

NO:
IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 2024

NAREY PEREZ-QUIBUS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**APPLICATION FOR AN EXTENSION OF TIME WITHIN
WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI FROM THE
JUDGMENT OF THE UNITED STATES COURT OF APPEALS FOR THE
ELEVENTH CIRCUIT**

**TO THE HONORABLE CLARENCE THOMAS, ASSOCIATE JUSTICE OF
THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT
JUSTICE FOR THE ELEVENTH CIRCUIT**

Pursuant to Supreme Court Rules 13.5, 22, and 30.3, Narey Perez-Quibus respectfully requests a thirty-day extension of time, to and including February 18, 2025 within which to file a petition for a writ of certiorari from the judgment of the

United States Court of Appeals for the Eleventh Circuit. Mr. Perez-Quibus has not previously sought an extension of time from this Court.

Mr. Perez-Quibus is filing this Application at least ten days before the filing date, which is January 16, 2025. *See* S.Ct. R. 13.5. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1).

Mr. Perez-Quibus was charged with being a felon in possession of a firearm and ammunition in violation of 18 U.S.C. § 922(g)(1). On appeal to the Eleventh Circuit, Mr. Perez-Quibus argued that § 922(g)(1) violated the Second Amendment based on *New York State Rifle & Pistol Ass’n v. Bruen*, 597 U.S. 1 (2022). The government responded that its decision in *United States v. Dubois*, 94 F.4th 1284 (11th Cir. 2024) (following its pre-*Bruen* decision in *United States v. Rozier*, 598 F.3d 768 (11th Cir. 2010), *pet. for cert. filed* Oct. 10, 2024 (No. 24-5744), foreclosed that argument.

Although Petitioner argued that *United States v. Rahimi*, 144 S.Ct. 1889 (2024) confirmed the applicability of *Bruen*, and that *Rozier/Dubois* had been abrogated, the Eleventh Circuit agreed with the contrary position of the government. *See United States v. Perez-Quibus*, 2024 WL 4524712, at *1 (11th Cir. Oct. 18, 2024). A copy of the opinion is attached as Exhibit A hereto.

Based on counsel’s other work commitments, and time counsel has needed to take off for family commitments over the holidays, she will not have sufficient time to prepare a petition for writ of certiorari for Mr. Perez-Quibus by its current due date.

Since the time within which to file a petition for writ of certiorari in this case will expire on January 16, 2025, unless extended, Mr. Perez-Quibus respectfully requests that an order be entered extending his time to file a petition for writ of certiorari by thirty-days, to and including February 18, 2025.

Respectfully submitted,

HECTOR A. DOPICO
FEDERAL PUBLIC DEFENDER

By: s/Brenda G. Bryn
Brenda G. Bryn
Assistant Federal Public Defender
Counsel of Record
Florida Bar No. 708224
1 East Broward Blvd., Suite 1100
Fort Lauderdale, Florida 33301-1100
Telephone No. (954) 356-7436
Fax No. (954) 356-7556

December 18, 2024