

In the Supreme Court of the United States

JOSHUA LEE CLOSE, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF ANGELA
MARIE PRICHARD, AND COLTON HANCOCK,

Applicants,

v.

CITY OF BELLEVUE, IOWA, ET AL.

**APPLICATION FOR AN EXTENSION OF TIME TO FILE
A PETITION FOR A WRIT OF CERTIORARI**

To the Honorable Brett M. Kavanaugh, Associate Justice of the Supreme Court of
the United States and Circuit Justice for the United States Court of Appeals for the Eighth
Circuit:

1. Pursuant to Supreme Court Rule 13.5, Applicants Joshua Lee Close, individually and as administrator of the Estate of Angela Marie Prichard, and Colton Hancock respectfully request a 60-day extension of time, to and including December 18, 2026, within which to file a petition for a writ of certiorari. The United States Court of Appeals for the Eighth Circuit issued its published opinion and entered judgment on June 24, 2026. A copy of the opinion is attached as Exhibit A. The Eighth Circuit denied Applicants' timely petition for rehearing en banc and for panel rehearing on July 20, 2026. A copy of the order denying rehearing is attached as Exhibit B. This Court's jurisdiction would be invoked under 28 U.S.C. § 1254(1).

2. Absent an extension, a petition for a writ of certiorari would be due on October 19, 2026. *See* Sup. Ct. R. 13.3, 30.1. This application is being filed more than 10 days in advance of that date, and no prior application has been made in this case by Applicants. The extension is sought solely for Applicants Joshua Lee Close, individually and as administrator of the Estate of Angela Marie Prichard, and Colton Hancock.

3. This case presents an important and recurring question under the Fourteenth Amendment’s Due Process Clause: whether, when a State has singled out a person for protection by court order and commanded her assailant’s arrest by statute, the Clause requires the officers charged with that command actually to enforce it.

4. Applicants are the sons of Angela Prichard, suing on their own behalf and on behalf of her estate. Ex. A, at 3. Angela’s ex-husband, Christopher, harassed and stalked her for months. *Id.* at 2. A restraining order prohibited him from coming within her “immediate vicinity,” and any violation was to result in his immediate “arrest[.]” *Id.* Iowa law independently commands that an officer with “probable cause to believe that a person has violated a no-contact order . . . shall take the person into custody.” Iowa Code § 664A.6(1). Christopher kept violating the order—one night he vandalized Angela’s home; on another he drove past it six times in a single hour—and, “[r]ather than take action, one officer told her to contact a lawyer.” Ex. A, at 2. When he was finally arrested, he spent one night in jail; he then ignored court orders to appear and self-surrender, and a “Mittimus/Warrant of Commitment” issued requiring “any peace officer in the state” to deliver him into custody. *Id.* When Angela decided to move back home, the Chief of Police recommended that she wait, concerned that Christopher might “hurt her and/or himself,”

but “he did not take any steps to protect her.” *Id.* A week later, Christopher shot and killed her. A jury convicted him of murder. *Id.* at 2-3.

5. Applicants sued the City of Bellevue and three of its officers under 42 U.S.C. § 1983. Ex. A, at 3. The district court dismissed the complaint, and the Eighth Circuit affirmed in a published opinion. *Id.* at 1, 3. Relying on *DeShaney v. Winnebago County Department of Social Services*, 489 U.S. 189 (1989), the court of appeals held that the claim was “just a police-officer permutation of *DeShaney*’s no-duty rule,” and that, “[w]ith . . . action the dividing line for constitutional liability, the officers in this case came nowhere close to it.” Ex. A, at 4. It read *DeShaney* as having “limited liability to situations in which the government imposes a ‘limitation . . . on [a person’s] freedom to act.’” *Id.* at 4 n.2. And it held that Iowa’s mandatory-arrest statute created no protected interest under *Town of Castle Rock v. Gonzales*, 545 U.S. 748 (2005). Ex. A, at 5-7.

6. The decision below held that officers who declined to enforce a protective order that state law commands them to enforce did not violate the Due Process Clause. Applicants will contend that, in these circumstances, the Due Process Clause requires officers actually to enforce the order. *DeShaney* itself recognized that “in certain limited circumstances the Constitution imposes upon the State affirmative duties of care and protection with respect to particular individuals.” 489 U.S. at 198. *Castle Rock* held that the holder of a restraining order had no property interest in its enforcement. 545 U.S. at 768. Neither it nor *DeShaney* decided whether, when a State has bound its officers by statute and judicial order to protect a named person from a named assailant, the Due Process Clause requires them actually to do so.

7. Only this Court can answer that question. The Eighth Circuit reads *DeShaney* and *Castle Rock* to foreclose such claims, Ex. A, at 4-7, and it declined to revisit that reading en banc, Ex. B.

8. The question is exceptionally important and recurring. Numerous States—like Iowa—command arrest when an officer has probable cause to believe that specified protective orders have been violated. *See, e.g.*, Iowa Code § 664A.6(1); Or. Rev. Stat. § 133.310(3); Wash. Rev. Code § 10.31.100(2). Those laws exist because victims of domestic violence protected only by a paper order and a diffuse promise of police protection are not protected at all. Whether the officials charged with those individualized commands may ignore them without any constitutional consequence governs protective-order enforcement nationwide.

9. This case is an excellent vehicle. It arises on a motion to dismiss, so the facts are as alleged. The duty was clear and individualized: a statute mandated arrest for violation of an order that named the woman it protected, and a judicial command required a specific man to be taken into custody. The threshold constitutional question was decided against Applicants in a published opinion and left undisturbed on rehearing en banc.

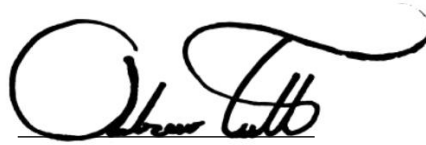
10. Good cause exists for the requested 60-day extension. Counsel has significant competing obligations, including in matters pending before this Court. Additional time would allow counsel to review the record and the decisions below, further research the decisions of the courts of appeals addressing the question presented, coordinate with co-counsel and the clients, and prepare a petition that will be of assistance to the Court.

11. This request is made in good faith and not for purposes of delay.

Wherefore, Applicants respectfully request that the time to file a petition for a writ of certiorari be extended to and including December 18, 2026.

Dated: October 7, 2026

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew T. Tutt", written over a horizontal line.

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