No.

IN THE
Supreme Court of the United States

PAUL ANTHONY WILLIAMS,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

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

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

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

Pursuant to Rules 13.5 and 30.2 of this Court, Applicant Paul Anthony Williams respectfully requests a 30-day extension of time within which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Fifth Circuit. The judgment of the court of appeals was entered on August 7, 2026. App., *infra*, 1a-14a. On September 4, 2026, the court of appeals denied a petition for rehearing en banc. *Id.* at 15a. Unless extended, the time for filing a petition for a writ of certiorari will expire on December 3, 2026. The jurisdiction of this Court would be invoked under 28 U.S.C. § 1254(1).

This case presents an important question that has resulted in a circuit split: whether the enumerated offense of "robbery" in Section 4B1.2(a)(2) of the Sentencing Guidelines—which the Commission imported from the Hobbs Act robbery definition—contains the same *mens rea* requirement as that of Hobbs Act robbery?

In *United States v. Benavides*, the Eighth Circuit answered that question in the affirmative. After determining that Hobbs Act robbery has "at least, a knowing mens rea," it applied that interpretation to the "mirrored" Guidelines definition and concluded that "Guidelines robbery is narrower than Texas robbery—which includes reckless conduct—and thus is not a crime of violence under the enumerated offenses clause." *United States v. Benavides*, 189 F.4th 767, 771 (8th Cir. 2026) (cleaned up).

But the Fifth Circuit disagreed in a published opinion. It determined that

Guidelines robbery does not have "any specific scienter requirement" and therefore held that "Guidelines robbery provides a categorical match for California robbery," which can be committed recklessly. App., *infra*, 9a. Applicant sought rehearing en banc, and notified the court of the *Benavides* decision. *Id.* at 16a-18a. Two days later, the Fifth Circuit denied the petition for rehearing en banc. *Id.* at 15a.

Counsel for applicant respectfully requests a 30-day extension of time in which to file a petition for a writ of certiorari. As noted above, this case involves an important issue that has divided the circuits, and undersigned counsel has other proximate deadlines between now and the current filing deadline, including: *United States v. Kiff*, No. 26-10656 (initial brief due on November 16, 2026) and *United States v. Pina*, No. 26-10618 (initial brief due on November 30, 2026). In addition, counsel must prepare materials for and lead a training session for trial attorneys, which is scheduled to take place on November 20, 2026.

In short, counsel's commitments will limit her availability to work on this matter and prepare the petition by the December 3, 2026 deadline. By granting this application, the Court would allow undersigned counsel to complete an adequate petition without compromising the quality of representation in other pending cases.

Respectfully submitted,

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