

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

TIMOTHY JAMES HAHN,
Petitioner,

v.

STATE OF FLORIDA,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE FLORIDA SECOND
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, Timothy James Hahn, 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 August 10, 2023.

Jurisdiction

The opinion of the Florida Second District Court of Appeal affirming the denial of the Petitioner's motion to correct illegal sentence was entered on April 12, 2023. Unless extended, the time within which to file a petition for a writ of certiorari would expire on July 11, 2023.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257. A copy of the opinion of the Florida Second District Court of Appeal is included in the appendix to this motion.

Argument

The Petitioner will be seeking certiorari review on the following issue: whether his sentence of life imprisonment without the possibility of parole on violates the prohibition of cruel and unusual punishment of the Eighth Amendment to the Constitution.

Unfortunately undersigned counsel's schedule requires him to seek an extension of time in this case. In particular, since the Florida Second District Court of Appeal entered its opinion, undersigned counsel has participated in three postconviction evidentiary hearings before Florida circuit courts, three motion hearings before Florida circuit courts, two oral arguments before Florida district courts of appeal, and lectured at a continuing legal education seminar.

Additionally, during the next two months, undersigned counsel will be attending three postconviction evidentiary hearings before Florida circuit courts.¹ Finally, in the coming weeks of summer, undersigned counsel will be out of his office attending various bar meetings (i.e, the annual meeting of the Florida Association of Criminal Defense Lawyers, and the annual meeting of The Florida Bar, during which he will be judging a moot court competition, speaking at a continuing legal education seminar, and attending two committee meetings) and a previously-scheduled family vacation.

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.

¹ Undersigned counsel will appear at postconviction evidentiary hearings on: 1) July 24, 2023, in *State v. Booth*, case number 2012-CF-30612, pending in the Florida Seventh Judicial Circuit Court (Volusia County); 2) July 28, 2023, in *State v. Altschuler*, case number 2016-CF-583, pending in the Florida Ninth Judicial Circuit Court (Osceola County); and 3) August 3, 2023, in *State v. Stalker*, case number 2015-CF-8022, pending in the Florida Sixth Judicial Circuit Court (Pasco County).

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 8th day of June, 2023, 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, Concourse Center 4, 3507 East Frontage Road, Suite 200, Tampa, Florida 33607-7013 (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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