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IN THE
SUPREME COURT OF THE UNITED STATES

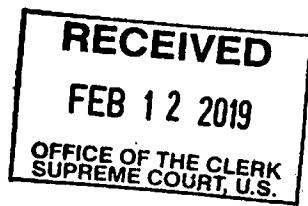
PARNELL SMITH,
Petitioner,
V.
STATE OF FLORIDA,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE
THIRD DISTRICT COURT OF APPEAL OF FLORIDA

APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI

PARNELL SMITH
PETITIONER, PRO SE

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nature of the decision of the Third District Court of Appeal is a final order denying Petitioner's Petition for Writ of Habeas Corpus for Belated Direct Appeal of his criminal convictions and sentences.

The belated appeal petition was filed pursuant to an earlier order of the Third District Court of Appeal granting leave to do so. The belated appeal petition claimed the deprivation, by State action, of Petitioner's constitutional rights guaranteed under the Due Process of Law and Equal Protection of Law Clauses of the Fourteenth Amendment to the United States Constitution to full appellate review of his criminal convictions and sentences when the State-paid appellate attorney, appointed to represent Petitioner on direct appeal, deliberately failed to file with the appellate court, within the time set by the Court order, a record-on-appeal, and Initial Brief of Appellant, or any other papers necessary to afford Petitioner meaningful appellate review of his convictions and sentences.

REASONS WHY EXTENSION OF TIME SHOULD BE GRANTED

Petitioner is a prisoner or ward of the State presently in the unlawfully custody of the State of Florida. Petitioner is unrepresented.

There is a genuine need by Petitioner for additional time in which to complete and file his Petition for Writ of Certiorari in this case.

Since November 23, 2018, the date Petitioner received the Third District Court of Appeal's order denying his request for rehearing, the Petitioner (on his own behalf) has worked diligently and essentially around the clock six days a week to conduct legal research, prepare, and complete his certiorari petition for timely filing with this Court.

The Petition for Writ of Certiorari, currently under construction by unrepresented Petitioner, contains a complex federal law question for review by this Court.

Before today, the Petitioner pushed himself intensely to complete the certiorari petition for timely filing with the Court before February 18, 2019.

Petitioner is already made much progress in completing the certiorari petition. As of today, all aspects of the petition has been completed except the legal argument portion.

Petitioner realized today, however, that more indepth legal research is needed to complete the legal argument portion of the certiorari petition and that he will not be able to meet the scheduled filing deadline of February 18, 2019.

Although prison regulations in the State of Florida affords prisoners "priority access" to the law library in order to meet a legal deadline, those same regulations limits priority access to one-half of the prisoner's work week or three

(3) days each week. See Rule 33-501.301(3)(f), Florida Administrative Code.

At the prison facility where Petitioner is physically incarcerated, a population total of 1500 prisoners exist but there are a total of 4 workable legal research computers available in the law library to be shared every 30 minutes by all inmates in attendance, regardless of whether or not they are on legal-deadline status.

Therefore, a prisoner's legal research efforts are systematically limited to one and a half hours a day, for three (3) days each week. This effectively impedes Petitioner's ability to accelerate and complete his certiorari petition in a timely manner.

Petitioner forseeably can complete the certiorari petition by April 18, 2019.

Petitioner is not attempting in any way to take a needless extension of time. This motion is genuinely made in good faith and is not motivated by any other purpose.

WHEREFORE, the Petitioner prays the Justice to grant this application and extend the time in which he is required to file his Petition for Writ of Certiorari to and including, but no later than Thursday, April 18, 2019.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 5th, 2019.

Respectfully submitted,

Parnell Smith

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