

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

FIREARMS POLICY COALITION, et al.,

Plaintiffs-Appellants/Cross-Appellees,

v.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS,  
AND EXPLOSIVES, et al.

Defendants-Appellees/Cross-  
Appellants.

No. 26-30154

**GOVERNMENT’S MOTION TO MODIFY THE BRIEFING SCHEDULE**

Pursuant to Federal Rule of Appellate Procedure 26(b), the government respectfully requests a 30-day extension of the deadline for filing its initial brief in this case. This motion is opposed.

1. This case involves an appeal and cross-appeal. Plaintiffs filed their opening brief on June 22, 2026. Under the current briefing schedule, the government’s combined response brief and cross-appeal opening brief is due on August 21, 2026.

2. The government respectfully requests a 30-day extension of time, such that its initial brief will be due on September 21, 2026. The government previously received one extension of time in this case.

3. The requested extension is necessary in light of other deadlines faced by government counsel. Steven Hazel has principal responsibility for preparing the government’s brief in this case. Mr. Hazel was out of the office on previously planned

travel during the week of July 27. Mr. Hazel also has principal responsibility for the following matters with recent or upcoming deadlines: *In re Container Store*, No. 26-20166 (5th Cir.) (opening brief filed on July 22); *Greene v. Att’y Gen.*, 25-2309 (3d Cir.) (response brief due on August 28; motion for summary action pending); *Washington v. Dep’t of Educ.*, 26-510 (reply brief estimated deadline of September 8); and *USPS v. Postal Regul. Comm’n*, 25-1289 (D.C. Cir.) (final response brief due on September 14). Mr. Hazel is also responsible for multiple time-sensitive internal matters, including a significant matter that was not foreseeable when the government sought its prior extension in this case.

4. Brad Hinshelwood is the attorney with supervisory responsibility for the government’s brief in this case. Mr. Hinshelwood will be out of the office on previously planned travel during the week of August 17. Mr. Hinshelwood also has supervisory responsibility for the following matters with recent or upcoming deadlines, including numerous matters with deadlines that were not foreseeable at the time the government sought its prior extension in this case: a motion for stay pending appeal and reply in *New York Times Co. v. Dep’t of War*, No. 26-5253 (D.C. Cir.) (motion filed July 6; reply filed July 13), as well as an expedited opening brief in that matter due August 10 and reply due September 18; a motion for stay pending appeal and reply in *California v. Trump*, No. 26-1774 (1st Cir.) (motion filed July 7; reply filed July 15); a motion for stay pending appeal and reply in *NAACP v. USPS*, No. 26-5257 (D.C. Cir.) (motion filed July 9; reply filed July 16); a motion for stay pending appeal and reply in *Coe v. Blanche*, No. 26-1886 (2d Cir.) (motion filed July 23; reply due August 10), as well as an opening brief in that

matter due August 21; a motion for stay pending appeal and reply in *Z.A. ex rel. A.A. v. Blanche*, No. 26-4388 (9th Cir.) (motion filed July 31; reply due August 17), as well as an expedited opening brief in that matter filed August 7; *Tankersley v. United States*, No. 26-1971 (9th Cir.) (response brief due August 10); *New York Times Co. v. Dep't of War*, No. 26-5113 (D.C. Cir.) (opening brief due on August 13, 2026); *In re: Administrative Subpoena No. 25-1431-019*, Nos. 25-2092, 26-1093 (1st Cir.) (reply brief due August 11); *K.I. v. Sullivan*, No. 26-849 (2d Cir.) (response brief due August 12); *Flowers Title Cos. LLC v. Treasury*, No. 26-40285 (5th Cir.) (opening brief due on August 17); *State of New York v. U.S. Dep't of Transp.*, No. 26-1097 (2d Cir.) (response brief due August 20); *Lee v. Trump*, No. 26-7052 (D.C. Cir.) (opening brief due on September 1); *Marion County v. Kotek*, No. 26-1874 (9th Cir.) (response brief due on September 4); *Mellon-Reppen v. U.S.*, No. 26-1495 (6th Cir.) (opening brief due on September 4); *Broullire v. United States*, No. 26-5095 (D.C. Cir.) (response brief due on September 4).

5. Counsel for plaintiffs have indicated that plaintiffs oppose the relief requested in this motion but do not intend to file a response. Plaintiffs state: “Plaintiffs oppose the requested extension and asked the Government to note the following basis for their opposition: The district court unduly narrowed the scope of relief the Plaintiffs sought, excluding members who are adversely affected by the ban at issue. Unnecessary delay in the resolution of this appeal unfairly prolongs the deprivation of those members’ rights.”

Respectfully submitted,

BRAD HINSHELWOOD

/s/ Steven H. Hazel

STEVEN H. HAZEL

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August 11, 2026

## **CERTIFICATE OF COMPLIANCE**

Pursuant to Fed. R. App. P. 32(g), I hereby certify this motion complies with the requirements of Fed. R. App. P. 27(d)(1)(E) because it has been prepared in 14-point Garamond, a proportionally spaced font, and that it complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 713 words, according to the count of Microsoft Word.

/s/ Steven H. Hazel  
STEVEN H. HAZEL