

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

GREGORY MICHAEL NIERENBERG,
Petitioner,

v.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE ELEVENTH CIRCUIT
COURT APPEALS

APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI

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Counsel for the Petitioner

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

Introduction

Pursuant to this Court's Rule 13.5, the Petitioner, Gregory Michael Nierenberg, respectfully requests a thirty-day extension of time within which to file a petition for a writ of certiorari in this Court, to and including March 18, 2026.

Jurisdiction

The order of the Eleventh Circuit Court of Appeals affirming the denial of the Petitioner's motion for a certificate of appealability was entered on November 18, 2025. Unless extended, the time within which to file a petition for a writ of certiorari would expire on February 16, 2026.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). A copy of the opinion of the Eleventh Circuit Court of Appeals is included in the appendix to this motion.

Argument

The issue in this case is whether the Petitioner's request for a certificate of appealability was improperly denied.

Unfortunately, undersigned counsel's schedule requires him to seek an extension of time in this case. In particular, since the Eleventh Circuit Court of Appeals entered its order, undersigned counsel has participated in three oral arguments before Florida appellate courts and two postconviction evidentiary hearings, two resentencing hearings, one plea hearing, and two motion hearings before Florida circuit courts.

Additionally, during the next month, undersigned counsel will be attending five oral arguments before Florida appellate courts and one postconviction evidentiary hearing before a Florida circuit court.¹

Therefore, the Petitioner requests an extension of thirty days to file the petition for a writ of certiorari. No party will be prejudiced by the granting of a thirty-day extension in this case.

Accordingly, the Petitioner respectfully requests that an order be entered extending the time to petition for writ of certiorari by thirty days.

Respectfully submitted,

/s/ Michael Ufferman
MICHAEL UFFERMAN
Counsel for the Petitioner

¹ Undersigned counsel will appear at oral arguments on 1) February 3, 2026, in *Adelson v. State*, case number 1D2024-0004, pending in the Florida First District Court of Appeal; 2) February 4, 2026, in *Stellwagen v. State*, case number 2D2024-1992, pending in the Florida Second District Court of Appeal; 3) February 5, 2026, in *Wilson v. State*, case number SC2024-1345, pending in the Florida Supreme Court; 4) *Emke v. State*, case number 2D2024-2389, pending in the Florida Second District Court of Appeal; and 5) *Gingery v. State*, case number 5D2024-1550, pending in the Florida Fifth District Court of Appeal. Undersigned counsel will appear at a postconviction hearing on February 25, 2026, in *State v. Koikos*, case number 2019-CF-1157, pending in the Florida Second Judicial Circuit Court (Leon County, Florida).

CERTIFICATE OF SERVICE

I, Michael Ufferman, a member of the Bar of this Court, hereby certify that on the 26th day of January, 2026, a copy of this Application For Extension of Time To File A Petition For A Writ Of Certiorari in the above-entitled case was mailed, first class postage prepaid, to the Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050 (counsel for the Respondent herein). I further certify that all parties required to be served have been served.

/s/ Michael Ufferman
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