiling's first amendment right to redress his grievances would be barred by a mere technicality. Furthermore, only under extraordinary circumstances—outside Dreiling's control—would the petition for writ of certiorari not be filed by the deadline, and thereby also provides good cause for granting the application.

There is no statutory deadline for this application, and if the clerk does bar this petition as jurisdictionally late, Dreiling prays a Justice grants this application, and allow the petitioner to have his grievances heard, for his petition addresses the constitutionality of an Act of Congress preventing the Honorable Judge Newman from performing her Constitutionally mandated duties.

For these reasons, Petitioner Justin Paul Dreiling, prays this Court grants his application for extension of time in the unlikely event this petition is not filed by this court before the jurisdictional deadline.

Respectfully submitted,



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14 August 2026

Appendix

Court of appeals order 1a

Petition for writ of certiorari 4a

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

JUSTIN PAUL DREILING,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2026-1409

Appeal from the United States Court of Federal Claims
in No. 1:25-cv-02133-LAS, Senior Judge Loren A. Smith.

ON MOTION

Before TARANTO, HUGHES, and STOLL, *Circuit Judges*.
PER CURIAM.

O R D E R

Justin Paul Dreiling brought this suit against the United States seeking a declaration that “[t]he composition of the Judicial Council of the Federal Circuit” is “contrary to law” by not including district court judges and challenging “the ability” of the Council to issue certain orders. ECF No. 7 at 63, 73. The United States Court of Federal Claims

dismissed for lack of jurisdiction. Mr. Dreiling appeals and files his opening brief. The United States moves to summarily affirm. Mr. Dreiling opposes.

As long understood by the Supreme Court, the Tucker Act, 28 U.S.C. § 1491, limits the review authority of the Court of Federal Claims to claims for money damages against the United States based on sources of substantive law that “can fairly be interpreted as mandating compensation by the Federal Government,” *United States v. Navajo Nation*, 556 U.S. 287, 290 (2009) (citation omitted). Here, Mr. Dreiling has readily acknowledged that he is not presenting such claims. ECF No. 11 at 8, 12. Thus, “no substantial question regarding the outcome . . . exists.” *Joshua v. United States*, 17 F.3d 378, 380 (Fed. Cir. 1994).

Mr. Dreiling contends that “[t]he jurisdiction of the[] Court of Federal Claims under 28 U.S.C. § 1491(a)(1) is not limited to only money-mandating claims.” ECF No. 7 at 53. But, as we have repeatedly explained to him, “[t]his court has no power to overturn long-standing and binding Supreme Court precedent holding the Court of Federal Claims’ jurisdiction is limited to monetary claims against the government.” *Dreiling v. United States*, No. 2025-2155, 2026 WL 1020560, at *2 (Fed. Cir. Apr. 15, 2026).

Mr. Dreiling also opposes the motion based on the assertion that we (and all members of the Judicial Council) should recuse as “a party to the appeal.” ECF No. 11 at 5 (citing 28 U.S.C. § 455). However, the judges on this panel are not the defendants here. And we readily find a reasonable observer would not conclude that our membership on the Judicial Council is a basis to reasonably question our impartiality in deciding whether Mr. Dreiling’s claims against the United States fall within the limited jurisdiction of the Court of Federal Claims.

Accordingly,

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IT IS ORDERED THAT:

- (1) The motion for summary affirmance is granted. The judgment of the United States Court of Federal Claims is summarily affirmed.
- (2) Any other pending motion is denied.
- (3) Each side shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

May 22, 2026
Date

No. _____

In the Supreme Court of the United States

JUSTIN PAUL DREILING,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

PROOF OF SERVICE

I hereby certify that on August 14th, 2026, a copy of APPLICATION 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 FEDERAL
CIRCUIT was mailed via USPS Priority to the Solicitor General at:

Solicitor General of the United States
Room 5616
Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530-0001



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