

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

IAN A. MILASKI,
Petitioner,

v.

STATE OF FLORIDA,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE FLORIDA FIRST
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, Ian A. Milaski, 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 September 7, 2023.

Jurisdiction

The opinion of the Florida First District Court of Appeal affirming the Petitioner's convictions was entered on May 10, 2023. Unless extended, the time within which to file a petition for a writ of certiorari would expire on August 8, 2023.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a). A copy of the opinion of the Florida First District Court of Appeal is included in the appendix to this motion.

Argument

The Petitioner will be seeking certiorari review on the following issue: whether the trial court denied the Petitioner his Sixth Amendment right to the counsel of his choice.

Unfortunately undersigned counsel's schedule requires him to seek an extension of time in this case. In particular, since the Florida First District Court of Appeal entered its opinion, undersigned counsel has participated in a postconviction

evidentiary hearing before a Florida circuit court, four motion hearings before Florida circuit courts, and an oral argument before a Florida district court of appeal. Undersigned counsel was also out of his office attending various bar meetings (i.e, the annual meeting of the Florida Association of Criminal Defense Lawyers, and the annual meeting of The Florida Bar, during which he judged a moot court competition, presented at a continuing legal education seminar, and attended two committee meetings) and a previously-scheduled family vacation.

Additionally, during the next two months, undersigned counsel will be attending six postconviction evidentiary hearings before Florida circuit courts and one oral argument before a Florida appellate court.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 postconviction evidentiary hearings on: 1) July 24, 2023, in *State v. Booth*, case number 2012-CF-30612, pending in the Florida Seventh Judicial Circuit Court (Volusia County); 2) July 28, 2023, in *State v. Altschuler*, case number 2016-CF-583, pending in the Florida Ninth Judicial Circuit Court (Osceola County); 3) August 3, 2023, in *State v. Stalker*, case number 2015-CF-8022, pending in the Florida Sixth Judicial Circuit Court (Pasco County); (4) August 15, 2023, in *State v. Proulx*, case number 2020-CF-413, pending in the Florida Seventh Judicial Circuit Court (Flagler County); (5) August 21, 2023, in *State v. Stoffel*, case number 2014-CF-1876, pending in the Florida First Judicial Circuit Court (Okaloosa County); and (6) August 25, 2023, in *State v. Pittman*, case number 2015-CF-634, pending in the Florida Fourteenth Judicial Circuit Court (Jackson County). Undersigned counsel will appear at an oral argument on August 29, 2023, in *Wester v. State*, case number 1D21-2114, pending in the Florida First District Court of Appeal.

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

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CERTIFICATE OF SERVICE

I, Michael Ufferman, a member of the Bar of this Court, hereby certify that on the 10th day of July, 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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