

No. _____

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

FRANCIS GREISER JR.,
Applicant,

v.

MARIAN GREISER, and
JOANNE DRINKARD,
Respondents.

On Petition for Writ of Certiorari to
The Florida Court of Appeals
For the Fourth District

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

Francis T. Greiser Jr.,
Petitioner in *pro se*
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Email: fg210@att.net

October 10, 2025

APPLICATION

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

Pursuant to Sup. Ct. R. 13.5, and 28 U.S.C. § 2101(c), Applicant/Petitioner Francis Greiser Jr., respectfully requests a 14-day extension of time, until and including November 24, 2025, within which to file a petition for a writ of certiorari to review the final judgment of the Florida Fourth District Court of Appeals.

1. On November 5, 2024, the Florida Circuit Court for the Seventeenth Judicial Circuit dismissed the Applicant's refiled state claims that were originally filed in 2018 in the United States District Court, pursuant to 28 U.S.C. § 1332. These claims, which were later denied supplemental jurisdiction in 2022, were refiled in state court in June 2023 and later dismissed by the circuit court for violating the statute of limitations under Florida Statute § 95.11.

2. On November 20, 2024, a Verified Motion for Reconsideration was filed, citing the court's missed 28 U.S.C. § 1367(d) tolling application for the dismissed claims, as held in *Artis v District of Columbia*, 138 S. Ct 594, 596 (2018). The *Artis* holding was cited in the Response to the Motion to Dismiss filed October 3, 2024. The circuit court denied the motion for reconsideration on December 3, 2024.

3. On July 3, 2025, the Florida Fourth District Court of Appeals issued its decision affirming the case dismissal with prejudice in a "per curiam affirmance" ("PCA") order. A timely filed Motion for Rehearing en banc, or alternatively, the issuance of a Written Decision and request for Certification of a Question of Great Public Importance was made—and denied—in its entirety on August 12, 2025.

4. The Florida Fourth District Court of Appeals' final judgment was issued on August 12, 2025. That ruling exhausted all further state appeals, making this Honorable Court's jurisdiction pursuant to U.S.C. § 1257, as of that date.

5. Unless extended, the time to file a petition for a writ of certiorari will expire on November 10, 2025. This application is being filed more than ten days before the petition is currently due. *See Sup. Ct. R. 13.5*. The jurisdiction of this Court would be invoked under 28 U.S.C. § 1254. The *pro se* Applicant respectfully seeks a 14-day extension to allow adequate time to research and complete his Writ of Certiorari and prepare a proper, orderly appendix of supporting documents.

6. The Applicant's filing of a certiorari petition seeks this Court's review of an important federal question, and a Supremacy Clause issue, concerning whether state claims filed under 28 U.S.C. § 1332, which are later denied supplemental jurisdiction, can be denied tolling under 28 U.S.C. § 1367(d) by a state court adjudicating the refiled claims, and afterwards by a state appeals court.

7. In *Artis v District of Columbia*, this Court explicitly stated that the statutes of limitations for such state claims are paused "both while the claim is pending in federal court and for 30 days post-dismissal."

8. The *pro se* applicant's certiorari petition further asks this Court to clarify a crucial procedural issue: whether Florida's policy of ending appeals with a *per curiam* affirmance and then dismissing requests for a written decision, which effectively blocks appellants from pursuing further review or constitutional relief before the Florida Supreme Court, in its current form, creates an unconstitutional

barrier. This policy places an unfair burden on pro se litigants, by redirecting legitimate constitutional appeals away from the state court system and onto the already overwhelmed U.S. Supreme Court's docket.

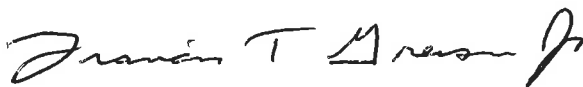
9. The applicant contends that such a barrier may unfairly limit access to state-level constitutional review, raising important concerns about due process.

10. A good cause exists for the extension, as the *pro se* Applicant lacks the legal resources associated with those of an appellate legal firm, and additional time is needed to fully research and prepare a proper certiorari petition.

11. Counsel for the Respondents has been given two days' notice of the pending filing of this application and has yet to respond.

12. For these reasons, the Applicant respectfully requests that an order be entered extending the time to file a petition for certiorari until and including November 24, 2025.

Respectfully Submitted,

A handwritten signature in black ink, reading "Francis T. Greiser Jr." with a stylized flourish at the end.

Francis T. Greiser Jr.
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Dated: October 10, 2025

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and the foregoing was filed and served upon Appellees' counsel, John P. Seiler, by way of email at 3:20 pm on October 8, 2025, and by U.S. Mail on October 10, 2025.



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DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

FRANCIS T. GREISER, JR.,
Appellant,

v.

MARIAN K. GREISER and JOANNE L. DRINKARD,
Appellees.

No. 4D2025-0233

[June 19, 2025]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit,
Broward County; Jeffrey Levenson, Judge; L.T. Case No. CACE23-014503.

Francis T. Greiser, Jr., Naples, pro se.

John P. Seiler, Steven A. Wahlbrink and Jonathan B. Lewis of Seiler,
Sautter, Zaden, Rimes & Wahlbrink, Fort Lauderdale, for appellees.

PER CURIAM.

Affirmed.

WARNER, GERBER and FORST, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401

August 12, 2025

FRANCIS T. GREISER, JR.,
Appellant(s)

v.

MARIAN K. GREISER and JOANNE L. DRINKARD,
Appellee(s).

CASE NO. - 4D2025-0233

L.T. No. - CACE23-014503

BY ORDER OF THE COURT:

ORDERED that Appellant's July 3, 2025 motion for rehearing and rehearing en banc is denied. Further,

ORDERED that Appellant's July 24, 2025 motion to strike is denied.

Served:

Broward Clerk

Francis T. Greiser, Jr.

Jonathan Benjamin Lewis

John Preston Seiler

Steven A Wahlbrink

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I HEREBY CERTIFY that the foregoing is a true copy of the court's order.


LONN WEISSBLUM, Clerk
Fourth District Court of Appeal

Transmitted by August 12, 2025

