

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

PEDRO ANDRES BRAVO,
Petitioner,

v.

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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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, Pedro Andres Bravo, 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 November 10, 2023.

Jurisdiction

The order of the Eleventh Circuit Court of Appeals denying a certificate of appealability following the denial of the Petitioner’s 28 U.S.C. § 2254 petition was entered on July 13, 2023. The order on the motion for reconsideration was entered on September 12, 2023. Unless extended, the time within which to file a petition for a writ of certiorari would expire on October 11, 2023.¹

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). Copies of the orders of the Eleventh Circuit Court of Appeals are included in the appendix to this motion.

¹ Following the denial of the certificate of appealability, undersigned counsel timely filed a motion for reconsideration – and the Eleventh Circuit denied the motion for reconsideration on September 12, 2023. Undersigned counsel is filing the application for an extension now, in an abundance of caution, due uncertainty as to whether the motion for reconsideration tolled the deadline for filing the petition for writ of certiorari pursuant to Rule 13.3. If the motion for reconsideration tolled the deadline, then the petition is not due until December 11, 2023 (and undersigned counsel seeks a thirty-day extension of time from that date).

Argument

The issue in this case is whether the court of appeals improperly denied a certificate of appealability.

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 the order denying the request for a certificate of appealability, 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 three 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.²

² 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).

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

CERTIFICATE OF SERVICE

I, Michael Ufferman, a member of the Bar of this Court, hereby certify that on the 20th 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, 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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