

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JAMES JOSEPH BRYANT,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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

**APPLICATION FOR EXTENSION OF TIME TO
FILE A PETITION FOR A WRIT OF CERTIORARI**

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**APPLICATION FOR EXTENSION OF TIME TO FILE A
PETITION FOR A WRIT OF CERTIORARI**

To the Honorable Clarence Thomas, Circuit Justice for the United States Court of Appeals for the Eleventh Circuit:

Pursuant to Rule 13.5 of the Rules of the Supreme Court of the United States, Petitioner, James J. Bryant respectfully requests that this Honorable Court grant a thirty (30) day extension of time, up to and including Monday, April 29, 2024, to file his Petition for a Writ of Certiorari. *See* Sup. Ct. R. 30.1.

BASIS FOR JURISDICTION

The United States District Court for the Middle District of Florida had original jurisdiction over this criminal appeal under 18 U.S.C. § 3231. The United States Court of Appeals for the Eleventh Circuit reviewed that judgment under 18 U.S.C. § 3742 and 28 U.S.C. § 1291. The Eleventh Circuit issued its decision on December 29, 2023. Appendix A.

This Court will have jurisdiction in this case over any timely filed petition for certiorari jurisdiction under 28 U.S.C. § 1254(1). Under Supreme Court Rules 13.1, 13.3, and 30.1, Mr. Bryant's petition for a writ of certiorari is currently due on March 28, 2024. He files this Application more than ten days before that date pursuant to Supreme Court Rules 13.5 and 30.2.

JUDGMENT TO BE REVIEWED

On December 29, 2023, the Eleventh Circuit affirmed Mr. Bryant's judgment of conviction and sentence. See *United States v. Bryant*, No. 19-12283, 2023 WL 9018411 (11th Cir. December 29, 2023). A copy of the opinion is attached as Appendix A. No petition for rehearing was filed.

REASONS FOR GRANTING AN EXTENSION OF TIME

Mr. Bryant is represented by the Federal Defender's Office for the Middle District of Florida. The district is large, active, and busy. The Appellate Division handles direct appeals, collateral challenges to state and federal judgments, and other post-conviction motions filed under 18 U.S.C. § 3582. Currently, the Appellate Division has approximately 120 open direct appeals, 20 collateral challenges, and 50 miscellaneous post-conviction matters. In addition, the Appellate Division has over 1,000 open post-conviction cases because of retroactive Amendment 821 to the United States Sentencing Guidelines.

Throughout his appellate proceedings in the Eleventh Circuit Court of Appeals, Mr. Bryant was represented by an appellate attorney who resigned from the Office in July 2023 to pursue another position. The undersigned counsel assumed responsibility for Mr. Bryant's case after it was fully briefed by Mr. Bryant's original appellate attorney in the Eleventh Circuit Court of Appeals.

In addition to representing Mr. Bryant, the undersigned counsel currently has 27 other clients with open cases. She has recently filed briefs in several cases and has upcoming deadlines in others. Also, since April 2023, the undersigned counsel has served as the Chief of the Appellate Division. In that role, she is responsible for supervising nine lawyers, managing the Division, assisting private counsel appointed under the Criminal Justice Act, and other duties.

An extension of time would allow the undersigned counsel to effectively prepare Mr. Bryant's petition for certiorari while also contributing to her other clients' pending matters, as well as manage the Appellate Division and complete her administrative and supervisory duties. Mr. Bryant and the undersigned counsel respectfully submit that the facts herein support a finding of good cause under S. Ct. R. 13.5 for a 30-day extension of time, up to and including April 29, 2024, to file his petition for certiorari.¹

¹ Under Supreme Court Rule 30.1, when the last day of a period falls on a Saturday—as it would here with a 30-day extension—the period extends to Monday, April 29, 2024.

CONCLUSION

Wherefore, undersigned counsel respectfully asks this Honorable Court to grant a 30-day extension of time, up to and including April 29, 2024, in which to file a petition for a writ of certiorari.

Respectfully submitted,

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Dated: March 15, 2024