

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

SEMAAN MAKDISSI,
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, Semaan Makdissi, 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 30, 2023.

Jurisdiction

The opinion of the Florida Second District Court of Appeal affirming the Petitioner's convictions was entered on May 24, 2023. The order denying a motion for rehearing was entered on June 30, 2023. Unless extended, the time within which to file a petition for a writ of certiorari would expire on September 28, 2023.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a). Copies of the opinion and order from the Florida Second District Court of Appeal are included in the appendix to this motion.

Argument

The Petitioner will be seeking certiorari review on the following issue: whether his Sixth Amendment rights were violated when the trial court prohibited him from introducing evidence that the alleged victim had a motivation to provide a false police report against him.

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 denied the motion for rehearing, undersigned counsel has participated in: one oral argument before a Florida district court; four postconviction evidentiary hearings before Florida circuit courts; three motion hearings before Florida circuit courts; lectured at one continuing legal education seminar; and attended two Florida Bar committee meetings.

Additionally, during the next two months, undersigned counsel will be attending three oral arguments before Florida district courts of appeal and two postconviction evidentiary hearings before Florida circuit courts, and he will also be attending two Florida Bar committee meetings and speaking at one continuing legal education seminar.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.

¹ Undersigned counsel will appear at oral arguments on: 1) October 11, 2023, in *DeFuria v. State*, case number 2D22-2858, pending in the Florida Second District Court of Appeal; 2) October 17, 2023, in *Donaldson v. State*, case number 1D22-1508, pending in the Florida First District Court of Appeal, and 3) October 24, 2023, *Clakley v. State*, case number 1D21-3319, pending in the Florida First District Court of Appeal.

Undersigned counsel will also appear at postconviction evidentiary hearings on: 1) September 22, 2023, in *State v. Crane*, case number 2011-CF-2523, pending in the Florida Twelfth Judicial Circuit Court (Manatee County); 2) September 29, 2023, in *State v. Williams*, case number 2016-CF-853, pending in the Florida Sixth Judicial Circuit Court (Pasco County); and 3) November 6, 2023, in *State v. Rollins*, case number 2004-CF-162B, pending in the Florida Second Judicial Circuit Court (Leon 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

MICHAEL UFFERMAN

CERTIFICATE OF SERVICE

I, Michael Ufferman, a member of the Bar of this Court, hereby certify that on the 11th day of September, 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 (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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