

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

SAMUEL LEE SMITH, JR.,

Petitioners,

v.

NATASHA KATHERINA SMITH,

Respondents,

**MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF
CERTIORARI**

Petitioner SAMUEL LEE SMITH, JR., proceeding pro se, respectfully moves this Court for a sixty-day extension of time within which to file a petition for writ of certiorari to review the judgment of the Supreme Court Of Florida dismissing his appeal.

I. IDENTIFICATION OF JUDGMENT AND JURISDICTIONAL BASIS

Petitioner seeks review of the order entered by the Supreme Court Of Florida Case No. SC2026-0322 dated on February 26th, 2026, order dismissing

Petitioner's Notice to Invoke Discretionary Jurisdiction, seeking review of the order or opinion issued by the Third District Court of Appeal and with Florida Rules of Appellate Procedure 2026, and with Florida Rules of Appellate Procedure.

The Supreme Court Of Florida order became final. Under Supreme Court Rule 13.1, petitioner's petition for writ of certiorari is currently due on 90 days from finality. This Court's jurisdiction would be invoked.

The underlying case is the NOTICE OF FILING CRIMINAL CHARGES due to judicial and public official Abuse of Power 18 U.S.C. §§ 1961-1968 for Case No. 2017-007498-FC-04 in the Unified Family Court for the Eleventh Judicial Circuit, Miami-Dade County. Marcia Soto counsel for the Respondent filed a Motion to terminate Petitioners Timesharing. Guardian Ad Litem Adam Grant Schultz falsified public records 18 U.S.C § 2071 along with clinical psychologist Andrea Lippman Loeb, then Stuart Perkins of Miami Dade Police Department improperly served the Petitioner and factually falsified the service of a Domestic Violence Injunction. Judge Angelica Dianne Zayas criminally terminated the Petitioners rights. She then entered a Domestic Violence Injunction based on Stuart Perkins falsifying official records 18 U.S.C § 2071 on the case docket. Judge Jason Emilio Dimitri then entered an Order dismissing the injunction and in violation of Constitution (due process, procedural due process) and Petitioner's opportunity to be heard entered a stay away order in violation of the Petitioners rights. The civil servants have acted well beyond their official duty "criminally." The Unified

Family Court for the Eleventh Judicial Circuit, Miami-Dade County court lacks legal authority due to minor child being a natural born Canadian Citizen. Which means the government officials have used the justice system as a deception scheme to kidnap the minor child U.S.C. § 1201. These unlawful acts demonstrate criminal conspiracy Fla. Stat. § 777.04(3) and fraud on the court.

A timely appeal was filed in the District Court of Appeal of Florida for the Third District which was dismissed by the Third District Court.

II. TIMELINESS OF THIS APPLICATION

This application is filed before the current deadline for filing the petition for writ of certiorari.

III. GOOD CAUSE EXISTS FOR A SIXTY-DAY EXTENSION

A. Legal Standard

Under Supreme Court Rule 13.5, a Justice may extend the time to file a petition for writ of certiorari for a period not exceeding 60 days upon a showing of good cause. USCS Supreme Ct R 13 Applications to extend the time to file a petition for writ of certiorari are not favored. USCS Supreme Ct R 13 Nevertheless, the Rule contemplates that good cause may exist in appropriate circumstances, and the sixty-day extension authority demonstrates that the Court recognizes situations warranting relief from strict filing deadlines.

The application must set out the basis for jurisdiction in this Court, identify the judgment sought to be reviewed, include a copy of the opinion and any order respecting rehearing, and set out specific reasons why an extension of time is justified. USCS Supreme Ct R 13 The application must clearly identify each party for whom an extension is being sought, as any extension granted would apply solely to the party or parties named in the application. USCS Supreme Ct R 13

B. Petitioner's Serious Medical Emergency Constitutes Good Cause

Petitioner is currently experiencing a serious and ongoing medical emergency requiring immediate neurological evaluation and treatment. Petitioner must seek urgent care from a neurologist due to symptoms that materially impair his ability to prepare legal filings and effectively proceed with legal matters. The nature of petitioner's symptoms is such that he cannot engage in the sustained cognitive work necessary to research, draft, and prepare a petition for writ of certiorari.

This medical emergency is not a matter of convenience or preference for additional time. Rather, it is an acute condition demanding immediate professional attention and potentially ongoing treatment. Petitioner has been advised that further neurological evaluation is required, he may need to refrain from legal work pending diagnosis and treatment, though the duration cannot be predicted with precision at this stage.

Petitioner's medical emergency is fundamentally different from the insufficient reasons that have been rejected in prior extension applications. In one case, a

Circuit Justice denied an extension where counsel cited a voluminous record and planned absence as reasons, holding these did not constitute good cause because counsel should have familiarity with the record from prior briefing and planned absences should not affect the orderly administration of deadlines. *Penry v. Tex.*, 515 U.S. 1304 In another case, an extension was denied where the only reason given was counsel's desire for additional time to research constitutional issues. *Kleem v. INS*, 479 U.S. 1308 Unlike those cases involving professional scheduling or desire for more preparation time, petitioner faces an involuntary medical crisis that prevents him from performing legal work altogether.

C. Pro Se Status and Complete Absence of Alternative Means

Petitioner is proceeding pro se and has no counsel to assist him in preparing his petition. As a pro se litigant, petitioner is solely responsible for all aspects of researching, drafting, and filing his petition for writ of certiorari. He has no alternative means to prepare the required documents.

The Supreme Court has recognized that procedural rules are based on the assumption that litigation is normally conducted by lawyers. *McNeil v. United States*, 508 U.S. 106 While the Court has held that procedural rules in ordinary civil litigation should not be interpreted to excuse mistakes by those who proceed without counsel, the Court has also recognized that some procedural rules must give way because of unique circumstances. *McNeil v. United States*, 508 U.S. 106

Unlike represented parties who may rely on counsel to continue legal work

during periods of personal difficulty, petitioner has no such alternative. When a pro se litigant is incapacitated by a medical emergency, the inability to prepare filings is absolute. Petitioner cannot delegate this work to counsel because he has none and lacks the financial resources to retain counsel. If the extension is denied, petitioner will be effectively barred from seeking review not because his claims lack merit, but because he is physically unable to perform the necessary legal work due to a medical emergency beyond his control.

D. Good Faith, Diligence, and Commitment to Compliance

Petitioner makes this request in good faith and not for purposes of delay or tactical advantage. He is seeking to preserve his right to seek Supreme Court review while addressing a medical crisis that demands immediate attention. Petitioner has already pursued his claims through the district court and appellate process despite significant procedural obstacles, including denial of in forma pauperis status and dismissal of his appeal for want of prosecution due to inability to pay fees. His request for an extension demonstrates responsible action to ensure that his petition will be prepared with appropriate care rather than rushed to meet a deadline while he is incapacitated.

Petitioner commits to the following:

Filing his petition for writ of certiorari as soon as he is medically able to do so, without waiting for the full sixty-day extension period to expire if his condition permits earlier work.

Providing medical documentation from a medical professional which suggested seeing a treating neurologist and getting more professional evaluation.

Notifying the Court promptly if his medical condition improves sufficiently to permit earlier filing than the extended deadline.

E. The Requested Extension Is Modest and Defined

Petitioner requests a sixty-day extension, which is the maximum period authorized by Supreme Court Rule 13.5. USCS Supreme Ct R 13 This defined period provides reasonable time for petitioner to undergo neurological evaluation, receive medical guidance, and begin recovery while maintaining orderly administration of the Court's docket. The extension establishes a clear deadline sixty days from the current deadline, promoting certainty in docket management.

If, after sixty days, petitioner's medical condition has not improved sufficiently to permit work on the petition, petitioner may seek an additional extension supported by medical documentation from his treating neurologist. This approach allows the Court to evaluate petitioner's circumstances in stages with concrete medical evidence, rather than requiring speculation about an indefinite future.

F. No Prejudice to Respondents

Granting a sixty-day extension does not materially prejudice respondents. A delay in the filing of a certiorari petition, which itself is discretionary and not a matter of right, does not undermine the finality of the judgments below or impose

any substantial burden on the respondents. Moreover, granting the extension serves the orderly administration of justice by allowing petitioner to prepare a complete and thoughtful petition rather than forcing him to choose between meeting a deadline while incapacitated or forfeiting his right to seek review.

When the judicial process becomes the only effective means of resolving a dispute, denial of access raises grave problems for legitimacy. *Boddie v. Connecticut*, 401 U.S. 371

IV. CONCLUSION

For the foregoing reasons, petitioner respectfully requests that this Court grant a sixty-day extension of time to file his petition for writ of certiorari, extending the current deadline and for such other relief as the Court deems just and proper.

Respectfully submitted,

/s/ SAMUEL LEE SMITH, JR.,

SAMUEL LEE SMITH, JR.,

Petitioner Pro se

16614 SW 99 Court

Miami, Florida 33157

Email gysam7@gmail.com

Supreme Court of Florida

THURSDAY, FEBRUARY 26, 2026

Samuel Lee Smith, Jr.,
Petitioner(s)

v.

Natasha Katherina Smith,
Respondent(s)

SC2026-0322

Lower Tribunal No(s).:

3D2025-1707;

132017DR007498A00104

Petitioner's Notice to Invoke Discretionary Jurisdiction, seeking review of the order or opinion issued by the Third District Court of Appeal on January 27, 2026, is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. See *Wheeler v. State*, 296 So. 3d 895 (Fla. 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy
Test:

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John A. Tomasino
Clerk, Supreme Court



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MIAMI-DADE CLERK

HON. DENISE MARTINEZ-SCANZIANI

NATASHA KATHERINA SMITH

SAMUEL LEE SMITH, JR.

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

SAMUEL LEE SMITH JR — PETITIONER
(Your Name)

VS.

natasha Katherine smith — RESPONDENT(S)

PROOF OF SERVICE

I, SAMUEL LEE SMITH JR, do swear or declare that on this date, June 21st, 2026, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Samuel Alexander - alexanderappeals.com, samuel@alexanderappeals.com, beth sanders.beth@alexanderappeals.com
natasha Katherine smith - 7280 sw 89th street miami fl 33156 Apt 201
joshua doyle - jdoyle@floridabar.org, denise martinez sscanzi - dmartinez-sscanzi@jwal11.flcourts.org

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 21st, 2026

Kim

(Signature)

**Additional material
from this filing is
available in the
Clerk's Office.**