

NO:

IN THE
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2018

ANTHONY JIMERSON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**APPLICATION FOR AN EXTENSION OF TIME WITHIN
WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI FROM THE
JUDGMENT OF THE UNITED STATES COURT OF APPEALS FOR THE
ELEVENTH CIRCUIT**

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

Pursuant to Supreme Court Rules 13.5, 22, and 30.3, Anthony Jimerson, respectfully requests a sixty-day extension of time, to and including June 23, 2019, within which to file a petition for a writ of certiorari from the judgment of the

United States Court of Appeals for the Eleventh Circuit. Mr. Jimerson has not previously sought an extension of time from this Court.

Mr. Jimerson is filing this Application at least ten days before the filing date, which is April 24, 2019. *See* S.Ct. R. 13.5. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1).

Mr. Jimerson was convicted for distributing cocaine base (“crack” cocaine) and sentenced as a career offender based upon three prior Florida convictions for sale of cocaine. He appealed his sentence, arguing that he should not have been classified as a career offender, because the Florida offenses were non-generic and should not be considered predicate offenses for classifying a defendant as a career offender. Following its precedent in *United States v. Smith*, 775 F.3d 1262 (11th Cir. 2014), the Eleventh Circuit affirmed his sentence. A copy of the Eleventh Circuit opinion is attached as Exhibit A.

Undersigned counsel will not have sufficient time to prepare a petition for writ of certiorari by April 24 due to his current trial schedule and numerous other obligations as a supervising attorney.

There will be no prejudice to any party from the requested extension.

Since the time within which to file a petition for writ of certiorari in this case will expire on April 24, 2019, unless extended, Mr. Jimerson respectfully requests

that an order be entered extending his time to file a petition for writ of certiorari by sixty days, to and including June 23, 2019.

Respectfully submitted,

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FEDERAL PUBLIC DEFENDER

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