

DOCKET NO. _____

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 2018

FRED ANDERSON, JR.,

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

UNOPPOSED APPLICATION FOR SIXTY (60) DAY EXTENSION OF TIME IN WHICH TO FILE PETITION FOR WRIT OF CERTIORARI TO THE FLORIDA SUPREME COURT

COMES NOW THE PETITIONER, FRED ANDERSON, JR., by and through undersigned counsel, and pursuant to Supreme Court Rule 13-5, 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. Petitioner is an indigent death-sentenced inmate in the custody of the State of Florida. Undersigned counsel represents Petitioner in his state collateral appeals.
2. This case involves an appeal from the decision of the Florida Supreme Court denying Mr. Anderson's Successive Motion for Post-Conviction Relief pursuant to Florida Rule of Criminal Procedure 3.851.

3. This Court's jurisdiction rests on 28 U.S.C. §1257(a).
4. Petitioner was convicted of murder and sentenced to death in the Circuit Court of the Fifth Judicial Circuit in and for Lake County, Florida.
5. On October 4, 2018, the Florida Supreme Court denied Mr. Anderson's appeal of the denial of his successive motion for post-conviction relief. (Attachment A). A timely motion for rehearing was filed and denied on November 14, 2018. (Attachment B). Petitioner's time to petition for certiorari in this Court expires on February 12, 2019.
6. Petitioner shows the following good cause in support of this request.
7. Petitioner's former lead counsel – who was appointed to his case for the last decade – has recently ceased employment with Capital Collateral Regional Counsel – Middle Region. Petitioner's new counsel, the undersigned, are employed by a state agency and have had a burdensome caseload since the final disposition of Petitioner's case in the Florida Supreme Court. Petitioner's counsel are in the middle of contested competency evaluations and hearings on another client, as well as a contested intellectual disability evaluations and hearings on a separate client, both of which involve multiple trips with experts for the evaluations, as well as extensive document collection and distribution. Moreover, Petitioner's counsel are counsel for two additional clients who are in the middle of their initial post-conviction proceedings, one of which has competency issues, as well. As a result of all of the above, counsel have not been able to prepare a proper Petition for a Writ of Certiorari in Petitioner's case.
8. Counsel for the Respondent advised on January 17, 2019, that he does not oppose the relief sought herein.

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

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