

DOCKET NO. _____
IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 2017

CHADWICK WILLACY,

Petitioner,

vs.

JULIE L. JONES, Secretary
Department of Corrections
State of Florida

Respondent.

APPLICATION FOR SIXTY (60) DAY EXTENSION OF TIME IN WHICH
TO FILE PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

COMES NOW, the Petitioner, **CHADWICK WILLACY**, by and through undersigned counsel, and pursuant to Supreme Court Rule 13.5, respectfully requests an extension of time of sixty (60) days within which to file his Petition for Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit. In support of his request, Petitioner, through counsel, states as follows:

1. Petitioner is a death-sentenced inmate in the custody of the State of Florida. This case involves an appeal from the decision of the United States Court

of Appeals for the Eleventh Circuit affirming the denial of federal habeas corpus relief pursuant to 28 U.S.C. §2254.

2. This Court's jurisdiction rests on 28 U.S.C. §1254.

3. Petitioner was convicted of murder and sentenced to death in the circuit court of the Eighteenth Circuit in and for Brevard County, Florida.

4. On March 30, 2017, Petitioner's appeal was denied by the United States Court of Appeals for the Eleventh Circuit (Attachment A). A timely motion for rehearing and rehearing *en banc* was filed and on July 12, 2017, the Eleventh Circuit granted the motion for rehearing, vacated the prior opinion and substituted the opinion (Attachment B). Mr. Willacy filed a timely motion for rehearing and rehearing *en banc* and on September 19, 2017, the motion was denied (Attachment C). Petitioner's time to petition for certiorari in this Court expires December 18, 2017.

5. Petitioner shows the following good cause in support of this request.

6. Petitioner's counsel, who is CJA-appointed in this matter, has had a burdensome caseload since the final disposition of Petitioner's case in the Court of Appeals. In the past two months, counsel has been working on several capital cases and has been required to file multiple responses to orders to show cause in the Florida Supreme Court relating to this Court's opinion in *Hurst v. Florida*, 136 S.Ct. 616 (2016), as well as the developments that followed the opinion; to prepare and attend an evidentiary hearing in the state circuit court and draft a closing argument following the hearing; and prepare and file a petition for writ of

habeas corpus in the federal district court. Counsel is currently continuing to draft the replies relating to the Florida Supreme Court's orders to show cause as well as drafting successive state habeas petitions in four of her cases. As a result, counsel has not been able to prepare a proper petition for a writ of certiorari in Petitioner's case.

WHEREFORE, Petitioner, through his undersigned counsel, respectfully requests an extension of time of sixty (60) days within which to file the Petition for Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit in the above-styled case.

I HEREBY CERTIFY that a true copy of the foregoing motion has been furnished by United States Mail, first-class postage prepaid, to all counsel of record on November 15, 2017.

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