

No. \_\_\_\_\_

**In The  
Supreme Court of the United States**

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MICHAEL CLAYTON WOODRUFF,

*Applicant,*

v.

FLORIDA DEPARTMENT OF CORRECTIONS,

*Respondent.*

\_\_\_\_\_  
**APPLICATION TO THE HON. CLARENCE THOMAS FOR AN  
EXTENSION OF TIME WITHIN WHICH TO FILE A  
PETITION FOR WRIT OF CERTIORARI**  
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Pursuant to Supreme Court Rule 13(5), Applicant Michael Clayton Woodruff respectfully requests an extension of time of thirty (30) days, up to and including November 28, 2025, for the filing of a petition for writ of certiorari. Unless an extension is granted, the deadline for filing the petition for writ of certiorari will be October 29, 2025. Consistent with Rule 13(5), this application is filed more than 10 days before that date.

In support of this request, Applicant states as follows:

1. The Order of the United States Court of Appeals for the Eleventh Circuit denying Mr. Woodruff a certificate of appealability was issued on July 31, 2025. (Exhibit 1). This Court has jurisdiction pursuant to 28 U.S.C. §1254(1).

2. This case involves important questions of federal statutory and constitutional law. Mr. Woodruff brought an ineffective-assistance-of-counsel claim under *Strickland v. Washington*, 466 U.S. 668 (1984) in the same state court that presided over his criminal trial. After conducting an evidentiary hearing, the trial court granted him a new trial after finding his attorney’s failure to object to the introduction of uncharged crimes prejudiced Mr. Woodruff’s defense.

3. The state appellate court overturned that decision. *State v. Woodruff*, 346 So. 3d 1238 (Fla. 3d DCA 2022). While it recognized that Florida law ordinarily presumes that the erroneous admission of collateral crime evidence constitutes harmful error, it declined to apply that rule to determinations involving *Strickland* prejudice. It also ruled that *Strickland* prejudice is a “question of law” that must be reviewed “de novo,” in spite of the trial court’s express findings that the “sheer number” of allegations of uncharged crimes against Mr. Woodruff was “extremely prejudicial” and likely convinced the jury that he was a “bad person” and so alleged “misconduct must have occurred.” In reversing the trial court, the appellate court reasoned that the jury acquitted Mr. Woodruff on three counts but convicted him on the remaining count, which indicated that there was “no reasonable probability that counsel’s failure to object to the admission of the improper [collateral crime] evidence affected the outcome” of his trial.

4. In his federal habeas petition, Mr. Woodruff asserted that the state appellate decision was objectively unreasonable in that it misstated the legal standard for prejudice under *Strickland*, which calls for a fact-intensive review of the “totality of the evidence,” erroneously failed to afford any deference to the factual findings of the court that was in the best position to gauge the prejudicial effect on the trial, and

“interpreted” the meaning of the jury’s verdict to conclude that there was no prejudice, in contravention of *United States v. Powell*, 469 U.S. 57, 62–66 (1984). The district court rejected those arguments. The Eleventh Circuit denied Mr. Woodruff’s request for a certificate of appealability in which he renewed them.

5. The federal statutory and constitutional issues involved include but are not limited to: whether it is reasonable for an appellate court reviewing a trial court decision finding a defendant suffered *Strickland* prejudice to disregard express factual findings made in support of the prejudice determination; whether an applicant for a certificate of appealability has “made a substantial showing of the denial of a constitutional right,” 28 U.S.C. § 2253(c)(2), where two tribunals—the court that presided over the trial and the appellate court reviewing that court’s decision—reached differing conclusions regarding *Strickland* prejudice; and whether a state appellate court may look to a general verdict to predict whether there is a reasonable likelihood that the outcome would have been different, but for the deficient performance of a trial attorney.

6. Applicant’s counsel, Andrew B. Greenlee, was not the attorney of record in the United States Court of Appeals for the Eleventh Circuit and was only recently retained. As such, counsel needs additional time to review the entire record, which includes transcripts from a jury trial and an evidentiary hearing, and fully brief the issues to be presented to this Honorable Court.

7. Moreover, Applicant’s counsel has other substantial obligations between now and the current deadline, including the preparation of two petitions for writs of certiorari for submission in this Court, *Christin Bilotti v. Florida Department of Corrections*, Case No. 23-11759 (11th Cir. 2025) (petition for writ of certiorari due on

October 15, 2025); *Damion Anthony Delapena v. Florida Department of Corrections*, Case No. 25-10964 (11th Cir. 2025) (petition for writ of certiorari due on October 27), as well as oral argument in a state appeal from a conviction that carries a life sentence, *James Thomas Ford v. State of Florida*, Case No. 5D2024-2120 (Fla. 5th DCA 2025) (oral argument set for October 16, 2025).

8. In light of the foregoing, Applicant's counsel respectfully requests an extension of time to familiarize himself with the relevant materials and to address the complex issues raised by the instant petition. Applicant's counsel does not anticipate any further extension requests.

WHEREFORE, for the foregoing reasons, Applicant respectfully requests that this Court grant a thirty-day extension of time, up to and including November 28, 2025, to file a petition for writ of certiorari.

Respectfully submitted

/s/ Andrew B. Greenlee

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October 6, 2025

## APPENDIX

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 25-10555

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MICHAEL CLAYTON WOODRUFF,

Petitioner-Appellant,

*versus*

FLORIDA DEPARTMENT OF CORRECTIONS,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Southern District of Florida  
D.C. Docket No. 4:23-cv-10037-DPG

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Order of the Court

25-10555

ORDER:

Michael Woodruff moves for a certificate of appealability, in order to appeal the denial of his 28 U.S.C. § 2254 petition. His motion is DENIED because he has failed to make a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2).

/s/ Robert J. Luck

UNITED STATES CIRCUIT JUDGE