No. _____

IN THE SUPREME COURT OF THE UNITED STATES

JACOB JULICK,
Applicant,

v.

SCOTT JORDAN, ET. AL.,
Respondents.

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

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November 16, 2026

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To the Honorable Brett M. Kavanaugh, Associate Justice of the United States and Circuit Justice for the Sixth Circuit:

Pursuant to 28 U.S.C. § 2101(c) and Supreme Court Rules 13.5 and 22, applicant Jacob Julick respectfully requests a 14-day extension, to and including December 3, 2026, within which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Sixth Circuit. The Sixth Circuit issued an opinion in Mr. Julick's case on Aug. 21, 2026. Unless extended, the time to file a petition for a writ of certiorari will expire on November 19, 2026.

1. Mr. Julick, who is incarcerated at the Kentucky State Penitentiary, alleged he was subjected to unconstitutional conditions of confinement at the hands of prison officials, and brought suit under 42 U.S.C. § 1983. As relevant here, the district court granted summary judgment to the defendants, determining that Julick's ten-day confinement in a feces-covered cell was a "temporary exposure" that

did not give rise to a constitutional violation. The Sixth Circuit affirmed, with a single passing reference to this Court's decision in *Taylor* v. *Riojas*.

2. This case presents an important question regarding this Court's precedent: can the Sixth Circuit nullify *Taylor* by holding that a prisoner forced to endure direct and unmitigated exposure to a cell covered in feces with no access to personal hygiene products or cleaning supplies has no constitutional claim?

3. Reflecting traditional hierarchies of authority, most other Circuits have faithfully applied this Court's decision in *Taylor*—which held that closely analogous conditions so obviously violated the constitution that qualified immunity could not apply. The forthcoming petition in this case will offer this Court an opportunity to ensure that the Sixth Circuit does not sow confusion in district courts across four states by directly clashing with this Court, especially on an issue amenable to requests for qualified immunity by defendants.

4. Good cause exists for an extension of time to prepare a petition for a writ of certiorari in this case due to Mr. Julick's confinement. (Non-profit) counsel for Mr. Julick have attempted to obtain necessary paperwork to file *in forma pauperis*, but in the course of the preparation of this petition Mr. Julick has been moved to administrative segregation, which has limited his ability to complete relevant forms and correspond with counsel. Counsel mailed Mr. Julick this Court's form affidavit in support of motion for leave to proceed *in forma pauperis* on September 22, 2026. On November 10, 2026, counsel received a letter from Mr. Julick stating that because he had been moved to segregation, he had lost access to the form that counsel had sent

him. He asked counsel to resend the form. Mr. Julick's mailing address is a P.O. Box, meaning that Fedex will not deliver to the address, so counsel relied on the United States Postal Service's priority-mail service to resend the affidavit that needs Mr. Julick's signature on November 10, 2026, the same day that counsel received Mr. Julick's letter explaining the delay in returning the signed form. November 11, 2026 was Veteran's Day, so the postal service was not in service. Although counsel's mail to Mr. Julick was scheduled to arrive at the prison in which Mr. Julick is housed on November 13, it did not arrive at the P.O. Box address until November 16 at 11:34am. Mr. Julick has previously been granted leave to proceed *in forma pauperis* in the district court and in the court of appeals, and counsel understands that nothing about his circumstances has changed since those courts found that his state of poverty made him unable to pay the costs of his case. However, because this Court requires Mr. Julick to file his petition with an updated affidavit in support of his motion for leave to proceed *in forma pauperis*, counsel understands that Mr. Julick needs to complete an updated form and mail it back to counsel so that his petition can be filed *in forma pauperis*. Counsel is also working to contact a prison counselor for Mr. Julick to determine whether the form can be emailed to counsel.

5. In addition, counsel of record has other litigation commitments in the same timeframe, including:

- An amicus brief in the Supreme Court of Pennsylvania in *Commonwealth v. Coffey*, filed November 9, 2026.
- An opening brief in the United States Court of Appeals for the Eleventh Circuit in *Hendren v. Patton*, No. 26-12393, due November 16, 2026;

- An oral argument in the United States Court of Appeals for the Third Circuit in *Brown v. Evans*, No. 24-20 currently being rescheduled at the panel's convenience in the vicinity of Dec. 9, 2026;

6. An extension of time is further justified because it would permit undersigned counsel to provide the sort of comprehensive analysis that would aid this Court in determining how to resolve the petition.

7. Mr. Julick has not previously sought an extension of time from this Court.

8. For the foregoing reasons, the application for a 14-day extension of time, to and including December 3, 2026, within which to file a petition for a writ of certiorari in this case should be granted.

Respectfully submitted,

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