

No. _____

IN THE

Supreme Court of the United States

DANIEL H. ALEXANDER, ET AL.,

Petitioner,

v.

BAYVIEW LOAN SERVICING, LLC.

Respondent.

**APPLICATION FOR AN EXTENSION OF TIME
WITHIN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI
TO THE FLORIDA THIRD DISTRICT COURT OF APPEAL**

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 Rule 13.5, Petitioner, Daniel H. Alexander respectfully requests a 60-day extension of time within which to file a petition for writ of certiorari to review the decision of the Florida Third District Court of Appeal dated March 21, 2018 in *Daniel H. Alexander v. Bayview Loan Servicing, LLC*. Case No: 3D16-2228 (Exhibit A). Petitioner timely sought discretionary review in the Supreme Court of Florida and it ultimately discharged jurisdiction after the filing of Writ of Mandamus on May 3, 2018. (Exhibit B). The jurisdiction of this Court will be invoked under 28 U.S.C. § 1257.

1. If the time is not extended, Petitioner's petition for writ of certiorari is due August 1, 2018.

2. Petitioner's case presents substantial issues asserting a denial of both procedural and substantive due process protected by the 5th and 14th Amendments to the U.S. Constitution.

3. Since the Supreme Court of Florida entered its order discharging jurisdiction, undersigned counsel has had a number of professional obligations that have prevented them from completing Petitioner's certiorari petition. Those circumstances include: (1) preparing a motion for rehearing in *HSBC Bank USA v. Joseph T. Buset*, Case No. 3D16-1383, filed in the Florida Third District Court of Appeal on March 15, 2017; (2) preparing an initial brief in *Kalev Barek v. HSBC Bank USA National Association*, Case No. 3D17-1426, on March 22, 2018; (3) preparing an answer brief in *Amina McNeil v. Wilson Marin and Paola Sibon*, Case No. 3D17-2755, 3D17-2574 (consolidated) filed in the Florida Third District Court of Appeal on March 27, 2018; (4) preparing a Motion to Disqualify the Third District Court of Appeal in *HSBC Bank USA v. Joseph T. Buset*, Case No. 3D16-138, filed in the Florida Third District Court of Appeal on April 2, 2018; (5) preparing a reply brief in *Scott L. Sorenson v. The Bank of New York Mellon etc.*, Case No. 2D16-273, filed in the Florida Second District Court of Appeal on April 16, 2018; and preparing an initial brief in *Amy B. Schwartz v. Bank of America*, Case No. 4D17-3457, due to be filed in the Florida Fourth District Court of Appeal on May 29, 2018.

4. Additionally, over the course of the last few months, undersigned counsel has had a heavy caseload to work on which include attending various trials, conducting various depositions both in and out-of-state, and attending daily court hearings.

5. Accordingly, Petitioner's counsel requires the additional requested time to prepare an appropriate petition for consideration by this Court. Respondent will not be prejudiced by the requested extension.

For the foregoing reasons, Petitioner hereby requests that an extension of time, to and including Friday, September 21, 2018, be granted within which he may file a petition for writ of certiorari.

Respectfully submitted,

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BRUCE JACOBS

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IN THE DISTRICT COURT OF APPEAL
OF FLORIDA

THIRD DISTRICT

MARCH 21, 2018

DANIEL H. ALEXANDER and
JACQUELINE P. ALEXANDER,
Appellant(s)/Petitioner(s),
vs.
BAYVIEW LOAN SERVICING, LLC,
Appellee(s)/Respondent(s),

CASE NO.: 3D16-2228

L.T. NO.: 14-19290

Upon consideration, appellants' motion for rehearing and request for a written opinion is hereby denied. SUAREZ, LAGOA and SALTER, JJ., concur.

Appellants' motion for rehearing en banc is denied.



cc: Bruce Jacobs
Jonathan L. Blackmore

Court E. Keeley
John D. Cusick

Amida Umesh Frey
Anna C. Morales

la

Exhibit " A "

Supreme Court of Florida

THURSDAY, MAY 3, 2018

CASE NO.: SC18-624

Lower Tribunal No(s).:

3D16-2228; 132014CA019290000001

DANIEL H. ALEXANDER, ET AL. vs. BAYVIEW LOAN SERVICING,
LLC

Petitioner(s)

Respondent(s)

Having determined that this Court is without jurisdiction, this case is hereby dismissed. *See R.J. Reynolds Tobacco Co. v. Kenyon*, 882 So. 2d 986 (Fla. 2004).

No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



td

Served:

JONATHAN L. BLACKMORE
BRUCE JACOBS
HON. MARY CAY BLANKS, CLERK
HON. HARVEY RUVIN, CLERK

Exhibit " B "