

No. 25A1210

IN THE
Supreme Court of the United States

MICHAEL H. HUNT,

Applicant,

v.

STATE OF FLORIDA,

Respondent.

On Petition for a Writ of Certiorari to the
Supreme Court of Florida

**APPLICATION FOR FURTHER EXTENSION OF TIME TO FILE
A PETITION FOR A WRIT OF CERTIORARI**

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CAPITAL CASE

**APPLICATION FOR FURTHER EXTENSION OF TIME TO FILE A
PETITION FOR A WRIT OF CERTIORARI**

TO: Justice Clarence Thomas, Circuit Justice for the Eleventh Circuit:

Under this Court's Rules 13.5 and 22, Applicant Michael H. Hunt requests a further extension of fifteen (15) days in which to file a petition for a writ of certiorari in this case. His petition will seek review of the Florida Supreme Court's decision in *Hunt v. State*, 428 So.2d 43 (Fla. 2025), in which the court upheld his conviction and death sentence. A copy of the decision is attached as App. A to Mr. Hunt's initial application for an extension of time. In support of this application, Applicant states:

1. The Florida Supreme Court issued its decision in this case on December 18, 2025, and it denied a timely petition for rehearing on March 5, 2026. *See* App. B to original application. On May 5, 2026, Justice Thomas granted a 30-day extension of time, making the petition due on July 6, 2026. *See* No. 25A1210. With the requested additional extension, the petition would be due on July 21, 2026. This Court's jurisdiction is based on 28 U.S.C. § 1257(a).

2. As explained at greater length in Applicant's original application, this case arises from a Florida law, enacted in 2023, that makes it easier than before to obtain death sentences. In particular, the law removed the previous requirement that "a jury be unanimous in recommending a death sentence." App. A to original application at 11. As amended, the provides that it is sufficient if

eight of the twelve jurors determine that death is the appropriate sentence. *See* Fla Stat. § 921.141(2)(c)).

Applicant argues that this new nonunanimity rule violates the Sixth Amendment right to jury trial and the Eighth Amendment's prohibition against cruel and unusual punishment. He also maintains that applying the new law in his case would violate the Ex Post Facto Clause. The trial court rejected these claims and sentenced him to death based on the jury's 10-2 vote that this was the appropriate sentence. On direct appeal, the Florida Supreme Court affirmed.

3. This case is a serious candidate for plenary review. As explained at greater length in Applicant's initial application, the Florida Supreme Court's rejection of his Sixth and Eighth Amendment arguments deepens a conflict over whether those provisions require jury determinations that death is the appropriate sentence to be unanimous. That holding also conflicts with this Court's precedent. The Florida Supreme Court's rejection of his ex post facto argument warrants review as well.

4. This application for an further 15-day extension of time seeks to accommodate Applicant's legitimate needs. Applicant is now represented by undersigned counsel at the Stanford Law School Supreme Court Litigation Clinic. The Clinic has been diligently working on his case, as well as a petition for writ of certiorari raising the same Sixth and Eighth Amendment question in *State v. Jackson*, ___ So.3d ___, 2025 WL 3673716, at *21-22 (Fla. 2025), *reh'g*

denied (Fla. Apr. 7, 2026). The petition in the *Jackson* is due on August 5, 2026. See No. 25A1211.

The Clinic would like to file the petitions in this case and *Jackson* on the same date—a bit later than *Hunt* is currently due and a bit earlier than *Hunt* is due. Doing so would allow this Court to process the two petitions concurrently and would not cause any delay, since the petition in this case would presumably be rescheduled to be considered alongside the petition in *Jackson* even if this one were filed sooner. The extra time requested here would allow petitioner to sync up the petitions in this manner.

5. For these reasons, Applicant requests that the due date for his petition for a writ of certiorari be further extended to July 21, 2026.

Respectfully submitted,

By: /s/ Jeffrey L. Fisher

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