

No. \_\_\_\_\_

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IN THE  
**Supreme Court of the United States**

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MELVIN TROTTER

Petitioner,

v.

STATE OF FLORIDA

Respondents.

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**APPLICATION FOR SIXTY (60) DAY EXTENSION OF TIME TO FILE**  
**PETITION FOR WRIT OF CERTIORARI**  
**TO THE SUPREME COURT OF FLORIDA ADDRESSED**  
**TO JUSTICE CLARENCE THOMAS**

COMES NOW, the Petitioner, MELVIN TROTTER, by and through undersigned counsel, and pursuant to Supreme Court Rule 13-5, and respectfully requests an extension of time of sixty (60) days within which to file his Petition for Writ of Certiorari to the Florida Supreme Court. In support of his request, Petitioner, through counsel, states as follows:

1. Mr. Trotter is an indigent death-sentenced inmate in the custody of the State of Florida. Mr. Trotter was convicted of murder in the Circuit Court of the Twelfth Judicial Circuit in Manatee County, Florida.

2. Undersigned counsel was appointed to represent Mr. Trotter in the Circuit Court of the Twelfth Judicial Circuit of Florida and in the Supreme Court of Florida.

3. This case involves an appeal from the decision of the Supreme Court of Florida denying Mr. Trotter's Motion for Post-Conviction Relief pursuant to *Hurst v. Florida*, 136 S. Ct. 616 (2016).

4. Mr. Trotter intends to file a Petition for Writ of Certiorari in this Court.

5. On January 26, 2018, the Supreme Court of Florida issued an opinion denying Mr. Trotter's appeal of his Motion for Post-Conviction Relief. (Attachment A). Calculating the time for Mr. Trotter to file a Petition for Writ of Certiorari, the 90th day would fall on April 26, 2018.

6. This Court has jurisdiction based on 28 U.S.C. § 1257.

7. Counsel is employed by the Law Office of the Capital Collateral Regional Counsel-Middle Region, (CCRC-M), a State of Florida governmental agency. The CCRC-M has represented Mr. Trotter since 1999. Counsel is uniquely qualified to draft the Petition for Certiorari based on experience representing Mr. Trotter in Florida courts.

8. CCRC-M has experienced a loss of attorneys based on recent resignations and retirements. As a result, counsel's caseload has increased. The additional cases involve complex procedural histories and legal issues that counsel is attempting to become familiar with to provide proper representation to these new clients.

9. In addition, counsel has been addressing the implications of this Court's decision in *Hurst v. Florida*, 136 S. Ct. 616 (2016) and the Supreme Court of Florida's decisions that followed. Since the Supreme Court of Florida issued per curiam opinions *en masse* in early 2018 on the implications of *Hurst*, counsel will be responsible for preparing petitions for certiorari in *Robert Dwayne Morris v. Florida*, *Melvin Trotter v. Florida*, *Curtis Windom v. Florida* and *Guy Gamble v. Florida*, in addition to carrying a full post-conviction case load. If the Florida Supreme Court

continues to find harmless error where a jury unanimously recommended death, counsel intends to file petitions for certiorari in *Enoch Hall v. Florida* and *Willie Crain v. Florida*, as well.

10. Mr. Trotter respectfully requests an extension of 60 days to file a Petition for Writ of Certiorari.

WHEREFORE, Petitioner, through his counsel, respectfully requests an extension of time of sixty (60) days to file the Petition for Writ of Certiorari to the Supreme Court of the Florida in this case.

Respectfully submitted,

/s/ Ann Mare Mirialakis

ANN MARIE MIRIALAKIS

Florida Bar No. 0658308

Assistant CCRC

CCRC – MIDDLE

12973 N. Telecom Parkway

Temple Terrace, Florida 33637

813-558-1600

[mirialakis@ccmr.state.fl.us](mailto:mirialakis@ccmr.state.fl.us)

[support@ccmr.state.fl.us](mailto:support@ccmr.state.fl.us)