

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

MALIK GREEN,
Petitioner,

v.

RICKY D. DIXON,
SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,
Respondent.

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

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, Malik Green, 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 October 5, 2023.

Jurisdiction

The order of the Eleventh Circuit Court of Appeals denying the request for a certificate of appealability was entered on June 5, 2023. Unless extended, the time within which to file a petition for a writ of certiorari would expire on September 5, 2023.

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 Petitioner's request for a certificate of appealability was improperly denied.

Unfortunately undersigned counsel's schedule requires him to seek an extension of time in this case. In particular, since the Eleventh Circuit Court of Appeals entered

its opinion, undersigned counsel has participated in two postconviction evidentiary hearings before Florida circuit courts, three motion hearings before Florida circuit courts, lectured at one continuing legal education seminar, and attended four Florida Bar committee meetings.

Additionally, during the next two months, undersigned counsel will be attending one oral argument before a Florida district court of appeal, two motion hearings before Florida circuit courts, and four postconviction evidentiary hearings before Florida circuit courts.¹

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.

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
MICHAEL UFFERMAN

¹ On August 29, 2023, undersigned counsel will appear at one oral argument before the Florida First District Court of Appeal, in *Wester v. State*, case number 1D21-2114.

Undersigned counsel will also appear at postconviction evidentiary hearings on: 1) August 30-31, 2023, in *State v. Goodman*, case number 2010-CF-5829, pending in the Florida Fifteenth Judicial Circuit Court (Palm Beach County); 2) September 8, 2023, in *State v. Ruh*, case number 2012-CF-669, pending in the Florida Seventh Judicial Circuit Court (Flagler County); 3) September 22, 2023, in *State v. Crane*, case number 2011-CF-2523, pending in the Florida Twelfth Judicial Circuit Court (Manatee County); and 4) September 29, 2023, in *State v. Williams*, case number 2016-CF-853, pending in the Florida Sixth Judicial Circuit Court (Pasco County).

CERTIFICATE OF SERVICE

I, Michael Ufferman, a member of the Bar of this Court, hereby certify that on the 25th day of August, 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, PL-01, The Capitol, Tallahassee, Florida 32399-1050 (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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