

No. _____

IN THE
Supreme Court of the United States

HORACIO SEQUEIRA,
Petitioner,

v.

GATE SAFE INC.,
Respondent.

**Application for an Extension of Time to File a Petition for a Writ of
Certiorari out-of-time to Clerk of the Supreme Court of the United States**

**APPLICATION FOR EXTENSION OF TIME TO THE
HONORABLE SCOTT S. HARRIS CLERK OF THE SUPREME
COURT OF THE UNITED STATES
TO FILE THE CERTIORARI OUT-OF-TIME**

Horacio Sequeira, *Pro Se*
13280 Port Said Rd. C301,
OpaLocka, Fl 33054
786-468-1792
centrolatinos@hotmail.com

December 3, 2021

**APPLICATION FOR AN EXTENSION OF TIME TO FILE A PETITION FOR
A WRIT OF CERTIORARI THAT IS ALREADY OUT-OF-TIME**

Applicant request for extension of time to file a writ of certiorari out of time, Pursuant the Rule 15.3 of the Supreme Court of the United States, Applicant Horacio Sequeira hereby request a 60-day extension of time within which to file a petition for a writ of certiorari up to and including December 19, 2021.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The Judgment for which review is sought is *Horacio Sequeira v. Gate Safe Inc.* No. 3D21-0487 July 21, 2021 (attached as Exhibit 1). Third District Court of Appeal of Florida stricken the Petition for Panel Rehearing and Rehearing [En Banc" on August 11, 2021. (attached as Exhibit 2). My son Angel Sequeira Romero died on October 7, 2021 and the funeral were on October 19 and 20, 2021. This case is under investigation and pending (attached as Exhibit 3). Motion without fee be pursuant a Court Order signed for the Clerk. (attached as Exhibit 4). A single copy Petition for a writ of certiorari is filed as well.

JURISDICTION

This court will have jurisdiction over any timely filed petition for certiorari in this case pursuant Rules of this court 13.1, 29.2 and 30.1 a petition for a writ of certiorari was due to be filed on or before October 19, 2021. In accordance with the Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

REASONS JUSTIFYING AN EXTENSION OF TIME

Applicant-Petitioner respectfully request a 60-day extension of time within which to file a petition for a writ of certiorari seeking review of a decision of the Third District Court of Appeal of Florida in this case, up to and including December 17, 2021. Applicant is filing the petition with the certiorari out-of-time

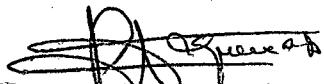
1. Applicant-Petitioner filed The Petition for panel rehearing in rehearing in banc that were stricken by the Third District Court of Appeal, See, Exhibit 1 and 2. also my son died on the week that I was writing the Writ of Certiorari. See Exhibit 3 An extension of time will permit the time necessary to file the petition.
2. Applicant-Petitioner would not usually ask for a 60-day extension request, but does so in order to allow the petitioner adequate time to file and complete the petition.
3. The extension of time is also necessary because the pandemic coronavirus is and when a motion for Panel rehearing and rehearing in banc was stricken my time was difficult to get on time to file the writ of certiorari. A 60-day extension for the Applicant would allow Applicant-Petitioner Horacio Sequeira the necessary amount of time to effectively contribute to file the petition for a Writ of Certiorari.

CONCLUSION

For the foregoing reasons, Applicant respectfully request that the honorable clerk Scorr S. Harris grant an extension of 60 days, up to and including December 19,

2021 within which to file a petition for a writ of certiorari in this case

Respectfully submitted,


Horacio Sequeira Pro Se
13280 Port Said Rd C301
Opa Locka Fl. 33054
Phone: 786-468-1792

“EXHIBIT 1”

“EXHIBIT 1”

Third District Court of Appeal
State of Florida

Opinion filed July 21, 2021.
Not final until disposition of timely filed motion for rehearing.

No. 3D21-0487
Lower Tribunal Nos. 19-0148AP, 16-18839SP

Horacio Sequeira,
Appellant,

vs.

Gate Safe, Inc.,
Appellee.

An appeal from the County Court for Miami-Dade County, Christina Marie DiRaimondo, Judge.

Horacio Sequeira, in proper person.

Littler Mendelson, P.C., Ryan P. Forrest, and Courtney B. Wilson, for appellee.

Before SCALES, LINDSEY, and MILLER, JJ.

PER CURIAM.

Affirmed. See Ultra Aviation Servs., Inc. v. Clemente, 272 So. 3d 426, 428 n.4 (Fla. 3d DCA 2019) (“Section 218.077(2) of the Florida Statutes is a preemption statute that expressly prohibits political subdivisions of the state from establishing a minimum wage contrary to state or federal wage requirements.”); see also Valderrama v. Portfolio Recovery Assocs., LLC, 972 So. 2d 239, 239 (Fla. 3d DCA 2007) (“A movant for summary judgment has the initial burden of demonstrating the nonexistence of any genuine issue of *material* fact.”) (emphasis added) (quoting Landers v. Milton, 370 So. 2d 368, 370 (Fla. 1979)).

“EXHIBIT 2”

“EXHIBIT 2”

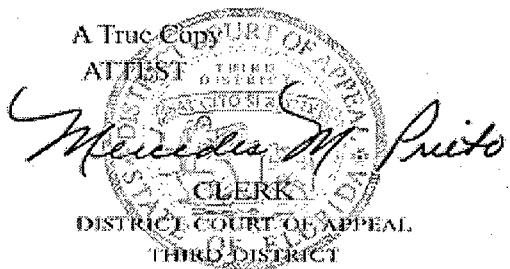
IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
AUGUST 11, 2021

HORACIO SEQUEIRA,
Appellant(s)/Petitioner(s),
vs.
GATE SAFE INC.,
Appellee(s)/Respondent(s),

CASE NO.: 3D21-0487
L.T. NO.: 19-148 AP,
16-18839 SP

Upon consideration, pro se Appellant's "Petition for Panel
Rehearing and Rehearing [En] Banc" is hereby stricken as unauthorized.

SCALES, LINDSEY and MILLER, JJ., concur.



cc: Courtney B. Wilson Ryan P. Forrest Horacio Sequeira

la

“EXHIBIT 3”

“EXHIBIT 3”

STATE OF FLORIDA

THIS DOCUMENT HAS A LIGHT BACKGROUND ON TRUE WATERMARKED PAPER. HOLD TO LIGHT TO VERIFY FLORIDA WATERMARK

BUREAU OF VITAL STATISTICS

CERTIFICATION OF DEATH

STATE FILE NUMBER: 2021204920

DATE ISSUED: OCTOBER 11, 2021

DECEDENT INFORMATION

DATE FILED: OCTOBER 11, 2021

NAME: ANGEL DAVID SEQUEIRA ROMERO

DATE OF DEATH: OCTOBER 7, 2021 SEX: MALE SSN: 770-33-1979 AGE: 019 YEARS

DATE OF BIRTH: DECEMBER 5, 2001 BIRTHPLACE: NICARAGUA

PLACE OF DEATH: EMERGENCY ROOM/OUTPATIENT

FACILITY NAME OR STREET ADDRESS: MEMORIAL HOSPITAL WEST

LOCATION OF DEATH: PEMBROKE PINES, BROWARD COUNTY, 33028

RESIDENCE: 13280 PORT SAID RD APT NO. C301, OPA-LOCKA, FLORIDA 33064, UNITED STATES COUNTY: MIAMI-DADE

OCCUPATION, INDUSTRY: STUDENT, SCHOOL

EDUCATION: ASSOCIATE DEGREE

EVER IN U.S. ARMED FORCES? NO

HISPANIC OR HAITIAN ORIGIN? YES, NICARAGUAN

RACE: WHITE

SURVIVING SPOUSE / PARENT NAME INFORMATION

(NAME PRIOR TO FIRST MARRIAGE, IF APPLICABLE)

MARITAL STATUS: NEVER-MARRIED

SURVIVING SPOUSE NAME: NONE

FATHER'S/PARENT'S NAME: HORACIO SEQUEIRA

MOTHER'S/PARENT'S NAME: GLORIA ELENA ROMERO GUARDADO

INFORMANT, FUNERAL FACILITY AND PLACE OF DISPOSITION INFORMATION

INFORMANT'S NAME: HORACIO SEQUEIRA

RELATIONSHIP TO DECEDED: FATHER

INFORMANT'S ADDRESS: 13280 PORT SAID RD APT NO. C301, OPA-LOCKA, FLORIDA 33064, UNITED STATES

FUNERAL DIRECTOR/LICENSE NUMBER: NULKA MARTINEZ, F062572

FUNERAL FACILITY: NATIONAL FUNERAL HOMES F132258

161 NW 37TH AVE, MIAMI, FLORIDA 33125

METHOD OF DISPOSITION: BURIAL

PLACE OF DISPOSITION: VISTA MEMORIAL GARDENS

MIAMI LAKES, FLORIDA

VOID IF ALTERED OR ERASED

CERTIFIER INFORMATION

TYPE OF CERTIFIER: ASSOCIATE MEDICAL EXAMINER

MEDICAL EXAMINER CASE NUMBER: 21173981

TIME OF DEATH (24 HOUR): 0133

DATE CERTIFIED: OCTOBER 11, 2021

CERTIFIER'S NAME: REINHARD WERNER MOTTE

CERTIFIER'S LICENSE NUMBER: ME76999

NAME OF ATTENDING PRACTITIONER (IF OTHER THAN CERTIFIER): NOT APPLICABLE

CAUSE OF DEATH AND INJURY INFORMATION

MANNER OF DEATH: PENDING INVESTIGATION

CAUSE OF DEATH - PART I - AND APPROXIMATE INTERVAL: ONSET TO DEATH

a. PENDING

b.

c.

d.

PART II - OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN PART I

AUTOPSY PERFORMED? YES

AUTOPSY FINDINGS AVAILABLE TO COMPLETE CAUSE OF DEATH? NO

DATE OF SURGERY:

DID TOBACCO USE CONTRIBUTE TO DEATH? UNKNOWN

REASON FOR SURGERY:

PREGNANCY INFORMATION: NOT APPLICABLE

TIME OF INJURY (24 HOUR): 0030

INJURY AT WORK? NO

DATE OF INJURY: OCTOBER 7, 2021

LOCATION OF INJURY: 20156 NW 67th Ave, Hialeah, FLORIDA 33016, UNITED STATES

DESCRIBE HOW INJURY OCCURRED:

Pending

PLACE OF INJURY: Gas Station

IF TRANSPORTATION INJURY, STATUS OF DECEDENT:

TYPE OF VEHICLE:

Kingman

STATE REGISTRAR

REQ: 2023248041

THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE.
 WARNING: THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH WATERMARKS OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATERMARKS. THE DOCUMENT FACE CONTAINS A MULTICOLORED BACKGROUND GOLD EMBOSSED WITH THE GREAT SEAL OF THE STATE OF FLORIDA. THE BACK CONTAINS EPIPHORELIC LINES WITH TEXT. THIS DOCUMENT WILL NOT PRODUCE A COLOR COPY.

DH FORM 1947 (03-12)



CERTIFICATION OF VITAL RECORD



“EXHIBIT 4”

“EXHIBIT 4”

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

November 17, 2021

Horacio Sequeira
13280 Port Said Rd.
C301
Opa-locka, FL 33054

RE: Sequeira v, Gate Safe Inc.
No. 3D21-0487

Dear Miss Sequeira:

The above-entitled petition for a writ of certiorari was originally postmarked October 22, 2021 and received again on November 16, 2021. The papers are returned for the following reason(s):

The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was July 21, 2021. Therefore, the petition was due on or before October 19, 2021. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

The document of the Florida Third District Court of Appeal issued on August 8, 2021 in the above-titled case is a strike order and not a discretionary denial of rehearing. You may not toll time from this order.

If you wish, you may resubmit a single copy of your petition without payment along with a motion directing the Clerk of this Court to file it out-of-time.

Sincerely,
Scott S. Harris, Clerk
By: 

Michael Duggan
(202) 479-3025

Enclosures

**Additional material
from this filing is
available in the
Clerk's Office.**