

No. \_\_\_\_\_

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**IN THE SUPREME COURT OF THE UNITED STATES**

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JAMES LAMAR STRICKLAND,  
*Petitioner,*

v.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,  
*Respondent.*

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ON PETITION FOR WRIT OF CERTIORARI TO THE ELEVENTH CIRCUIT  
COURT OF APPEALS

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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, James Lamar Strickland, respectfully requests a thirty-day extension of time within which to file a petition for a writ of certiorari in this Court, to and including April 13, 2022.

### **Jurisdiction**

The order of the Eleventh Circuit Court of Appeals affirming the denial of the Petitioner's 28 U.S.C. § 2254 petition was entered on December 15, 2021. Unless extended, the time within which to file a petition for a writ of certiorari would expire on March 15, 2022.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). A copy of the opinion of the Eleventh Circuit Court of Appeals is included in the appendix to this motion.

### **Argument**

The issue in this case is whether the Petitioner was prejudiced by his attorney's ineffectiveness.

Unfortunately undersigned counsel's schedule requires him to seek an extension of time in this case. In particular, during the next two months, undersigned counsel will be attending one oral argument before a Florida district court of appeal, two postconviction evidentiary hearings before Florida circuit courts, a hearing on in-

camera review of documents in a Florida circuit court, a board meeting, a continuing legal education seminar, and will be out of his office for a period of time while traveling with his family.<sup>1</sup>

Additionally, since the court of appeals entered the opinion in this case, undersigned counsel has participated in one resentencing hearing and two postconviction evidentiary hearings before Florida circuit courts, one oral argument before a Florida district court of appeal, and attended multiple video conference Florida Bar committee meetings.<sup>2</sup>

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

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<sup>1</sup> Undersigned counsel will appear at an oral argument on April 6, 2022, for *Izadi v. State*, case number 2D19-4607, pending before the Florida Second District Court of Appeal. Undersigned counsel will appear at postconviction evidentiary hearings on March 8, 2022, in *State v. DeFuria*, case number 2012-CF-11937, pending before the Florida Sixth Judicial Circuit Court (Pinellas County); and April 1, 2022, in *State v. Hamilton*, case number 2010-CF-3105, pending before the Florida Twelfth Judicial Circuit Court (Manatee County). Undersigned counsel will be speaking at a continuing legal education seminar on March 31, 2022, and a board meeting of the Florida Association of Criminal Defense Lawyers, on April 1, 2022. Finally, undersigned counsel will be traveling with his family on March 14-17, 2022.

<sup>2</sup> Undersigned counsel was also out of his office the week of February 14, 2022, to attend a funeral after his uncle (the Honorable William Batchelder of Ohio) passed away on February 12, 2022.

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

Respectfully submitted,

/s/ Michael Ufferman  
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Counsel for the Petitioner

## CERTIFICATE OF SERVICE

I, Michael Ufferman, a member of the Bar of this Court, hereby certify that on the 23rd day of February, 2022, 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.

/s/ Michael Ufferman  
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