

No. _____

**IN THE SUPREME COURT OF THE
UNITED STATES OCTOBER TERM 2019**

DE'MARCUS LAMONT THURMAN,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

*On Petition for a Writ of Certiorari to
the Supreme Court of Florida*

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

To the Honorable Clarence Thomas, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Eleventh Circuit:

Petitioner DE'MARCUS LAMONT THURMAN, a life-sentenced Florida prisoner, respectfully moves for a 45-day extension of time for undersigned counsel

to file a petition for a writ of certiorari seeking review of the Florida First District Court of Appeal's June 21, 2019, decision in his case, and its August 22, 2019 order denying Mr. Thurman's motion for rehearing. The Florida First District Court of Appeal's decision and subsequent order are attached to this application. Petitioner has calculated the certiorari filing date from the date of the denial of rehearing. This application is filed more than 10 days ahead of the certiorari filing deadline. This Court has jurisdiction to grant a writ of certiorari under 28 U.S.C. § 1257(a).

Undersigned counsel was retained to file an appeal to the First District Court of Appeal of the summary denial of Mr. Thurman's *pro se* state postconviction motion under Fla. R. Crim. P. 3.850. The First District Court of Appeal affirmed the trial court's denial without written opinion in a *per curiam* affirmed opinion issued June 21, 2019, noting that the decision was "[n]ot final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331." Mr. Thurman filed a timely and authorized motion under Rule 9.330, which was denied on August 22, 2019. This completed undersigned counsel's service to Mr. Thurman at that point. On November 7, 2019, undersigned counsel was retained to file a petition for writ of certiorari with this Court on Mr. Thurman's behalf. Given that the deadline to file said petition would expire on November 20, 2019 (Supreme Court Rule 30), undersigned counsel requests that he be granted an additional **45 days** to complete and file the petition. This request for an extension of time is based on good cause.

Undersigned counsel contacted the Florida Attorney General's Office, counsel for Respondent, regarding this motion. Respondent does not object to a 45-day extension.

Petitioner respectfully requests that this request be granted.

Respectfully submitted,

/s/ JOSEPH S. HAMRICK
JOSEPH S. HAMRICK, ESQ.

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