

No.

IN THE
Supreme Court of the United States

WILLIAM A. WHITE,

Applicant,

v.

WARDEN OF FEDERAL CORRECTIONAL INSTITUTION -
CUMBERLAND,

Respondent.

**On Application for an
Extension of Time to File
Petition for a Writ of Certiorari**

JAMES WYDA
Federal Public Defender

CLAIRE MADILL
*Assistant Federal Public Defender
Counsel of Record*

6411 Ivy Lane, Suite 710
Greenbelt, MD 20700
(301) 344-0600 (tel.)
(301) 344-0019 (fax)

James_Wyda@fd.org
Claire_Madill@fd.org

Counsel for Applicant

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

Petitioner William White, pursuant to Supreme Court Rules 13.5 and 22, respectfully makes an application to extend by 30 days the time in which to file a petition for writ of certiorari from the judgment entered by the United States Court of Appeals for the Fourth Circuit. In support thereof, counsel states the following:

1. Mr. White is a prisoner who was incarcerated at the Federal Correctional Institution (FCI), Cumberland at the time of the filing of the relevant petition. He is eligible to earn First Step Act (FSA) time credits. “The First Step Act established a system of mandatory time credits for incarcerated individuals who participate in recidivism reduction programming[.]” *Valladares v. Ray*, 130 F.4th 74, 77 (4th Cir. 2025). These credits are different from, and added on top of, the “good time” credits to which prisoners are already entitled. 18 U.S.C. § 3632(d)(6).

2. Mr. White filed a 28 U.S.C. § 2241 challenging the refusal to award him FSA time credits for specified periods of time. Although the FSA mandates the earning of time credits for the entire duration of a prisoner’s incarceration starting at the time of sentence “commencement,” *see* 18 U.S.C. § 3632(d)(4), BOP adopted a policy of refusing to provide credits to individuals where, among other things, those individuals were in solitary confinement or

being transferred between prisons. As a result, Mr. White was not awarded FSA time credits for the period he was in the “SHU” or being transferred to FCI Cumberland. Mr. White’s *pro se* habeas petition challenged the denial of FSA time credits on both statutory and constitutional grounds. He argued that the refusal to provide credits violated the plain text of the statute and the denial of credits without basic due process protections (like notice, an opportunity to respond, and a hearing) violated procedural due process. Invoking, *inter alia*, *Chevron, U.S.A., Inc. v. Nat’l Res. Def. Council, Inc.*, 467 U.S. 837 (1984), the district court denied Mr. White’s petition.

3. Mr. White was appointed counsel on appeal and pressed the same two issues. On January 13, 2026, a divided panel of the Fourth Circuit Court of Appeals issued a published opinion rejecting both the statutory and constitutional claims. *White v. Warden*, 164 F.4th 326 (4th Cir. 2026); *see* Appendix A. Mr. White filed a petition for rehearing and rehearing en banc. On April 22, 2026, the divided panel issued a written order denying the petition for rehearing and rehearing en banc. *White v. Warden*, No. 23-7116, 2026 WL 1091654 (4th Cir. 22, 2026); *see* Appendix B.

4. This Court has jurisdiction over Mr. White’s case under 28 U.S.C. § 1254(1) and 28 U.S.C. § 2241(a). His petition for a writ of certiorari is currently due on July 21, 2026.

5. Since Mr. White's panel rehearing and en banc petition was denied, Mr. White's counsel has been busy with numerous cases in the district court and the Fourth Circuit, including a capital case. Accordingly, counsel will need additional time to prepare a petition for writ of certiorari in Mr. White's case.

6. For the reasons described above, Mr. White respectfully requests that the Court grant a 30-day extension of the deadline to file a petition for a writ of certiorari.

Respectfully submitted,

/s/ Claire Madill

Claire Madill
Assistant Federal Public Defender
Federal Public Defender
District of Maryland
6411 Ivy Lane, Suite 710
Greenbelt, MD 20770
(301) 344-0600
Claire_Madill@fd.org

July 6, 2026