

IN THE
SUPREME COURT OF THE UNITED STATES

No. _____

WILLIAM GREGORY THOMAS,

Petitioner,

v.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,

Respondent,

MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR A WRIT OF
CERTIORARI

Petitioner William Gregory Thomas, by and through his undersigned counsel, pursuant to United States Supreme Court Rule 13(5), hereby moves this Honorable Court for an extension of time of up to sixty days in which to file a petition for a writ of certiorari. As grounds therefore, Mr. Thomas states as follows:

1. Petitioner William Gregory Thomas, is currently incarcerated under an impending sentence of death that was imposed in the Fourth Judicial Circuit of Florida on July 22, 1994.
2. On June 8, 2017, Mr. Thomas filed in the state circuit court a motion to vacate his conviction and sentence based on newly discovered evidence that was uncovered by Mr. Thomas' federal collateral counsel. The motion to vacate asserted that Mr. Thomas' rights under the Fifth, Sixth, Eighth and Fourteenth Amendments had been violated by the State's conduct at trial and in post conviction proceedings. Mr. Thomas asserted that the State had

presented false and/or misleading information at trial, in pre-trial depositions, and in court hearings which went uncorrected in violation of the line of cases that includes *Giglio v. United States*, 405 U.S. 150 (1972). He also asserted that the State had withheld favorable information from Thomas and his counsel in violation of the line of cases that includes *Brady v. Maryland*, 373 U.S. 83 (1963). Mr. Thomas further asserted that the State had violated its obligation to come clean and disclosed *Giglio* and/or *Brady* obligations either at trial or during collateral proceedings. Finally, he also argued that his Eighth Amendment rights under *Johnson v. Mississippi*, 486 U.S. 578 (1988), were violated when materially inaccurate information was heard by his capital jury. Mr. Thomas filed that motion within one year after the new evidence at issue was discovered.

3. On December 11, 2017, the state circuit court summarily denied Mr. Thomas's motion to vacate.
4. Mr. Thomas then appealed to the Florida Supreme Court. The Florida Supreme Court entered an order affirming the summary denial of relief on December 28, 2019. *See Attached*.
5. Shortly thereafter, undersigned counsel began a jury trial in a criminal case in the United States District Court for the Middle District of Florida on January 7, 2019. He, thereafter, began a capital murder trial in Florida state court on January 14, 2019. That trial went on for six weeks. Since the conclusion of

that trial, counsel and his firm have been steadily busy handling cases in the state and federal courts at the trial, appellate, and post-conviction levels.

6. Due to his extraordinary trial schedule so far this year, counsel has been unable to complete a petition for a writ of certiorari on behalf of Mr. Thomas as of the current due date.

WHEREFORE, for the reasons set forth above, counsel is respectfully requesting an extension of time of 60 days to file and serve a petition for a writ of certiorari in the instant case.

Respectfully Submitted on this 28th day of March 2019,



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