

DOCKET NO. _____

FEBRUARY TERM 2025

IN THE SUPREME COURT OF THE UNITED STATES

KAYLE BARRINGTON BATES,

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE FLORIDA SUPREME COURT

**Application For A Sixty-Day Extension Of Time In Which To File
Petition For Writ Of Certiorari To The Florida Supreme Court**

To the Honorable Clarence Thomas, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Eleventh Circuit:

Petitioner, KAYLE BARRINGTON BATES, by and through undersigned counsel, and pursuant to 28 U.S.C. § 2101(d) and Rules 13.5 and 30.2 of this Court, respectfully requests an extension of time of sixty (60) days to file a petition for writ of certiorari to the Florida Supreme Court, to and including April 22, 2025.

Mr. Bates is a death-sentenced inmate in the custody of the State of Florida. This Court has jurisdiction to review the decision of the Florida Supreme Court under 28 U.S.C. § 1257(a).

Mr. Bates was convicted of first-degree murder and sentenced to death in the Circuit Court of the Fourteenth Judicial Circuit in and for Bay County, Florida. Mr. Bates is seeking certiorari from this Court because of the Florida Supreme Court's affirmance of: (1) the state circuit court's denial of Mr. Bates' motion pursuant to Florida's Rule of Criminal Procedure 3.575¹ ("Attachment A") and (2) his Motion for Rehearing ("Attachment B").

Mr. Bates' time to petition for certiorari in this Court regarding the Florida Supreme Court's opinion expires on February 21, 2025. This application for a sixty-day extension is being filed more than ten days before that date. Undersigned counsel shows the following good cause in support of this request.

Mr. Bates is represented by the Office of the Capital Collateral Regional Counsel-South (CCRC-South), a Florida state agency charged with the responsibility of representing indigent death row inmates. Undersigned counsel, James L. Driscoll, Jr., is assigned lead counsel for Mr. Bates' postconviction matters and carries a significant caseload of capital postconviction cases. Counsel's ability to prepare a petition for certiorari on this case has been severely hindered due to counsel's heavy caseload, the legal complexities involved in Mr. Bates' case, and the sheer volume of files to be acquainted with. Counsel of Record has also had to file another Petition for Writ of Certiorari in another case and has other pleadings due in February. Due to these difficulties, counsel has not been able to prepare a proper

¹ Rule 3.575 provides an avenue for Florida criminal defendants to interview jurors after a verdict has been rendered.

petition for writ of certiorari in Mr. Bates' case. If the sixty-day extension of time is granted, counsel's intention is to file a petition for certiorari on or before April 22, 2025.

Wherefore, Mr. Bates respectfully requests that an order be entered extending his time to petition for certiorari to and including April 22, 2025.

Respectfully submitted,

/S/ JAMES L. DRISCOLL JR
JAMES L. DRISCOLL, JR.
ASSISTANT CCRC
FLORIDA BAR NO.: 0078840
*COUNSEL OF RECORD

FARAH S. ALI
ASSISTANT CCRC
FLORIDA BAR NO.: 1058420

Office of the Capital Collateral Regional
Counsel – South Office
110 S.E. 6th Street, Suite 701
Fort Lauderdale, FL 33301
Telephone: (954) 713-1284

COUNSEL FOR MR. BATES