

App. No. _____

IN THE SUPREME COURT OF THE UNITED STATES

ARTHUR O. FRANKLIN, APPLICANT

V.

STATE OF FLORIDA, RESPONDENT

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

**APPLICATION TO EXTEND TIME TO FILE
A PETITION FOR A WRIT OF CERTIORARI**

ANDY THOMAS
PUBLIC DEFENDER
SECOND JUDICIAL CIRCUIT

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To the Honorable Clarence Thomas, as Circuit Justice for the Eleventh Circuit Court of Appeals:

Pursuant to 28 U.S.C. § 2101(D) and Rule 13.5 of the Rules of this Court, appellant Arthur O. Franklin, respectfully requests an extension of time of 30 days, up to and including April 3, 2019, in which to file a petition for a writ of certiorari in this Court to review the Florida Supreme Court's decision that results in an affirmance of Franklin's sentence of life imprisonment for nonhomicide crimes he committed when he was a juvenile.

As grounds, Franklin would state:

1. The Florida Supreme Court issued its decision on November 8, 2018, and denied Franklin's timely motion for rehearing on December 4, 2018. Franklin v. State, 258 So. 3d 1239 (Fla. 2018) (Fla. Sup. Ct. No. SC14-1442). See attached.
2. The final date for filing the petition for a writ of certiorari is March 4, 2019. The 30th day after that date is April 3, 2019.
3. No previous extension of time has been requested.
4. The Office of the Public Defender of the Second Judicial Circuit of Florida represented Franklin on appeal in state court. Undersigned counsel is an assistant public defender with a heavy caseload of appellate cases. He needs additional time to complete the preparation of the petition for filing with this Court.

5. This case presents two meritorious federal issues that counsel must address in producing a succinct petition: whether the Florida Supreme Court correctly concluded that this Court ruled on the merits of the underlying Eighth Amendment issue in Viginia v. LeBlanc, 137 S.Ct. 1726 (2017); and whether Florida's parole system provides nonhomicide juvenile offenders an opportunity for release based on demonstrated maturity and rehabilitation, as the Eighth Amendment requires.

6. A copy of the Florida Supreme Court's decision and of the order denying rehearing are attached to this application.

For the foregoing reasons, it is respectfully requested that this application be granted and that the time for filing a petition for a writ of certiorari be extended for 30 days, up to and including April 3, 2018.

Respectfully submitted,

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