

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

JOHN DITULLIO,
Petitioner,

v.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,
Respondent.

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

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, John DiTullio, 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 July 10, 2025.

Jurisdiction

The order of the Eleventh Circuit Court of Appeals affirming the denial of the Petitioner's 28 U.S.C. § 2254 petition was entered on March 12, 2025. Unless extended, the time within which to file a petition for a writ of certiorari would expire on June 10, 2025.

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

Argument

The issue in this case is whether the Petitioner's request for a certificate of appealability was improperly denied.

Unfortunately undersigned counsel's schedule requires him to seek an extension of time in this case. In particular, since the Eleventh Court of Appeals entered its order, undersigned counsel has participated in one oral argument before a Federal circuit court, two postconviction evidentiary hearings before Florida circuit courts, two

resentencing hearings before Florida circuit courts, lectured at two continuing legal education seminars, and attended two Florida Bar committee meetings¹.

Additionally, during the next two months, undersigned counsel will be attending two postconviction evidentiary hearings before Florida circuit courts, the Florida Association of Criminal Defense Attorneys annual meeting, and The Florida Bar's Annual Convention (including lecturing at two continuing legal education seminars and attending three committee meetings).²

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
Counsel for the Petitioner

¹ Undersigned counsel also finalized eleven appellate briefs, including an initial brief in a death-penalty appeal in the Florida Supreme Court.

² Undersigned counsel will appear at postconviction evidentiary hearings on: 1) June 11, 2025, in *State v. Floyd*, case number 2010-CF-304, pending in the Florida First Judicial Circuit Court (Santa Rosa County); and 2) June 19, 2025, in *State v. Stoffel*, case number 2014-CF-1876, pending in the Florida First Judicial Circuit Court (Okaloosa County).

CERTIFICATE OF SERVICE

I, Michael Ufferman, a member of the Bar of this Court, hereby certify that on the 21st day of May, 2025, 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 33607-7013 (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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