

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

IN THE SUPREME COURT OF THE UNITED STATES

MARK D. SIEVERS  
*Petitioner,*

v.

STATE OF FLORIDA  
*Respondent.*

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PETITIONER'S APPLICATION FOR EXTENSION OF TIME  
TO FILE PETITION FOR A WRIT OF CERTIORARI

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CAPITAL CASE

HOWARD L. "REX" DIMMIG, II  
Public Defender

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**PETITIONER'S APPLICATION FOR EXTENSION OF TIME  
TO FILE A PETITION FOR A WRIT OF CERTIORARI**

*To the Honorable Clarence Thomas, Associate Justice of the Supreme Court of the  
United States and Circuit Justice for the Eleventh Circuit:*

Petitioner, Mark D. Sievers, respectfully applies to this Court for an order extending the time in which to file his petition for writ of certiorari from Tuesday, April 18, 2023 up to and including Friday, June 2, 2023, a period of forty-five (45) days. This Court has jurisdiction under 28 U.S.C. §1257(a). In support of this Application, Mr. Sievers states as follows:

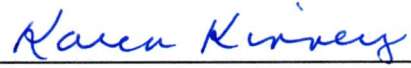
1. Mr. Sievers is incarcerated after a conviction of murder for which he was sentenced to death. On November 17, 2022 the Florida Supreme Court rendered an opinion in Case No. SC20-225 (attached as Exhibit A), wherein the Court affirmed the death sentence. The Florida Supreme Court denied Mr. Sievers' motion for rehearing on January 18, 2023 (attached as Exhibit B).
2. Mr. Sievers' issues implicate the due process clause of the Fourteenth Amendment, and raise important questions regarding the constitutional validity of a conviction marred by judicial impropriety and prosecutorial overreach during closing arguments.
3. Mr. Sievers now seeks a writ of certiorari for the Florida Supreme Court with respect to its decision in this case. This Court's jurisdiction to grant the same arises pursuant to 28 U.S.C. § 1254 (1).

4. According to Supreme Court Rule 13.3, the petition for writ of certiorari is due on or before April 18, 2023. See Supreme Court Rule 13.3 (“the time to file the petition for a writ of certiorari . . . runs from the date of the denial of rehearing or, if rehearing is granted, the subsequent entry of judgment”). However, the time granted by Supreme Court Rule 13 will be insufficient to allow Petitioner’s counsel to do justice to the issue at hand, which is of vast import. Therefore, Petitioner seeks an extension of forty-five (45) days in which to file his petition for a writ of certiorari. See Supreme Court Rule 13.5 (“[A] Justice may extend the time to file a petition for writ of certiorari for a period not exceeding 60 days”).
5. In accordance with Supreme Court Rule 13.5, this Application is submitted at least ten (10) days prior to the present due date. Further, the requested extension is made in good faith and not for the purposes of delay.
6. Counsel’s caseload will impede her ability to devote adequate time and attention to the preparation of the petition for writ of certiorari on Petitioner’s behalf. Therefore, in light of counsel’s current obligations and the importance of the constitutional issues that will be presented in this capital case, counsel submits that a forty-five (45) day extension is necessary and appropriate in order to effectively prepare the petition for certiorari on Mr. Siever’s behalf.

Wherefore, in the interest of justice and for good cause shown, counsel for Mr. Sievers respectfully requests that this Court extend the current April 18, 2023, deadline up to and including June 2, 2023.

*Dated: March 22, 2023*

Respectfully submitted,



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