

IN THE SUPREME COURT OF THE UNITED STATES

No. _____

MICHAEL PRIME

v.

UNITED STATES

**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, Associate Justice of the Supreme Court of the United States and Circuit Justice for the United States Court of Appeals for the Eleventh Circuit:

Pursuant to Rules 13.5 and 30.2 of this Court, counsel for Michael Prime respectfully requests a 30-day extension of time, to and including March 4, 2026, within which to file his petition for a writ of certiorari to review the judgment of the U.S. Court of Appeals for the Eleventh Circuit in this case.

1. Applicant Michael Prime (“Applicant”) was charged in an information in the United States District Court for the Middle District of Florida, Tampa Division, related to access device fraud. Case No. 8:19-cr-00540-JSM-AAS. Jurisdiction in that court was pursuant to 18 U.S.C. § 3231. Petitioner pled guilty pursuant to a plea agreement.

2. After his sentencing, Applicant filed in the district court a Motion to Request Remission of Seized Property under Federal Rule of Criminal Procedure 41(g). Doc. 83. That motion was denied.

3. Applicant appealed the denial of the motion to the United States Court of Appeals for the Eleventh Circuit. Case No. 23-13776. Applicant did not challenge his conviction, only the denial of the motion for return of property. The United States Court of Appeals for the Eleventh Circuit affirmed the denial.

4. The United States Court of Appeals for the Eleventh Circuit entered its judgment on November 4, 2025. *See Exhibit 1.* Applicant filed a motion for rehearing en banc on December 12, 2025. On December 15, 2025, the Clerk of Court for the United States Court of Appeals for the Eleventh Circuit entered a “No Action” letter on that motion, stating that the case was closed. On January 15, 2026, Applicant filed a motion to reconsider the case closure based on the application of Federal Rule of Appellate Procedure 40(d)(1)(A). That motion remains pending as of the time of this filing.

5. Unless extended, the time for filing a petition for a writ of certiorari will expire on February 2, 2026. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1).

6. In his Petition for Writ of Certiorari, Applicant intends to request that the United States Supreme Court review substantial questions raised in his appeal, including important questions of federal law regarding the forfeiture of seized cryptocurrency.

7. Pursuant to Rule 13.5, for good cause shown, Counsel for Applicant respectfully requests an extension of time, to and including March 4, 2026, within which to file a petition for writ of certiorari. Counsel for Applicant has only recently been retained and has several conflicting professional obligations in matters in which he is also acting as lead counsel, which occupy a substantial amount of the time period in which to file Mr. Prime's petition. Further, the case presents complex and novel questions regarding forfeiture of crypto currency and Counsel has not had enough time to finalize the petition for Mr. Prime. Additional time is therefore needed to prepare the petition in this case.

8. This is Applicant's first request for an extension of time to file a petition for writ of certiorari in this case.

9. For the foregoing reasons, Applicant respectfully requests that this Application be granted and that the time for filing a petition for writ of certiorari be extended to March 4, 2026.

Dated: January 16, 2026

Respectfully Submitted,

MICHAEL PRIME
BY AND THROUGH

/s/ Gus M. Centrone

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