

DOCKET No. _____

IN THE
Supreme Court of the United States

ANTONIO LEBARON MELTON

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

**PETITIONER'S APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR A WRIT OF CERTIORARI
TO THE SUPREME COURT OF THE STATE OF FLORIDA
ADDRESSED TO JUSTICE CLARENCE THOMAS**

CAPITAL CASE

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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:*

Pursuant to Supreme Court Rules 13.5, 22, and 30, Petitioner, Antonio Melton, respectfully request a 30-day extension of time, up to and including November 9, 2023, for the filing of a petition for a writ of certiorari in this matter.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review will be sought is the Florida Supreme Court decision issued on May 4, 2023 (Attachment A) and the order denying rehearing issued on July 12, 2023 (Attachment B).

JURISDICTION

The jurisdiction of this Court will be invoked under 28 U.S.C. §1257(a).

Absent an extension, Petitioner’s time to petition for certiorari in this Court expires October 10, 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”). Petitioner seeks an extension of thirty (30) 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”). In accordance with Supreme Court Rule 13.5, this Application is submitted at least ten (10) days prior to the present due date. In support of this Application, Petitioner states as follows:

Petitioner is a death-sentenced inmate in the custody of the State of Florida. The Office of the Capital Collateral Regional Counsel – Northern Region (“CCRC-North”) was appointed by the trial court to represent Petitioner and will file the certiorari petition.

An increased caseload and other obligations, including on behalf of clients who have been sentenced to death, have precluded the undersigned from being able to direct adequate time and resources to the preparation of a petition for writ of certiorari on Petitioner’s behalf. In addition, on August 17, 2023, Michael Duanne Zack’s warrant was signed and his execution is scheduled for October 3, 2023. The office of CCRC-North represents Michael Duanne Zack in his warrant litigation.

In light of the CCRC-North’s current obligations, counsel submits that a thirty (30) day extension is reasonable and appropriate in order to effectively research, coordinate, and present a petition for writ of certiorari on Petitioner’s behalf.

The requested extension is made in good faith and not for the purposes of delay.

Accordingly, Petitioner, through undersigned counsel, respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari thirty (30) days, up to and including November 9, 2023.

Respectfully submitted,

/s/ Alice Copek
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SEPTEMBER 19, 2023

CERTIFICATE OF SERVICE

A copy of this application was served by email and U.S. mail to the counsel listed below in accordance with Supreme Court Rule 22.2 and 29.3:

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