

No. _____

**In The
Supreme Court of The United States**

MARVIN B. SMITH, III
SHARON H. SMITH,

Petitioners,

vs.

HSBC BANK USA, NATIONAL ASSOCIATION,
WELLS FARGO BANK, NATIONAL ASSOCIATION,
S.ANDREW SHUPING, JR.,
SHUPING, MORSE AND ROSS, LLP,
RUBIN LUBLIN, LLC, and its AGENTS:
BRETT CHANESS, Agent of Rubin Lublin LLC,
PETER LUBLIN, Agent of Rubin Lublin LLC,

HSBC BANK USA,
HSBC BANK USA, N.A.,
HSBC BANK USA, National Association as Trustee for the Holders of
BCAP LLC Trust 2006-AA2

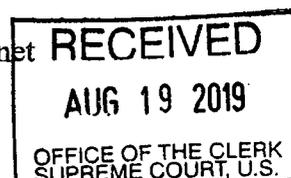
Respondents.

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

TO THE HONORABLE CLARENCE THOMAS
CIRCUIT JUSTICE FOR THE ELEVENTH CIRCUIT

Marvin B. Smith, III
Sharon H. Smith
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August 13, 2019



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

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

Petitioners/Applicants, Marvin B. Smith, III and Sharon H. Smith, "Smiths", respectfully request that the time to file their Petition for Writ of Certiorari be extended sixty days. The Eleventh Circuit Court of Appeals' decision was filed on May 20, 2019, **Exhibit A**. Absent an extension of time, the Petition for Writ of Certiorari may be due on May 28, 2019. This application is being filed prior to that date out of an abundance of caution. Decision is attached as noted above. This Court would have jurisdiction over the judgment under 28 U.S.C. Section 1254.

REASONS FOR GRANTING AN EXTENSION OF TIME

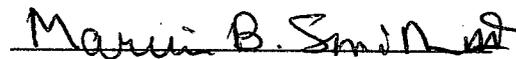
The Smiths, *pro se*, timely filed on June 7, 2019 their Motion for Leave to Submit Appellants' Petition for Rehearing and Rehearing en Banc with Additional Words, attaching their Petition for Rehearing, as instructed by the Clerk's office of the Eleventh Circuit Court. Sharon Smith has been assured by the Clerk assigned to the Consolidated Case No. 18-10736; 18-12349 that the Smiths will be given an opportunity to resubmit their Petition for Rehearing if the Court decides not to allow the additional words. However, the Eleventh Circuit Court has not yet ruled on the Motion for Leave to Submit which was filed over two months ago. The

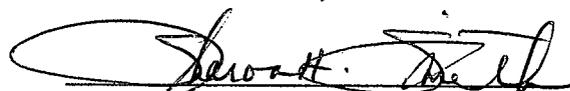
Smiths are now concerned that if the Eleventh Circuit Court were not to allow the Petition for Rehearing to be filed at all, the ruling would come after the deadline to file a Petition for Writ of Certiorari with this Court from the May 20, 2019 decision of the Eleventh Circuit. Extension of time would preserve the Smiths' right to petition this court for certiorari in the event the Motion for Leave to Submit is denied and they are not given an opportunity to resubmit their Petition for Rehearing. Appellants' Petition for Rehearing and Rehearing en Banc, **Exhibit B**, sets forth a reasonable probability that a Petition for Writ of Certiorari would be granted by this Court; thereby justifying the extension of time to submit the Petition, especially under the present circumstances.

CONCLUSION

For the foregoing reasons, the time to file a Petition for Writ of Certiorari in this matter should be extended sixty days to and including October 17, 2019.

Respectfully submitted this 13th day of August, 2019.


Marvin B. Smith, III


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