

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

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

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**JEROD RODRIGUEZ,**  
*Petitioner,*

v.

**RICKY D. DIXON,**  
**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, Jerod Rodriguez, 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 June 28, 2022.

### **Jurisdiction**

The order of the Eleventh Circuit Court of Appeals denying a certificate of appealability following the denial of the Petitioner’s 28 U.S.C. § 2254 petition was entered on February 28, 2022. Unless extended, the time within which to file a petition for a writ of certiorari would expire on May 29, 2022.

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

### **Argument**

The issue in this case is whether the court of appeals improperly denied a certificate of appealability.

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, six postconviction evidentiary hearings before Florida circuit courts, a Florida Bar

committee meeting, and will be out his office for a period of time while traveling with his family.<sup>1</sup>

Additionally, since the Eleventh Circuit Court of Appeals entered the order denying the request for a certificate of appealability, undersigned counsel has participated in two postconviction evidentiary hearings before Florida circuit courts, one oral argument before a Florida district court of appeal, and was out of his office while traveling with his family and while he was sick.

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 June 7, 2022, in *Mathis Sims v. State*, case number 1D21-0869, pending before the Florida First District Court of Appeal.

Undersigned counsel will appear at postconviction evidentiary hearings on: 1) May 17, 2022, in *State v. Simeon*, case number 2016-CF-584, pending before the Florida Second Judicial Circuit Court (Leon County); 2) May 25, 2022, in *State v. Sowell*, case number 2018-CF-3386, pending before the Florida Fifth Judicial Circuit Court (Marion County); 3) June 2-3, 2022, in *Booth v. State*, case number 2012-CF-30612, pending before the Florida Seventh Judicial Circuit Court (Volusia County); 4) June 3, 2022, in *Hamilton v. State*, case number 2010-CF-3105, pending before the Florida Twelfth Judicial Circuit Court (Manatee County), 5) June 21, 2011, in *Rollins v. State*, case number 2004-CF-162-B, pending before the Florida Second Judicial Circuit Court (Leon County); and 6) July 1, 2022, in *Defuria v. State*, case number 2012-CF-11937, pending before the Florida Sixth Judicial Circuit Court (Pinellas County).

On June 24, 2022, undersigned counsel will attend an in-person meeting of The Florida Bar Rules of General Practice and Judicial Administration Committee during the The Florida Bar Annual Convention in Orlando, Florida. Undersigned counsel will be traveling with his family from May 26 to May 30, 2022, and from June 13 to June 17, 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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## CERTIFICATE OF SERVICE

I, Michael Ufferman, a member of the Bar of this Court, hereby certify that on the 5th day of May, 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, 1515 North Flagler Drive, West Palm Beach, Florida 33401-3428 (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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