

No. 25-1560

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

**BADAR KHAN SURI,
Petitioner-Appellee,**

v.

**DONALD J. TRUMP, ET AL.,
Respondents-Appellants.**

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
District Court Case No. 2:25-cv-00480**

MOTION FOR EXTENSION OF TIME

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MOTION FOR EXTENSION OF TIME

Appellants Donald J. Trump, *et al.*, respectfully move to extend the briefing schedule Fed. R. App. P. 26(b), Local R. 31(c). Under the proposed extension, Appellants' opening brief and the joint appendix will be due on August 13, 2025, Appellee's response brief will be due on September 26, 2025, and Appellants' reply brief will be due 28 days after service of Appellee's response brief.

In support of this motion, Appellants state the following:

1. On June 4, 2025, this Court issued a Briefing Order, which directed Appellants to file their opening brief and the joint appendix on or before July 14, 2025. ECF No. 20. This Court further ordered that Appellee file his response brief by August 13, 2025, and Appellants file their reply brief, if any, within 21 days of service of Appellees' response brief. *Id.*
2. Appellants respectfully request that this Court extend the deadline for Appellants' brief to August 13, 2025. In turn, and by agreement of the Parties, Appellees' deadline to file their response brief would be extended to September 26, 2025, and the deadline for Appellants' reply brief be set within 28 days of service of Appellee's brief.
3. The Court has discretion to extend filing deadlines for good cause under Federal Rule of Appellate Procedure 26(b) and for extraordinary circumstances under Local Rule 31(c). Given the complexity of the issues in

this case, the intervening order of the Court from July 1, 2025, the intervening preliminary injunction motion filed by Appellee in the district court below, and counsels' personal and professional obligations, the additional time will allow Appellants to better prepare briefs that aid the Court's consideration. As the enjoined party, any prejudice suffered is borne by Appellants alone.

4. Appellants also respectfully request that this Court extend the deadline for the joint appendix to August 13, 2025.

For the foregoing reasons, Appellants respectfully request that the Court extend the briefing schedule and the deadline for the joint appendix as follows:

- Appellants' Opening Brief and Joint Appendix due: August 13, 2025
- Appellee's Response Brief due: September 26, 2025
- Appellants' Reply Brief due: 28 days after service of Appellees' response brief.

Per Local Rule 27(a), Appellants certify that counsel for the Parties have met and conferred on the intended filing of the motion, and Appellee consents to the motion.

July 4, 2025

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 27(d)(2)(A), I certify that the foregoing was prepared using 14-point Times New Roman type, is proportionally spaced and contains less than 5,200 words, exclusive of the tables of contents and citations, and certificates of counsel.

CERTIFICATE OF SERVICE

I certify that on July 4, 2025, I filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Fourth Circuit by using the Court's CM/ECF System. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished through that system.

July 4, 2025

/s/ David J. Byerley

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