No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

JOHN ANTHONY CASTRO,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

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

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

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October 27, 2026

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SUPREME COURT, U.S.

APPLICATION FOR EXTENSION OF TIME IN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI

TO: The Honorable Samuel A. Alito, Jr., Associate Justice of the Supreme Court of the United States and Circuit Justice for the Fifth Circuit:

Pursuant to 28 U.S.C. §§ 1254(1) and 2101(c), and Supreme Court Rules 13.5, 22, and 30, Applicant John Anthony Castro respectfully requests a 60-day extension of time, to and including January 8, 2027, within which to file a petition for a writ of certiorari. The petition will seek review of the August 11, 2026 substituted opinion and judgment of the United States Court of Appeals for the Fifth Circuit in United States v. Castro, Nos. 24-11000 and 26-10428. A copy of that opinion and rehearing disposition is attached as Appendix A.

JURISDICTION AND TIMELINESS

1. This Court would have jurisdiction under 28 U.S.C. § 1254(1) to review the judgment of the United States Court of Appeals for the Fifth Circuit.
2. On August 11, 2026, the Fifth Circuit granted panel rehearing, withdrew its July 10, 2026 opinion, denied rehearing en banc because no judge requested a poll, and entered a substituted opinion and judgment affirming Applicant's convictions and sentence in relevant part. App. A, at 1-2. Under Supreme Court Rule 13.3, the certiorari period runs from that subsequent judgment, not from issuance of the mandate.
3. Ninety days from August 11, 2026 is November 9, 2026. This application is dated October 27, 2026, thirteen days before the petition is due, and therefore satisfies Rule 13.5's ordinary requirement that an extension application be filed at least ten days before the due date. A full 60-day extension would make the petition due January 8, 2027. No prior application for an extension has been filed. This application seeks an extension only for John Anthony Castro.

4. After the substituted decision, Applicant tendered renewed rehearing papers under Federal Rule of Appellate Procedure 40(d)(1), but the Fifth Circuit clerk entered no-action notices rather than filing them. Applicant does not rely on those submissions to alter the deadline and uses November 9, 2026 as the protective filing date.

SPECIFIC REASONS SUPPORTING GOOD CAUSE

5. Applicant is an unrepresented federal prisoner confined at FPC Pollock Camp. He must conduct legal research, obtain and review court materials, prepare and print filings, arrange service, and use the institution's legal-mail system through institutional resources and schedules. Those constraints materially slow the preparation of a Supreme Court filing that must comply with Rules 14, 29, 33.2, and 39.

6. The record is extensive: thirty-three counts, a bench trial, multiple posttrial motions, a substituted appellate opinion, and two related postjudgment appeals expressly excluded from the direct appeal. Applicant must separate those records and issues carefully so the petition does not rely on matters outside the judgment below.

7. Applicant has begun preparing a focused petition, but substantial verification and compliance work remains. The proposed petition will present a narrow Brady question: whether suppressed evidence revealing a prosecution witness's concrete financial motive and distinct source of case-specific bias may be deemed immaterial "by definition" merely because the witness was impeached with different evidence, without assessing what the suppressed evidence adds in the context of the whole record. The court below assumed for its materiality analysis that the child-support-lien evidence was suppressed and favorable, acknowledged that it allegedly supplied the witness's motive, and nevertheless treated it as categorically cumulative because the witness had already been questioned about being married while reporting herself as single. App. A, at 10-12.

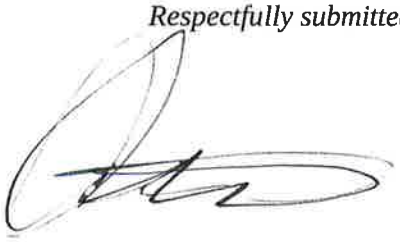
8. The petition must accurately analyze Kyles v. Whitley, Wearry v. Cain, Turner v. United States, and Glossip v. Oklahoma; verify record citations concerning the witness and affected counts; prepare the appendix; and complete the in forma pauperis and service papers. Applicant needs the additional time to finish those tasks reliably rather than submit an incomplete or inaccurate petition.

9. The requested extension is not sought for delay. It will not stay or otherwise affect the judgment or mandate below, and it will not prejudice the United States. It will allow Applicant to present the anticipated question in a focused, accurate, and procedurally compliant manner.

CONCLUSION

For these reasons, Applicant respectfully requests that the time to file a petition for a writ of certiorari be extended by 60 days, from November 9, 2026, to and including January 8, 2027, or for such other period as the Circuit Justice deems appropriate.

Respectfully submitted,



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October 27, 2026