

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

MATTHEW PEDDICORD,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION FOR A
WRIT OF CERTIORARI FROM A JUDGMENT OF THE UNITED STATES
COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

**TO THE HON. CLARENCE THOMAS, ASSOCIATE JUSTICE OF THE
UNITED STATES SUPREME COURT AND CIRCUIT JUSTICE FOR THE
UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

Pursuant to Rules 13.5, 22, and 30 of this Court, Petitioner Matthew Peddicord respectfully requests a 30-day extension of time, up to and including September 27, 2024, within which to file a petition for a writ of certiorari from the judgment of the U.S. Court of Appeals for the Eleventh Circuit. Petitioner has not previously sought an extension of time from this Court.

Petitioner is filing this Application at least ten days before the current deadline, which is August 28, 2024. *See* Sup. Ct. R. 13.5. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1).

A jury found Petitioner guilty of being a felon in possession of a firearm in the U.S. District Court for the Southern District of Florida. Petitioner appealed his conviction to the U.S. Court of Appeals for the Eleventh Circuit. On appeal, he raised one argument: the district court erred by admitting into evidence a 23-year prior conviction for armed robbery with use a firearm under Federal Rule of Evidence 404(b). At trial, the government argued that the prior firearm conviction was relevant to a proper purpose—namely, Petitioner’s knowledge of the firearm. On appeal, Petitioner argued that the prior conviction was inadmissible because its relevance to that proper purpose depended on the use of impermissible propensity reasoning. The Eleventh Circuit affirmed, applying circuit precedent holding that the knowing possession of a firearm in the past made it more likely that Petitioner knowingly possessed a firearm in the present case. A copy of its decision is attached here.

Undersigned counsel will not have sufficient time to prepare and file the certiorari petition by the current deadline due to the press of other business, including motions for sentence reductions in the district court, briefs in the Eleventh Circuit (e.g., *United States v. Brian Bocage*, 11th Cir. No. 24-12275, and *United States v. Steven Schreck*, 11th Cir. No. 24-11951), and certiorari petitions in this Court (e.g., *United States v. Cooper*, 11th Cir. 23-10224, *In re Bowe*, 11th Cir. No. 24-11704, *United States v. Harris*, 11th Cir. No. 22-11533, and *United States v. Grandia Gonzalez*, 11th Cir. No. 23-10578).

Undersigned counsel believes that additional time is important to ensure the effective representation of Petitioner. No party will be prejudiced by the granting of

a 30-day extension of time. Accordingly, Petitioner respectfully requests that an order be entered extending his time to file a petition for a writ of certiorari by 30 days—extending the current deadline from August 28, 2024, to September 27, 2024.

Respectfully submitted,

HECTOR A. DOPICO
Interim Federal Public Defender

July 29th, 2024

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