

No. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2017

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ERNEST SUGGS, APPLICANT

v.

STATE OF FLORIDA, RESPONDENT

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**APPLICATION FOR AN EXTENSION OF TIME TO FILE A PETITION FOR  
A WRIT OF CERTIORARI TO THE SUPREME COURT OF FLORIDA**

**DEATH PENALTY CASE**

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

ROBERT S. FRIEDMAN

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May 30, 2018

**APPLICATION FOR AN EXTENSION OF TIME TO FILE A PETITION FOR  
A WRIT OF CERTIORARI TO THE SUPREME COURT OF FLORIDA**

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**To the Honorable Clarence Thomas, Associate Justice of the Supreme  
Court of the United States and Circuit Justice for the Eleventh Circuit:**

Petitioner Ernest Suggs respectfully requests, pursuant to Rule 13(5) of the Rules of this Court, for an extension of time of 45 days, to and including July 26, 2018 for the filing of a petition for a writ of certiorari to review the decision of the Florida Supreme Court dated November 9, 2017 (Exhibit 1), on which a timely motion for rehearing was denied on March 13, 2018. (Exhibit 2). This Court has jurisdiction to grant a writ of certiorari under 28 U.S.C. § 1257(a).

1. The date within which a petition for a writ of certiorari would be due, if not extended, is June 11, 2018. This application is being filed more than 10 days before that date.

2. The Office of the Capital Collateral Regional Counsel –Northern Region (“CCRC-N”) was appointed by the trial court to represent Petitioner and will file the certiorari petition. This request for an extension of time is based on good cause.

3. The undersigned had an evidentiary hearing scheduled in the postconviction case of Tina Brown in Pensacola, Florida, the week of May 14, 2018. Evidentiary hearings take an enormous amount of investigation and preparation and the undersigned were obligated to direct all time and resources to Ms. Brown’s evidentiary hearing.

4. CCRC-N is also representing multiple cases where certiorari petitions will be filed in the coming weeks raising issues under *Hurst v. Florida*, 136 S. Ct. 616 (2017). The condensed timeframe of these petitions arises from the Florida Supreme Court's summary denial of 80 *Hurst* cases on retroactivity grounds during a two-week period beginning in late January 2018.

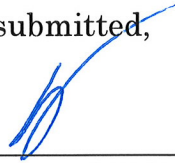
5. A 45-day extension of time is reasonable in Petitioner's case to allow CCRC-N to research, coordinate, and present the instant petition in a professional manner. CCRC-N is not seeking 60 days, but 45—a shorter time than the rule allows.

6. CCRC-N contacted the Florida Attorney General's Office, counsel for Respondent, regarding this motion. Respondent does not object to a 45-day extension.

Petitioner respectfully requests that the Court grant this request.

For the foregoing reasons, petitioner hereby requests that an extension of time to and including July 26, 2018, be granted within which petitioner may file a petition for a writ of certiorari.

Respectfully submitted,



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