

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-2177
(C.A. No. 23-01124)

MICHAEL DRIGGS, <i>et al.</i> , Appellants,)
)
v.)
)
CENTRAL INTELLIGENCE AGENCY,)
Appellee.)
)
)

**PLAINTIFFS-APPELLANTS' CONSENT MOTION
FOR 30-DAY EXTENSION OF TIME TO FILE REPLY BRIEF**

Pursuant to Federal Rule of Appellate Procedure 26(b), and Fourth Circuit Rule 31(c), Plaintiffs-Appellants respectfully moves for a 30-day extension of time, to and including March 12, 2026. Under Fourth Circuit Rule 27(a), Appellants' counsel has consulted with the government's counsel about this motion, who has kindly consented to the relief sought.

1. Plaintiffs-Appellants filed their opening brief on November 18, 2025, a week before it was due. The CIA filed its brief on January 20, 2026, after being granted a 21-day extension, by consent motion. Appellants' reply brief is due on February 10, 2026. With the requested 30-day extension, the Appellants' reply brief would be due on March 12, 2026.

2. The requested 30-day extension of time is necessary due to counsel's other litigation responsibilities, including a complex trust litigation in the Circuit Court of Loudoun County (No. CL20-004788-00), a contested guardianship matter in the Circuit Court of Montgomery County (No. C-15-FM-25-002490), two active FOIA cases in the District of Columbia District Court (Nos. 04-814 and 20-1735), two active guardianship matters in DC Superior Court, as well as serving as the guardian in nine cases.

3. Counsel needs the additional time to adequately reply to the government's brief, which cites 60 cases in support of its positions on the six issues raised by appellants. One of the issues requires a review, and analysis, of the government's position on the extensive factual record.

4. Appellants have not previously sought an extension.

WHEREFORE, Plaintiffs-Appellants respectfully suggest that good cause exists to extend the time for filing their Reply brief to and including March 12, 2026.

DATE: February 4, 2025.

Respectfully submitted,

/ s/ John H Clarke

John H. Clarke (VSB No. 023842)

1629 K Street, NW, Suite 300

Washington, DC 20006

(202) 344-0776

john@johnhclarkelaw.com

Counsel for Appellants

CERTIFICATE OF COMPLIANCE FRAP 27(d)(2)(A)

The text for this Brief for Appellant was prepared using Times New Roman, 14-point, and contains 420 words as counted by Microsoft Word.

/s/ John H. Clarke

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 4, 2026, I have caused the foregoing Plaintiff-Appellants' Consent Motion for 30-Day Extension of Time to File Reply Brief _ to be served on Appellee's counsel by filing the Certificate on the Court's CM/ECF system. Counsel is a registered user.

/s/ John H. Clarke