No. ---

In The

SUPREME COURT OF THE UNITED STATES

BRENDA BRENYAH,

Petitioner,

v.

COLUMBIA HOSPITAL CORPORATION OF BAY AREA,
doing business as Corpus Christi Medical Center,
doing business as CCMC, doing business as Corpus Christi Medical Center
and Bay Area Healthcare Group, Limited;
and Bay Area Healthcare Group Limited,
doing business as Corpus Christi Medical Center,

Respondents.

APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

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To the Honorable Samuel J. Alito, Jr., Associate Justice of the Supreme Court of the United States and Circuit Justice for the Fifth Circuit:

Petitioner Brenda Brenyah prays for a 30-day extension of time to file her petition for certiorari in this Court, to and including December 9, 2026. The decision of the United States Court of Appeals for the Fifth Circuit was rendered on July 14, 2026. A timely petition for rehearing was denied on August 10, 2026. Petitioner's time to petition for certiorari in this Court expires on November 9, 2026. This application is being filed more than 10 days before that date.

A copy of the opinion below[1] and of the denial of petitioner's petition for rehearing en banc are attached hereto. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

As shown by the opinion below, this case concerns intentional discrimination on the basis of race and national origin in violation of Title VII and section 1981. The question is whether proof of such discrimination claims requires evidence of more favorable treatment of persons outside of the plaintiff's protected class who were "similarly situated" "under nearly identical circumstances."

Petitioner was represented in the courts below by local counsel in Texas. Because of the distinctive issues and procedures in this Court, petitioner has recently retained as additional counsel Eric Schnapper of Seattle, Washington. Mr. Schnapper requires additional time to familiarize himself with the record and opinions at issue, and to perform the necessary legal research, so that the petition may be properly framed and argued in this Court. Mr. Schnapper will on November 2, 2026, be arguing in this Court *Younge v. Fulton Judicial Circuit District Attorney's Office, Georgia*, No 25-352.

Wherefore petitioner respectfully requests that an order be entered extending her time to petition

for certiorari to and including December 9, 2026.

Respectfully submitted,

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1 The July 14, 2026, opinion is captioned "On Petition for Rehearing" because it replaced an earlier Fifth Circuit opinion, issued on June 23, 2026, which was withdrawn following an earlier petition for rehearing.