

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

GREGORY THOMAS WILSON,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

**ON PETITION FOR WRIT OF CERTIORARI TO THE FLORIDA FIRST
DISTRICT COURT OF APPEAL**

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

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Counsel for the Petitioner

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

Introduction

Pursuant to this Court’s Rule 13.5, the Petitioner, Gregory Thomas Wilson, respectfully requests a sixty-day extension of time within which to file a petition for a writ of certiorari in this Court, to and including January 31, 2022.

Jurisdiction

The opinion of the Florida First District Court of Appeal affirming the Petitioner’s conviction was entered on January 21, 2021. The order of the Florida First District Court of Appeal denying rehearing was entered on September 1, 2021. Unless extended, the time within which to file a petition for a writ of certiorari would expire on November 30, 2021. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257. Copies of the opinion and the order of the Florida First District Court of Appeal are included in the appendix to this motion.

Argument

The Petitioner will be seeking certiorari review of one issue: whether the trial court erred by denying the Petitioner’s motion to suppress a jail video that formed the basis for the charges in this case – a video that was recorded while the Petitioner, an attorney, was meeting with his clients in the jail attorney visitation room (i.e., the Petitioner had a reasonable “expectation of privacy” when meeting with his clients in

the jail attorney visitation room and the act of monitoring/video-taping those meetings infringed on the Petitioner's Fourth Amendment rights).

Unfortunately undersigned counsel's schedule requires him to seek an extension of time in this case. In particular, during the next three months, undersigned counsel will be attending two oral arguments before Florida appellate courts, one resentencing hearing before a Florida circuit court, two postconviction evidentiary hearings before Florida circuit courts, one in-person Florida Bar committee meeting, one in-person Florida Association of Criminal Defense Lawyers meeting, multiple video conference Florida Bar committee meetings, and will be out his office for three separate instances while traveling with his family.¹

Additionally, since the Florida First District Court of Appeal entered the order denying the motion for rehearing in this case, undersigned counsel has participated in

¹ Undersigned counsel will appear at the following oral arguments: 1) December 8, 2021, *In re: Amendments to Rules Regulating The Florida Bar - Rules 6-3.5, 6-3.6, and 6-10.3*, case number SC21-164, pending before the Florida Supreme Court; and 2) December 14, 2021, *Berben v. State*, case number 5D20-2561, pending before the Florida Fifth District Court of Appeal. Undersigned counsel will appear at a resentencing hearing on December 15, 2021, in *State v. McGill*, case number 1995-CF-111, pending before the Florida Fourteenth Judicial Circuit Court (Bay County). Undersigned counsel will be appearing at the following postconviction evidentiary hearings: 1) January 5, 2022, in *State v. Simeon*, case number 2016-CF-584, pending before the Florida Second Judicial Circuit Court (Leon County); and 2) January 11, 2022, in *State v. Pasicolan*, case number 2013-CF-2056A, pending before the Florida Fourth Judicial Circuit Court (Clay County). Undersigned counsel will attend a meeting on January 14, 2022, of the Florida Association of Criminal Defense Lawyers and on January 28, 2022, of the Florida Bar Rules of General Practice and Judicial Administration Committee. Finally, undersigned counsel will be traveling with his family over the Christmas holiday.

one resentencing hearing and two postconviction evidentiary hearings before Florida circuit courts, participated in nine Florida Bar committee meetings (via video conference), and was out of his office while traveling with his family.

Therefore, the Petitioner requests an extension of sixty days to file the petition for a writ of certiorari. No party will be prejudiced by the granting of a sixty-day extension in this case.

Accordingly, the Petitioner respectfully requests that an order be entered extending the time to petition for writ of certiorari by sixty days.

Respectfully submitted,

/s/ Michael Ufferman
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CERTIFICATE OF SERVICE

I, Michael Ufferman, a member of the Bar of this Court, hereby certify that on the 9th day of November, 2021, a copy of this Application For Extension of Time To File A Petition For A Writ Of Certiorari in the above-entitled case was mailed, first class postage prepaid, to the Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050 (counsel for the Respondent herein). I further certify that all parties required to be served have been served.

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