

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JASON MORIARTY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

APPLICATION FOR EXTENSION OF TIME TO
FILE A PETITION FOR A WRIT OF CERTIORARI

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

To the Honorable Clarence Thomas, Circuit Justice for the United States Court of Appeals for the Eleventh Circuit:

Pursuant to Rule 13.5 of the Rules of the Supreme Court of the United States, Petitioner Jason Moriarty respectfully requests a 30-day extension of time, up to and including September 20, 2023, to file his Petition for a Writ of Certiorari.

BASIS FOR JURISDICTION

The United States District Court for the Middle District of Florida had original jurisdiction over this criminal case under 18 U.S.C. § 3231. The United States Court of Appeals for the Eleventh Circuit reviewed the district court's judgment under 18 U.S.C. § 3742 and 28 U.S.C. § 1291. The Eleventh Circuit issued its decision on May 22, 2023.

This Court will have jurisdiction over any timely filed petition for certiorari in this case under 28 U.S.C. § 1254(1). Under Supreme Court Rules 13.1, 13.3, and 30.1, Mr. Moriarty's petition for a writ of certiorari is currently due on August 21, 2023. He files this Application more than ten days before that date pursuant to S. Ct. Rule 13.5.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

On May 22, 2023, the Eleventh Circuit affirmed Mr. Moriarty's judgment and sentence upon revocation. *See United States v. Moriarty*, No. 21-14099, 2023 WL

3580139 (11th Cir. May 22, 2023). A copy of the opinion is attached as Appendix

A. Mr. Moriarty did not seek rehearing.

REASONS FOR GRANTING AN EXTENSION OF TIME

The undersigned counsel of record is an Assistant Federal Defender and the Chief of Appeals for the Federal Defender's Office in the Middle District of Florida. At present, she is counsel of record in over 30 open cases and supervises an appellate division with over 150 open cases.

In the past two weeks, the undersigned counsel filed a petition for certiorari in *Aurelien v. United States*, No. 23-5236 (U.S.), and an expedited initial brief in *United States v. Days*, No. 22-13305 (11th Cir.). In upcoming weeks, undersigned counsel will devote her time to several other matters, including initial briefs in *United States v. Hunter*, No. 23-11236 (11th Cir.), and *United States v. Ferretiz-Hernandez, et al.*, Nos. 22-13038, 22-13039, and 22-13307 (11th Cir.), an expedited reply brief in *United States v. Days*, No. 22-13305 (11th Cir.), and preparing colleagues for two oral arguments in the circuit courts of appeals.

A 30-day extension would allow the undersigned counsel to effectively contribute to these pending client matters, including Mr. Moriarty's petition, as well as various administrative matters involving management of the appellate division of the Federal Defender's Office. Mr. Moriarty respectfully submits that these facts support a finding of good cause under S. Ct. R. 13.5.

CONCLUSION

Wherefore, undersigned counsel respectfully asks this Honorable Court to grant a 30-day extension of time, until September 20, 2023, in which to file a petition for a writ of certiorari.

Respectfully submitted,

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Dated: August 8, 202