*** CAPITAL CASE ***

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 2026

JESSE GUARDADO,

Petitioner,

v.

RICHARD COMERFORD, SECRETARY,
FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.,

Respondents.

APPLICATION FOR STAY OF EXECUTION

EXECUTION SCHEDULED FOR NOVEMBER 5, 2026, AT 6:00 P.M.

To the Honorable Clarence Thomas, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Eleventh Circuit:

Petitioner Jesse Guardado requests a stay of his scheduled November 5, 2026, execution pending this Court's consideration of his concurrently filed petition for a writ of certiorari. *See Hill v. McDonough*, 547 U.S. 573, 584 (2006); *Barefoot v. Estelle*, 463 U.S. 880, 889 (1983); 28 U.S.C. § 2101(f); Supreme Court Rule 23.

I. Introduction

On September 28, 2026, Guardado filed a 42 U.S.C. § 1983 action in the District Court for the Middle District of Florida regarding Florida's pervasive and multi-faceted maladministration of its lethal-injection protocol. MDFL-ECF 1. Guardado's

complaint noted that it was filed "before any death warrant issued to allow for meaningful judicial review" of the facts and allegations presented. *Id.* at 4, 36. Cognizant that diligence concerns had arisen in prior lethal-injection suits that were filed after the prisoner's death warrant had been signed, Guardado filed his action just weeks after he became warrant-eligible, and he anticipated the opportunity to obtain reasonable discovery and meaningfully litigate his claim. But one week later, the State chose to sign Guardado's death warrant—something entirely outside of Guardado's knowledge and control—despite knowing that this action had been filed.

The lower courts have allowed the signing of Guardado's death warrant to dictate the scope and pace of this litigation. On October 16, the district court set an evidentiary hearing regarding Guardado's claim but scheduled it for October 22—less than a week later. MDFL-ECF 19. Guardado moved for discovery, but his request was only granted to the extent that he received 22 pages of heavily redacted drug logs from Respondents that had been altered with Wite-Out. MDFL-ECFs 30, 38.

Though Guardado had filed his § 1983 complaint with the reasonable expectation that he would be able to conduct discovery as contemplated by Federal Rule of Civil Procedure 26, the district court's decision to speed things up because a warrant was signed meant that Guardado was forced to proceed on a fraction of the discovery to which he would have been entitled absent a warrant. This rushed and truncated approach resulted in real problems: at several points, the district court blamed Guardado for failing to present evidence to support his allegations. Yet, the district court never allowed Guardado an opportunity for further discovery to obtain

that evidence and then faulted him for not having it. *See, e.g.*, App. A2 (District Court's Order),[1] MDFL-ECF 63 at 42.

The Eleventh Circuit endorsed that approach and took it even further. In its order denying a stay of execution, the district court acknowledged that "[Respondents] do not argue that Guardado unduly delayed bringing this action" and so did not consider that in its analysis. MDFL-ECF 63 at 29. Yet the Eleventh Circuit faulted Guardado for filing his complaint "on the cusp of his execution on November 5, 2026," App. A1 (11th Circuit's Order), CA11-ECF 13-1 at 2, even though Guardado filed his suit shortly after he became warrant-eligible, before any death warrant had been signed, and with dozens of other warrant-eligible prisoners seemingly ahead of him in priority.

The court of appeals also insisted that "Guardado could have raised his method-of-execution claim at least nine months earlier," CA11-ECF 13-1 at 13, citing the claims recently filed in the cases of Ronald Heath and Melvin Trotter, *id.* at 14. But as the district court recognized, Guardado's claim relied on more extensive—and more recently obtained—evidence compared to the claims raised by Heath and Trotter, including an expert declaration from Dr. Almgren and postmortem toxicology reports. MDFL-ECF 63 at 36. Thus, he could not have raised his claim in the timeframe contemplated by the court.

---

[1] Citations to the appendix will refer to the appendix and assigned number "A_" in their first instance, followed by the identifiable lower court ECF and page numbers.

Under the viewpoint adopted by the Eleventh Circuit, it is insufficient for a capital litigant to file his lawsuit within the applicable statute of limitations for the claim. It is equally insufficient for him to file his lawsuit after he has become warrant-eligible but before any death warrant has been signed. Instead, he must file his lawsuit essentially the instant the claim becomes available or risk being accused of delaying his litigation in order to stall his execution—despite his execution not seemingly imminent at the time he filed.

Similarly, the Eleventh Circuit's reasoning that "pointing to when the state issued the warrant doesn't answer or explain why [Guardado] delayed nine months to bring his claim," CA11-ECF 13-1 at 14-15, assumes that Guardado was seeking to delay his proceedings in the first place. But, as stated, Guardado initiated his lawsuit with the expectation that it would proceed along a typical civil litigation schedule and without an impending death warrant on the horizon. Instead of faulting Guardado for filing his lawsuit a week before his death warrant was signed, the Eleventh Circuit should have asked why the State signed Guardado's death warrant a week after he filed his complaint detailing a shocking level of incompetence in the State's administration of its lethal-injection protocol.

As Judge Jill Pryor noted below, "[s]o far this year, Florida has executed eighteen prisoners." CA11-ECF 13-1 at 17 (Pryor, J., concurring). It has conducted an unprecedented number of executions since early 2025. Yet, despite the troubling issues that have been brought to light regarding Respondents' deviations from the protocol—issues that have potentially been exacerbated precisely due to the

unrelenting pace of executions in Florida—the lower courts have refused to step in and slow things down. Instead, they have enabled these errors to recur by allowing the signing of a death warrant to set the pace for all subsequent litigation—even in those instances, like here, where the litigant timely initiated his litigation before an execution date was set.

The Court should grant a stay of execution to allow the meritorious issues Guardado's claim raises—issues that impact every single individual who will be executed under Florida's protocol—to be meaningfully considered without rewarding the State's efforts to moot this litigation.

II. Stay standard

The standards for granting a stay of execution have been distilled into four factors:

> (1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies.

Nken v. Holder, 556 U.S. 418, 434 (2009) (internal citation omitted). Each of these factors weighs in Guardado's favor.

III. Argument

A. Guardado can show a substantial likelihood of success

Regarding the first factor, Guardado can show a substantial likelihood of success on the merits of his Eighth Amendment maladministration claim. As the Eleventh Circuit recognized, Guardado argued that there is a substantial risk that Respondents will deviate from their lethal-injection protocol in multiple respects,

including: (1) the failure to administer etomidate; (2) the administration of an insufficient dose of etomidate; (3) the use of expired etomidate; (4) the use of insufficient dosages of the other two drugs in the protocol; and (5) the use of unauthorized drugs. CA11-ECF 13-1 at 4-5. Though the Eleventh Circuit correctly set out the risks Guardado presented, its analysis as to each one was incorrect.

As to the failure to administer etomidate, Guardado alleged that in multiple executions—the July 15, 2025, execution of Michael Bell, and the June 24, 2025, execution of Thomas Gudinas—Respondents' own drug logs failed to document the removal of etomidate. Instead, there is a noted removal on June 25—the day *after* Gudinas's execution—of 50 vials of etomidate that were seemingly set to expire. App. A5 (FDOC 2026 Execution Drug Logs), MDFL-ECF 55-8 at 8. Respondents' logs also do not reflect a documented removal of etomidate corresponding with the July 31, 2025, execution of Edward Zakrzewski. Instead, the logs contain two entries: one showing the removal of 10 vials of etomidate on July 28, 2025, and the other showing the removal of 20 vials on August 1, 2025, both with an expiration date of July 31, 2025. *Id.* Guardado argued that, at best, the logs indicate that the drugs were removed three days before the Zakrzewski executions—implicating potential issues with how the drugs were handled and stored during that three-day period as well as their dosages and potency.

The Eleventh Circuit agreed with the district court's finding that Bell, Gudinas, and Zakrzewski "did receive etomidate during their executions and the drug log entries were merely recordkeeping errors." CA11-ECF 13-1 at 6. The court further

credited Florida Department of Law Enforcement (FDLE) Agent and execution monitor Adam Graff's testimony that etomidate was administered and cited the post-mortem toxicology reports that "undisputably showed that they had etomidate in their blood after the executions." CA11-ECF 13-1 at 6.

Yet, the Eleventh Circuit's reasoning missed the mark in a crucial respect: the court's blanket statement that the three executed individuals "undisputably" "receive[d] etomidate" ignored the greater concern that Respondents' concededly poor recordkeeping failed to document the amount and potency of etomidate administered. This is critical because if a prisoner is given an insufficient, or low potency, dosage of etomidate, he will be conscious to experience the torturous effects of the paralytic that causes air hunger and is indisputably "terrifying." App. A3 (Redacted Evidentiary Hearing Transcript), EH Tr. 94 (Dr. Zivot explaining that if a prisoner were to "find themselves paralyzed and unable to move and be fully awake, it would be a terrifying experience."); EH Tr. 75 (Dr. Antognini testifying that when an individual has been given anesthesia, given a paralytic, and then regains consciousness, he or she "would be unable to move, unable to breathe. And when that has happened, it has been, for quite a number of people, a terrifying experience."). *See also Baze v. Rees*, 553 U.S. 35, 50 (2008) (plurality opinion) (improper dose of a sedative drug can yield "a substantial, constitutionally unacceptable risk of suffocation from the administration of [the subsequent two drugs]"). Neither the Eleventh Circuit nor the district court acknowledged that that broader question remains unresolved.

Guardado next alleged that Respondents were administering insufficient dosages of etomidate. In particular, Guardado pointed to a tenfold disparity seen in the etomidate levels taken during postmortem autopsies of two individuals, Michael Bell and Samuel Smithers, as well as inappropriate disparities among the postmortem etomidate levels of various individuals whose blood samples were all taken from peripheral sites, including Samuel Smithers and Kayle Bates. Such discrepancies are significant in determining whether, at the time of execution, the dosage of etomidate administered was sufficient to induce even a basic entry-level of hypnosis. Importantly, of the execution autopsies Dr. Zivot reviewed, he noted that approximately one-third of the individuals had etomidate levels below that threshold hypnotic level. EH Tr. 120-21.

The Eleventh Circuit stressed that "[p]ost-mortem etomidate levels [] depend on individual prisoners' unique 'physiological makeup,' like their metabolisms, health conditions, and body compositions, making comparisons between individuals even more difficult." CA11-ECF 13-1 at 7. Yet, as Dr. Zivot explained, even accounting for individuals' differing physical compositions or medical statuses, there should be more consistency seen between postmortem etomidate levels. EH Tr. 141.

Additionally, the Eleventh Circuit reiterated the district court's conclusion that because "the etomidate level to render someone insensate and unconscious is measured based on plasma blood," whereas the toxicology reports measured whole blood, any comparison was impossible. CA11-ECF 13-1 at 7. Like the district court, the Eleventh Circuit overlooked District Eight Medical Examiner Dr. Webb's

repeated concessions that he did not know how fast or slow etomidate degrades postmortem, EH Tr. 175, or "at what point the cellular processes will shut down," EH Tr. 183. Nor did he know the difference in the etomidate levels between plasma and whole blood, EH Tr. 174, 178, or investigate whether pre- and post-mortem etomidate levels would approximate, EH Tr. 176.

As for the use of expired etomidate: it is undisputed that Respondents' own records document the use of expired etomidate during multiple executions.[2] Yet, despite on-going litigation, Respondents chose to Wite-Out their records to alter numerous entries of expired etomidate spanning months—changing the expiration date from 1/31/2025 to 1/31/2027 without noting why or how the incorrect date was logged originally. MDFL-ECF 55-8 at 8. Despite Respondents' attempts to limit the scope of the hearing to four Wite-Out events, MDFL-ECF 23, records reveal this happened six times. Dr. Marcano, who is the Bureau Chief of Pharmacy Services for FDOC and who was tasked with investigating Respondents' recordkeeping errors, admitted to not investigating issues in the records beyond September 30, 2025, yet still deemed it appropriate to apply Wite-Out to entries of expired etomidate corresponding with the Samuel Smithers and Norman Grim executions that occurred in October 2025. MDFL-ECF 55-8 at 8.

---

[2] The Eleventh Circuit relied on the district court's conclusion that "the state's receipts and lot numbers for its stock of etomidate showed that the etomidate used in the six executions had an expiration date of January 2027" to find that expired etomidate was never used. CA11-ECF 13-1 at 8. This finding was based on the district court's in-camera review of unredacted etomidate logs that Guardado was precluded from viewing and still has never been able to access.

Dr. Marcano's only explanation for the repeated documented use of expired drugs was that a person working in the pharmacy did not speak English as their first language and thus erred in writing down the year. EH Tr. 233. She did not explain why a person who misunderstood years due to a language barrier would be employed there or why this error was not caught by any other person previously.

The serious dangers inherent in inaccurately documenting drug expiration dates cannot be merely brushed off as "record-keeping errors," CA11-ECF 13-1 at 8, as the Eleventh Circuit did in crediting Dr. Marcano's nonsensical or nonexistent explanations. Rather, the "particularly disturbing" nature of the entries occurring on six separate occasions while seemingly escaping notice time and time again implicates the reliability of Respondents' recordkeeping as a whole. EH Tr. 39-44, 44 (Dr. Almgren testifying she "would be very wary and concerned with these records because there are a number of corrections."). Respondents' practice of simply erasing evidence of discrepancies raises fundamental concerns about the FDOC pharmacy.

Carefully tracking etomidate expiration dates is critical because the drug "can lose potency," meaning it "may not be at the strength" contemplated for use in the protocol, EH Tr. 27, and begin to operate as a different drug altogether: "[i]t may change pH, so it will become more acidic or it may become more basic. And that, of course, will impact how it will be absorbed and how it will react within [a prisoner's] body. It can precipitate" or "degrade." EH Tr. 27.

The Eleventh Circuit's reliance on FDLE Agents Graff's and James' testimony regarding their observations in no way assuages these serious concerns. CA11-ECF

13-1 at 8. Notably, FDLE monitors are not chosen for medical expertise, but rather for their proximity to Florida State Prison (FSP), where executions are carried out. EH Tr. 155. Additionally, Graff demonstrated gaps in his ability to recall crucial details of the executions in question, such as the actual expiration dates of the drugs, while claiming he nonetheless could remember they were unexpired. EH Tr. 159, 166. Furthermore, though Graff testified that he was present for the execution of Bell, he was unable to provide any specific testimony about that execution. EH Tr. 152, 162. These weak, inconsistent assertions from non-medical or pharmaceutical personnel cannot overcome the disturbing implications of FDOC's numerous, repeated failures.

Lastly, the Eleventh Circuit's misplaced focus on Dr. Marcano's assurance that the drugs set aside for Guardado's execution are not expired, CA11-ECF 13-1 at 8-9, missed the broader context of Guardado's claim, which is that the consistent, pervasive, and well-documented maladministration of Florida's three drug protocol in multiple respects creates a substantial risk of serious harm. This risk cannot be ameliorated by unearned trust that FDOC's pharmacy will get it right this time, when Guardado's evidence shows serious and continuing systemic failures over the last nearly two-year period.

Guardado next alleged that Respondents' logs show dosages of drugs administered during multiple other executions which are inconsistent with the protocol, including removing only 7 of the required 12 vials of potassium acetate for the execution of Anthony Wainwright on June 10, 2025, MDFL-ECF 55-8 at 22, and only half of the required 20 vials of rocuronium bromide for the execution of Thomas

Gudinas on June 24, 2025, MDFL-ECF 55-8 at 13. Additionally, while Gudinas was executed on June 24, 2025, EH Tr. 246, the logs do not reflect any removal of potassium acetate until 17 vials were withdrawn on June 25. ECF 55-8 at 22. These concerns were not sufficiently addressed by the district court, which credited Dr. Marcano's intervention even though she was unable to provide explanations for these violations or adequate reassurance that they would not recur. MDFL-ECF 63 at 23.

Despite the Eleventh Circuit's characterization of Guardado's argument that improper dosages of one drug will result in unnecessary suffering from another as "speculation," CA11-ECF 13-1 at 9, the court overlooked both the short-lived effects of etomidate, lasting only three to five minutes even when administered in a large dose, EH Tr. 18-21, as well as failed to consider the consequences of insufficiently dosing one of the drugs, such as potassium acetate. The risk of substantial harm was clearly shown by Guardado's evidence, as etomidate's ultrashort-acting nature implicates the serious reality that an insufficient dosage of potassium acetate would lead to a drawn out, torturous death by the paralytic while the inmate inevitably remains conscious and aware.

In failing to engage with the evidence of incorrect dosages in the context of an already questionable three-drug etomidate protocol, the Eleventh Circuit disregarded this Court's determination in *Baze*, 553 U.S. at 53, that an improper dose of a sedative drug could yield "a substantial, constitutionally unacceptable risk of suffocation from the administration of [the subsequent two drugs]." Here especially, due to etomidate's uniquely fast-acting properties, accurate dosages are critical.

Finally, Guardado alleged that Respondents have been using unauthorized drugs during executions—particularly, lidocaine. Though lidocaine is not authorized by the protocol, MDFL-ECF 55-1, Respondents' records demonstrate that injectable lidocaine was removed from the pharmacy and taken to the execution chamber at FSP on multiple occasions. App. A4 (FDOC 2025 Execution Drug Logs), MDFL-ECF 52-2 at 16; 52-8 at 27. While Dr. Marcano surmised that lidocaine was kept on a cart at FSP in case the need for a cutdown procedure arises, EH Tr. 247, her explanation was not due to personal knowledge and did not account for discrepant amounts. EH Tr. 249.

The substantial risk of harm to Guardado from the use of unauthorized chemical substances in executions stems not from "the unspecified chance" a substance such as lidocaine "could cause a problem for some prisoners," CA11-ECF 13-1 at 10-11, but rather the dangers inherent in any lack of guidance or information for the execution team members on the administration of an unauthorized drug. Dr. Almgren's testimony established that the use of drugs not provided for in the protocol "could lead to medication error" because of the absence of guidance on "how much you would use, how would you use [it]," or "when do you use it." EH Tr. 35. All drugs should be specified in the protocol because, without that direction, "[t]here's just no information." EH Tr. 35. Similarly, Dr. Zivot testified that liquid lidocaine "can actually cause a seizure sometimes, depending on how much is given and where it's given." EH Tr. 102. An ad hoc addition of an unauthorized drug to the wrong prisoner could be "life-threatening" on its own. EH Tr. 103.

Guardado has shown that there is a substantial likelihood that one or multiple of these five deviations from the protocol will occur, creating a significant risk of severe pain. As such, he has satisfied this stay factor.

B. Guardado satisfies the remaining stay factors

The Eleventh Circuit's majority began its analysis of the remaining stay factors with a discussion about what it deemed Guardado's "delay" in bringing his claim. [3] CA11-ECF 13-1 at 13. Notably, the court called Guardado's assertion that he brought his claim shortly after becoming warrant-eligible "mistaken" because "[i]n Florida, a prisoner sentenced to death is 'warrant-eligible' after initial state and federal postconviction proceedings are completed," CA11-ECF 13-1 at 13 n.3, which for Guardado occurred in 2025. *Id.* at 14 n.3. But the Eleventh Circuit's understanding of Florida law was incorrect and invented delay where none existed.

In Florida, the conditions for the issuance of a death warrant are governed by Florida Statute § 922.052, which specifically invokes completion of the clemency process before a warrant may issue. In *Abdool v. Bondi*, the Florida Supreme Court delineated clear statutory prerequisites before a death warrant may issue and stated that the plain language of § 922.052, invoking completion of the clemency process before a warrant is signed, "demonstrates that *no* warrants can be signed unless the executive clemency process has concluded." 141 So. 3d 529, 539-40 (Fla. 2014) (emphasis in original). While the Eleventh Circuit cited *Silvia v. State*, 228 So. 3d

[3] Judge Pryor did not join the majority opinion's discussion of these factors. CA11-ECF 13-1 at 18 n.1.

1144, 1146 (Fla. 2013), and *Jones v. State*, 419 So. 3d 619, 625-26 (Fla. 2025), to support its erroneous understanding of Florida law, neither case addresses the language of § 922.052 and, notably, *Silvia* predates the Florida Supreme Court's later decision in *Abdool*.[4] As such, much of the Eleventh Circuit's "delay" analysis, CA11-ECF 13-1 at 13-15, is predicated on an incorrect view of Florida state law. Here, Guardado's clemency proceedings only concluded in August 2026, and he filed his claim within weeks of becoming warrant-eligible and before he had any knowledge of an impending execution date. As such, Guardado's filing was in no way delayed, and this equitable consideration does not apply.

The Eleventh Circuit majority's blended analysis of the remaining stay factors ignored this Court's precedent in order to erroneously conclude that the factors weigh against Guardado. CA11-ECF 13-1 at 15. On the contrary, when the applicable controlling law is considered, the remaining stay factors favor Guardado.

First, Guardado will suffer an irreparable injury without a stay because he will be executed in a manner that wantonly inflicts pain and suffering, violating the Eighth Amendment. Indeed, as both this Court and lower courts have suggested, irreparable injury is presumptive under warrant. *See, e.g.*, *Wainwright v. Booker*, 473 U.S. 935, 937 n.1 (1985) (Powell, J., concurring) ("The third requirement that irreparable harm will result if a stay is not granted is necessarily present in capital cases."); *Lee v. Comm'r, Ala. Dep't of Corr.*, No. 26-11864, 2026 WL 1741802, at *7

[4] *Jones*, 419 So. 3d at 625-26, contains no additional legal analysis or rationale regarding the role of the clemency process, and merely cites *Silvia*, 228 So. 3d at 1146.

(11th Cir. June 8, 2026) ("It goes without saying that [a plaintiff] would suffer irreparable harm if he were executed pursuant to a method that the district court has found unconstitutional. To him, loss of life is not compensable by legal remedies like damages."); *In re Holladay*, 331 F.3d 1169, 1177 (11th Cir. 2003) ("We consider the irreparability of the injury that petitioner will suffer in the absence of a stay to be self-evident.").

As the Eleventh Circuit has acknowledged, the irreparable injury in a case challenging a method of execution is not only the execution itself, but also the superadded pain that would occur during that execution. *Powell v. Thomas*, 784 F. Supp. 2d 1270, 1283 (M.D. Ala.), *aff'd*, 641 F.3d 1255 (11th Cir. 2011) (finding "the alleged irreparable injury is not the fact alone that [plaintiff] will die by execution," but that he may experience superadded pain "under present protocols" during that execution) (citing *Baze*, 553 U.S. at 50). This is not only because the pain during execution may be torturous, but also because a violation of constitutional rights is presumed to cause irreparable injury. *See Jolly v. Coughlin*, 76 F.3d 468, 482 (2d Cir. 1996).

Likewise, a stay would not substantially harm the State. While the State has a legitimate interest in the timely enforcement of valid criminal judgments, CA11-ECF 13-1 at 15, it has no legitimate interest in executing Guardado via a method that would risk the wanton infliction of pain or suffering in violation of the Eighth Amendment. *See, e.g.*, *In re Holladay*, 331 F.3d at 1177 (finding "no substantial harm that will flow to the State of Alabama or its citizens from postponing petitioner's

execution to determine whether that execution would violate the Eighth Amendment"). This is especially true given that it was the State that caused the current exigency by signing Guardado's death warrant only a week after he initiated this lawsuit, even though Florida's death row includes dozens of warrant-eligible prisoners, many of whom have no pending litigation. The State's efforts to short-circuit Guardado's litigation by signing his death warrant further shift the balance of the equities in his favor.

Finally, granting a stay would not be adverse to the public interest. The public always has an interest in the preservation of constitutional rights and, most certainly, in the humane and dignified carrying out of a death sentence. *See Ford v. Wainwright*, 477 U.S. 399, 409-10 (1986) (The Eighth Amendment seeks "to protect the dignity of society itself from the barbarity of exacting mindless vengeance" when carrying out an execution). As such, it would serve the public interest to allow for meaningful judicial review of the significant constitutional concerns Guardado has raised regarding Respondents' maladministration of the lethal-injection protocol. The State's decision to sign Guardado's death warrant, with the effect of curtailing this inquiry through his execution, is antithetical to that interest—certainly, more than any minimal delay that may result from granting a stay.

IV. Conclusion

The Court should grant a stay of execution.

Respectfully submitted,

/s/ Linda McDermott
Linda McDermott
Counsel of Record

/s/ Sean Gunn
Sean Gunn

Office of the Federal Public Defender
Northern District of Florida
227 N. Bronough St., Suite 4200
Tallahassee, FL 32301
(850) 942-8818
linda_mcdermott@fd.org
sean_gunn@fd.org

Counsel for Petitioner

DATED: NOVEMBER 3, 2026