

No. 21A422

**In the Supreme Court of the United States**

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JAMES MILTON DAILEY,

*Applicant,*

v.

STATE OF FLORIDA,

*Respondent.*

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**APPLICATION FOR A FURTHER EXTENSION OF TIME  
WITHIN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI  
TO THE SUPREME COURT OF THE STATE OF FLORIDA**

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Pursuant to 28 U.S.C. § 2101(d) and Rule 13.5 of the Rules of this Court, applicant James Milton Dailey respectfully requests a further 28-day extension of time, to and including April 29, 2022, within which to file a petition for a writ of certiorari to review the judgment of the Supreme Court of the State of Florida in this case.

On February 16, 2022, Justice Thomas granted an initial 30-day extension of time within which to file the petition, which is now due on April 1, 2022. *Dailey v. Florida*, No. 21A422. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1257(a). The Florida Supreme Court's opinion and the order denying rehearing are available on this Court's docket, at No. 21A422.

The background of this capital case and the important questions to be addressed in the petition are described in applicant's initial extension application. Although applicant's counsel have been working diligently, additional time to

complete the petition would be very helpful in facilitating a clear and thorough presentation of the questions presented, especially in light of the extensive length and complexity of the record, which includes proceedings that began more than 30 years ago. The undersigned counsel had no involvement in those state court proceedings.

In addition, counsel primarily responsible for preparing the petition also have responsibility for a number of other matters in this and other courts with the same or similar due dates as the petition, including *Kennedy v. Bremerton School Dist.*, No. 21-418 (*amicus* brief in support of respondent due April 1, 2022); *Railcar Management LLC v. Cedar AI, Inc.*, No.: 2:21-cv-00437-TSZ (W.D. Wash.) (reply brief in support of motion to dismiss due April 1, 2022); *American Trucking Ass'ns v. Alviti*, No. 1:18-cv-00378-WES-PAS (D.R.I.) (expert reply reports due April 1, 2022); and *Sucesores de Don Carlo Nunez y Dona Pura Galvez, Inc. v. Societe Generale*, No. 20-cv-851-KMW (S.D.N.Y.) (motion to dismiss due April 11, 2022). Accordingly, a further extension of time is warranted.

For the foregoing reasons, the application for a 28-day extension of time, to and including April 29, 2022, within which to file a petition for a writ of certiorari in this case should be granted.

Respectfully submitted.

/s/ Charles A. Rothfeld  
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March 16, 2022