

IN THE
SUPREME COURT OF THE UNITED STATES

No. _____
L.T. No. 19-14841

CHRISTOPHER BRIAN COSIMANO,

Petitioner

v.

UNITED STATES,

Respondent

**MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR A WRIT OF
CERTIORARI**

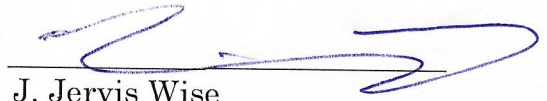
Petitioner Christopher Cosimano, by and through his undersigned counsel, pursuant to United States Supreme Court Rule 13(5), hereby moves this Honorable Court for an extension of time of thirty days to file a petition for a writ of certiorari. As grounds therefore, Mr. Cosimano states as follows:

1. Petitioner Christopher Cosimano is currently serving a sentence from a judgment imposed in the United States District Court for the Middle District of Florida.
2. Mr. Cosimano took a timely direct appeal from that judgment and sentence. In the direct appeal, Mr. Cosimano raised four issues, including the question of whether the District Court erred in denying his motion for judgment of acquittal on a charge of use of a firearm during and in relation to a crime of violence when the alleged predicate crime of violence, Florida first-degree premeditated murder, can be committed without the use of physical force?

3. On August 24, 2022, the Eleventh Circuit issued a panel opinion affirming the judgment and sentence. *See attached.*
4. Mr. Cosimano has requested counsel to file a petition for a writ of certiorari in this Court. Counsel believes that the petition would be meritorious as to the issue listed above.
5. A petition for a writ of certiorari would be due on November 22, 2022.
6. Undersigned counsel practices in a small firm that has been diligently representing clients in numerous state and federal cases at the trial, appellate, and post-conviction levels. Since the Eleventh Circuit's opinion was issued, counsel has represented clients in two relatively complex state court trials. He is also representing a client in a trial in the United States District Court for the Middle District of Florida on a charge of conspiracy to commit wire fraud and mail fraud. That trial began on November 14, 2022. Due to his schedule in recent months, most notably the three trials he has had, counsel has been unable to complete a petition for a writ of certiorari on behalf of Mr. Cosimano as of the current date. Based on his upcoming schedule, counsel does not anticipate that the petition for a writ of certiorari can be completed by the current due date.

WHEREFORE, for the reasons set forth above, counsel is respectfully requesting an extension of time of 30 days to file and serve a petition for a writ of certiorari in the instant case.

Respectfully Submitted on this 16th day of November 2022,



J. Jervis Wise
Brunvand Wise, P.A.
615 Turner Street
Clearwater, FL 33756
Telephone: (727) 446-7505
Fax: (727) 446-8147
Email: jervis@acquitter.com
Florida Bar No. 0019181
Counsel of Record for Petitioner