

No. _____

**IN THE
SUPREME COURT OF THE UNITED STATES**

STEVEN R. DEWITT,

Petitioner,

v.

CERESSA HANEY, TRENT SEXTON, AND MELANIE PRETTI

Respondent.

**APPLICATION FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE A
PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

**TO THE HONORABLE CLARENCE THOMAS,
JUSTICE OF THE SUPREME COURT OF THE UNITED STATES AND
CIRCUIT JUSTICE FOR THE ELEVENTH CIRCUIT**

Under Supreme Court Rules 13(5) and 30(3), Mr. Steven R. DeWitt respectfully requests an extension of time, to and including December 5, 2025, within which to file a petition for a writ of certiorari from the judgment of the United States Court of Appeals for the Eleventh Circuit. Unless an extension is granted, the deadline for filing the petition for certiorari will be October 6, 2025. DeWitt has not previously sought an extension of time from this Court to file this petition.

1. The United States Court of Appeals for the Eleventh Circuit issued its decision on May 12, 2025, (Exhibit A), and it denied a timely petition for rehearing on July 8, 2025, (Exhibit B). This Court has jurisdiction under 28 U.S.C. § 1254(1).

2. Petitioner is filing this Application at least ten days before the filing date, which is October 6, 2025. *See* S. Ct. R. 13(5). The jurisdiction of this Court will be invoked under 28 U.S.C. Section 1254(1).

3. DeWitt visited a Tallahassee probation office to conduct a First Amendment audit. When DeWitt began to record in the publicly accessible lobby, Ceressa Haney, a probation officer, told DeWitt he could not record in the building without permission. Another probation officer, however, had told DeWitt he could record in the lobby. Haney threatened to call the police if DeWitt did not leave and later called 911. Two police officers arrived at the probation office and threatened to arrest DeWitt for criminal trespass. DeWitt left the probation office under threat of arrest.

4. DeWitt filed this suit in the United States District Court for the Northern District of Florida. He alleged multiple public officials violated his First Amendment rights by threatening to arrest him if he continued to record in a public space.

The public officials moved to dismiss based on qualified immunity, failure to state a claim, and lack of jurisdiction for prospective relief. Although the magistrate judge issued a report and recommendation concluding that DeWitt's constitutional rights had been violated, the district court dismissed on qualified immunity grounds, concluding that DeWitt's right to record in the probation office was not clearly established.

5. On appeal, DeWitt asked the United States Court of Appeals for the Eleventh Circuit to reverse because the First Amendment right to record public officials in public places is a clearly established right, DeWitt further explained that the real and immediate threat of arrest he faced for exercising this clearly established right entitles him to declaratory relief, and he explained that qualified immunity is unlawful. The Eleventh Circuit affirmed. DeWitt petitioned the Eleventh Circuit for rehearing, which the court denied.

6. Counsel will have insufficient time to file the petition for writ of certiorari for Mr. DeWitt for several reasons. First among them, the Appellate Advocacy Clinic at the University of Alabama allows law student interns (under attorney supervision) to provide legal representation to clients in appellate matters. Thus, the work the Clinic performs is principally student driven. Although the Eleventh Circuit denied rehearing in this case on July 8, 2025, there were no students enrolled in the Clinic until August 14, 2025. Thus, during the first thirty-seven days of the ninety-day period allowed for filing a petition for a writ of certiorari, there were no law student interns in the Clinic to work on the petition.

7. In addition, Counsel has significant professional conflicts that will interfere with the filing of the certiorari petition. Among them, counsel filed a reply brief in an unrelated case on September 23, 2025. He also expects to file additional briefs in unrelated cases in October 2025 and appear at oral argument in an unrelated case on October 8, 2025. Counsel is also scheduled to appear at oral argument in an unrelated case on November 18, 2025.

8. As a result, additional time is necessary for the careful preparation of the petition for writ of certiorari in this case. No party will be prejudiced by the granting of the extension. Moreover, counsel has contacted the counsel who represented the parties who will be respondents to the petition, and they do not object to the relief Mr. DeWitt requests.

Therefore, Petitioner Steven R. DeWitt respectfully requests that an order be entered extending his time to file a petition for writ of certiorari from October 6, 2025, to and including December 5, 2025.

Respectfully submitted,

s/ E. Travis Ramey

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