

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

SAMUEL LEE SMITH, JR.,

Petitioner,

v.

STATE OF FLORIDA,

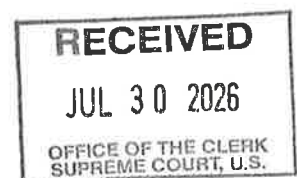
Respondent,

**MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF
CERTIORARI**

Petitioner SAMUEL LEE SMITH, JR., proceeding pro se, respectfully moves this Court for a sixty-day extension of time within which to file a petition for writ of certiorari to review the judgment of the Supreme Court of Florida for dismissing his appeal.

I. IDENTIFICATION OF JUDGMENT AND JURISDICTIONAL BASIS

Petitioner seeks review of the order entered by the Supreme Court of Florida, dismissing petitioner's appeal in Case No. SC2025-1348 on May 7th, 2026, Court issuing an order declining to accept jurisdiction, ordering that the petition for review is denied. Also, affirming no motion for rehearing will be entertained by the Court.



The Supreme Court of Florida order became final. Under Supreme Court Rule 13.1, petitioner's petition for writ of certiorari is currently due on 90 days from finality. This Court's jurisdiction would be invoked.

The underlying case arose from a repeated occurrence of racial profiling and retaliation by Pinecrest Police Department. An unlawful detainment by Pinecrest Police Department on May 24th, 2024, Petitioner was intentionally detained and falsely arrested. With no legal authority, corrupt official Andres Garcia badge 1794 factually falsified the arrest affidavit and A. Ulloa badge 1575 sworn and attested the A-form to be truthful. The case also involves falsified criminal traffic citations issued to the undersigned citations AJLNSFE for a violation Fla. Stat. § 316.081 (driving on the wrong side of the road), AJLNSGE for a violation Fla. Stat. § 316.1515 (improper u turn) and AJLNSEE for violating Fla. Stat. § 316.192(1)(a)(reckless driving). Petitioner emphasizes 18 U.S.C. § 2261A, unlawful operation of motor vehicle on public roadways and engaging in interstate stalking. Making false declarations and false statements under oath in proceedings is federal crime of perjury under 18 U.S.C. § 1621, 18 U.S.C. § 1623 and U.S.C. § 1001. Prior to this false arrest, Petitioner was targeted and assaulted by Carlos Rosado badge 1760 a Pinecrest Police officer on April 28th, 2024 during a traffic stop. Elissa Weintraup failed to perform her duty. On April 30th, 2024, Petitioner filed a formal complaint with Edison Cruz badge 1435 at the Pinecrest Police Department headquarters event No. 2024-024388. On May 14th, 2024, Petitioner was a business invitee outside of the establishment on a personal phone call in

Pinecrest. Officers Reynaldo Povedo, Julian Acosta, Nathaniel Waddell of Pinecrest Police Department racially profiled, stalked the Petitioner in attempt to antagonize the undersigned. This detrimental misconduct constitutes as felony intimidation. Racial profiling is banned under 31 U.S.C. § 6711. The department actions are no less than retaliation. The case uncovers Pinecrest Police Department conspiracy, by Jason Cohen badge 0073, Edison Cruz badge 1435 and A. Ulloa badge 1575, Andres Garcia badge 1794, Daren Jones badge 1792 and Obel Vega badge 1725. The first Court official the case assigned to was Judge Linda Melendez who denied the Petitioner his due process rights, enabled the States disregard of discovery obligation and impeded the administration of justice. Petitioner requested discovery on June 3rd, 2024, at 1:16pm state attorney Ricardo J Alcorn did not produce discovery 14 days after the request was made. On June 18th, 2024 he sent an email stating a request was made. In the hearing appearing on the zoom platform before Judge Linda Melendez, acted unethically and violated the law A. Garcia stated to the arbitrator "You see what we are dealing with here" Linda Melendez responded "Yes, I know...someone at Richard E Gerstein Courthouse will know what to do with him." This is the start of JUDICIAL CORRUPTION, JUDICIAL MISCONDUCT and ABUSE OF POWER by the Miami-Dade County Judges belonging to the Eleventh Circuit of Florida. Your Court officials breaking criminal laws inside their official duties are Judge Linda Melendez, Judge Marcus Richard Bach Armas, Judge Kristy Michelle Nunez, Judge Ritamaria Gonzalez Cuervo, Judge Julie Harris Nelson and Judge Lisette Caridad Martinez. Case was in front of

appeared before the CORRUPT official Judge Marcus Richard Bach Armas, he gave the state a second attempt at discovery, who failed to timely comply. Judge Marcus Richard Bach Armas also deferred from the Constitution by denying the undersigned his right to face his accuser (andres garcia badge 1794) protected by the Confrontation Clause of the Sixth Amendment. Judge Marcus Richard Bach Armas intentionally deviated away from the constitution by having Obel Vega take the stand who lied under oath stating the cameras weren't working 18 U.S.C. § 1362. Judge Marcus Richard Bach Armas then stated "I hate dismissing charges on technicality" then stated he was going to make a call down to the department. He informed the stated "My hands are tied." He added another layer of corruption to the judicial process with that deceptive act. He then gave the state a second attempt for discovery, State failed to provide the 911 audio tapes, dash camera video, and body-worn camera video, then stating failure to provide the discovery would result in dismissal. The official then used a bait and switch technique and granted the state a continuance for discovery. Contradictory statement falls under 18 U.S.C. § 1623. Petitioner affirms state attorney Maria Paula Molano (florida bar 1059024) obstructed justice by committing FRAUD ON THE COURT submitting fabricated evidence to the Court 32 CFR § 776.69, cell phone footage (no date, no time, no author) as discovery obligation enabled by the judicial counterpart. Not only are law enforcement officials misusing surveillance, the State using the Court system to advance illegal operations is systematic exploitation as well 50 U.S.C. § 1809-1810 and F.S. § 943.215. Petitioner cites 18 U.S.C. § 1512(c) tampering with

evidence. Petitioner removed the case from the Eleventh Judicial Circuit on October 31st, 2024, due to the conflict of interest, corruption, judicial impartiality/bias and for the interest of justice. On November 1st of 2024, Judge Marcus Richard Bach Armas abused his Power and issued an improper capias and suspended the Petitioners driver licenses when the lower Court had no jurisdiction of the matter. The civil rights matter was filed in the Southern District Court of Florida Case No. 24-cv-24288, remanded to the back to lower Court by Judge rodolfo a ruiz II, who directed the Clerk of Court to forward a copy of the order to the circuit Court of the Eleventh Judicial Circuit of Florida in her conclusion (2).A motion for disqualification was filed and Judge Marcus Richard Bach admitted his guilty of partiality and disqualified himself. Now appearing before Kristy Michelle Nunez Petitioner moved to quash the bench warrant and sought reinstatement of his driver's license. Petitioner argued that the bench warrant and license suspension were improper because the case was removed to federal court, court officers and clerks had mishandled the case, and because judicial recusal or disqualification issues existed. Judge Kristy Michelle Nunez is oblivious to Constitutional law. Petitioner asserted his rights for a speedy trial ensured in the Sixth Amendment and Florida Rule of Criminal Procedure 3.191. The Motion for a Speedy Trial was filed on March 19th, 2025. No notice issued by the Clerk of Courts for the Petitioner to appear on March 21st, 2025. Judge Ritamarie Gonzalez Cuervo was belligerent, ABUSED HER POWER and denied the undersigned the right to speedy trial with an inaccurate ruling. Judge Kristy Michelle Nunez

denied the Petitioner, due process, procedural due process and the opportunity to be heard. Petitioner emphasizes 18 U.S.C. § 242, which prohibits anyone acting under the color of law from willfully depriving a person of their constitutional rights. Petitioner later filed notices and motions related to expiration of speedy trial time, including motions seeking discharge or dismissal. The docket reflects repeated filings concerning speedy trial time, notice of expiration of speedy trial time, and missing discovery. Judge Kristy Michelle Nunez granted the Motion to recuse herself on May 1st, 2025, failing to provide a written order explaining the action. The case is now brought to the attention of Judge Julie Harris Nelson who also is corrupt and condescending denied the Petitioner his due process, procedural due process rights, opportunity to be heard and access to the Court. Petitioner's repeated position that judicial officers failed to properly enter certificates of recusal or disqualification orders on the docket, while the case was in procedural uncertainty, Petitioner specifically contends that Judge Julie Harris Nelson acknowledged the disqualification but maliciously entered an improper capias after disqualifying herself from the case. Nelson failed to provide written orders for the filing of a timely appeal. Petitioner countered her failure to enter disqualification order with a writ of mandamus to the Third District Court of Appeal relief that enforced Nelson's written disqualification order. Petitioner also filed a petition for writ of prohibition in the Third District Court of Appeal, Case No. 3D2025-2144, seeking to prohibit Judge Julie Harris Nelson from continuing to preside. Petitioner argued that the failure to properly enter disqualification, recusal orders

and tampering with the judicial docket violates due process and procedural due process. Petitioner references 18 U.S.C. § 1519 which punishes altering, falsifying or making a false entry on the record along with F.S. § 839.13. On January 5th, 2026, after Petitioner sought extraordinary relief, the trial court entered an order disqualifying Judge Julie Harris Nelson nunc pro tunc to October 1st, 2025. This confirmed Petitioner's position that disqualification had existed earlier but had not been properly docketed or handled. Clerk of Courts failed to properly notify Petitioner of Court hearing date, Judge Lissette Caridad Martinez improperly issued a capias. As a result, no state court has meaningfully addressed the merits of Petitioner's federal constitutional claims. The traffic citations remain undismissed, despite the discovery failures, fabricated evidence, speedy trial violations, disqualification irregularities, and bench warrant/license consequences.

On June 1st, 2024, at 3:35 pm Petitioner was lawfully driving and was improperly cited traffic citation AJPCSLE Florida Statute 322.15(1) by failing to carry a driver license (AJPCSLE) on hand while driving a motor vehicle, and citation (AJPBCME) Florida Statute 316.305(3)(A) by texting while driving (first offense). Public official Alberto Rafael III badge 10110 falsely falsified a written declaration, it is addressed in F. S. § 92.525. The unlawful investigatory racially motivated stop demonstrates racial profiling and interstate stalking 18 U.S.C 2261A. For the sole purpose of retaliation 34 U.S.C. § 12494 by miami dade police department and its officer alberto rafael III badge 10110 employee (South District). Phone records will not indicate Petitioner was texting. The undersigned requested BWC and was

denied that in court by Judge Thomas Aquinas Copitz, Copitz denied the undersigned access to the Courts. Also, Thomas Aquinas Copitz falsified judicial docket stating that Petitioner did not attend the traffic hearing. The mentioning of this misleading context was submitted to the 3rdDCA on appendix by Richard L Polin. Petitioner appeared before the Courts on October 1st, 2024. Petitioner filed a Notice of appeal on October 31st, 2024, the Clerk Of Courts never provided an appeal number. Petitioner was denied access to Courts after filing a Motion for court audio Filing # 210449906 e- filed on November 7th, 2024. The undersigned later filed a Motion for dismissal filing # 214047370 E filed on January 1st, 2025 and on January 9th, 2025, filing #214213971. Petitioner filed a Motion to compel a written order requesting the judge to provide a written order denying defendants motion to dismiss Filing # 220271430 e-filed on April 3rd, 2025, a second motion to dismiss was filed e- filed on April 9th, 2025, filing # 2206005. Petitioner also denied opportunity to be heard after filing the Motion to request administrative judicial official hearing filing # 220697014 e -filed on April 9th, 2025. All members of the judicial branch have attempted to hide law enforcement wrongdoing “cover up” by altering, destroying government property. Petitioner mentions 18 U.S.C. § 1361 regarding the malicious mischief. All judicial authority’s become accessory after the fact by knowingly assisting law enforcement criminal activities when stepping out of their neutral role, 18 U.S.C. § 3. The undersigned emphasizes federal laws 18 U.S.C. §§ 1961-1968 and 18 U.S.C. § 201 for the case matter.

II. TIMELINESS OF THIS APPLICATION

This application is filed before the current deadline for filing the petition for writ of certiorari.

III. GOOD CAUSE EXISTS FOR A SIXTY-DAY EXTENSION

A. Legal Standard

Under Supreme Court Rule 13.5, a Justice may extend the time to file a petition for writ of certiorari for a period not exceeding 60 days upon a showing of good cause. USCS Supreme Ct R 13 Applications to extend the time to file a petition for writ of certiorari are not favored. USCS Supreme Ct R 13 Nevertheless, the Rule contemplates that good cause may exist in appropriate circumstances, and the sixty-day extension authority demonstrates that the Court recognizes situations warranting relief from strict filing deadlines.

The application must set out the basis for jurisdiction in this Court, identify the judgment sought to be reviewed, include a copy of the opinion and any order respecting rehearing, and set out specific reasons why an extension of time is justified. USCS Supreme Ct R 13 The application must clearly identify each party for whom an extension is being sought, as any extension granted would apply solely to the party or parties named in the application. USCS Supreme Ct R 13

B. Petitioner's Serious Medical Emergency Constitutes Good Cause

Petitioner is currently experiencing a serious and ongoing medical emergency requiring immediate neurological evaluation and treatment. Petitioner must seek

urgent care from a neurologist due to symptoms that materially impair his ability to prepare legal filings and effectively proceed with legal matters. The nature of petitioner's symptoms is such that he cannot engage in the sustained cognitive work necessary to research, draft, and prepare a petition for writ of certiorari.

This medical emergency is not a matter of convenience or preference for additional time. Rather, it is an acute condition demanding immediate professional attention and potentially ongoing treatment. Petitioner has been advised that further neurological evaluation is required, he may need to refrain from legal work pending diagnosis and treatment, though the duration cannot be predicted with precision at this stage.

Petitioner's medical emergency is fundamentally different from the insufficient reasons that have been rejected in prior extension applications. In one case, a Circuit Justice denied an extension where counsel cited a voluminous record and planned absence as reasons, holding these did not constitute good cause because counsel should have familiarity with the record from prior briefing and planned absences should not affect the orderly administration of deadlines. *Penry v. Tex.*, 515 U.S. 1304 in another case, an extension was denied where the only reason given was counsel's desire for additional time to research constitutional issues. *Kleem v. INS*, 479 U.S. 1308 Unlike those cases involving professional scheduling or desire for more preparation time, petitioner faces an involuntary medical crisis that prevents him from performing legal work altogether.

C. Pro Se Status and Complete Absence of Alternative Means

Petitioner is proceeding pro se and has no counsel to assist him in preparing his petition. As a pro se litigant, petitioner is solely responsible for all aspects of researching, drafting, and filing his petition for writ of certiorari. He has no alternative means to prepare the required documents.

The Supreme Court has recognized that procedural rules are based on the assumption that litigation is normally conducted by lawyers. *McNeil v. United States*, 508 U.S. 106 While the Court has held that procedural rules in ordinary civil litigation should not be interpreted to excuse mistakes by those who proceed without counsel, the Court has also recognized that some procedural rules must give way because of unique circumstances. *McNeil v. United States*, 508 U.S. 106

Unlike represented parties who may rely on counsel to continue legal work during periods of personal difficulty, petitioner has no such alternative. When a pro se litigant is incapacitated by a medical emergency, the inability to prepare filings is absolute. Petitioner cannot delegate this work to counsel because he has none and lacks the financial resources to retain counsel. If the extension is denied, petitioner will be effectively barred from seeking review not because his claims lack merit, but because he is physically unable to perform the necessary legal work due to a medical emergency beyond his control.

D. Good Faith, Diligence, and Commitment to Compliance

Petitioner makes this request in good faith and not for purposes of delay or tactical advantage. He is seeking to preserve his right to seek Supreme Court review while addressing a medical crisis that demands immediate attention. Petitioner has already pursued his claims through the district court and appellate process despite significant procedural obstacles, including denial of in forma pauperis status and dismissal of his appeal for want of prosecution due to inability to pay fees. His request for an extension demonstrates responsible action to ensure that his petition will be prepared with appropriate care rather than rushed to meet a deadline while he is incapacitated.

Petitioner commits to the following:

Filing his petition for writ of certiorari as soon as he is medically able to do so, without waiting for the full sixty-day extension period to expire if his condition permits earlier work.

Providing medical documentation from a medical professional which suggested seeing a treating neurologist and getting more professional evaluation.

Notifying the Court promptly if his medical condition improves sufficiently to permit earlier filing than the extended deadline.

E. The Requested Extension Is Modest and Defined

Petitioner requests a sixty-day extension, which is the maximum period authorized by Supreme Court Rule 13.5. USCS Supreme Ct R 13 This defined

period provides reasonable time for petitioner to undergo neurological evaluation, receive medical guidance, and begin recovery while maintaining orderly administration of the Court's docket. The extension establishes a clear deadline sixty days from the current deadline, promoting certainty in docket management.

If, after sixty days, petitioner's medical condition has not improved sufficiently to permit work on the petition, petitioner may seek an additional extension supported by medical documentation from his treating neurologist. This approach allows the Court to evaluate petitioner's circumstances in stages with concrete medical evidence, rather than requiring speculation about an indefinite future.

F. No Prejudice to Respondents

Granting a sixty-day extension does not materially prejudice respondents. A delay in the filing of a certiorari petition, which itself is discretionary and not a matter of right, does not undermine the finality of the judgments below or impose any substantial burden on the respondents. Moreover, granting the extension serves the orderly administration of justice by allowing petitioner to prepare a complete and thoughtful petition rather than forcing him to choose between meeting a deadline while incapacitated or forfeiting his right to seek review.

When the judicial process becomes the only effective means of resolving a dispute, denial of access raises grave problems for legitimacy. *Boddie v. Connecticut*, 401 U.S. 371

IV. CONCLUSION

For the foregoing reasons, petitioner respectfully requests that this Court grant a sixty-day extension of time to file his petition for writ of certiorari, extending the current deadline and for such other relief as the Court deems just and proper.

Respectfully submitted,

/s/ Samuel Lee Smith, Jr.,

Samuel Lee Smith, Jr.,

Petitioner Pro se

16614 SW 99 Court

Miami, Florida 33157

Email gysam7@gmail.com

Supreme Court of Florida

THURSDAY, MAY 7, 2026

Samuel Lee Smith, Jr.,
Petitioner(s)

**SC2025-1348; SC2025-3049
SC2025-1350; SC2025-1351
SC2025-1354**

v.

Lower Tribunal No(s).:

State of Florida,
Respondent(s)

3D2025-1317;
132024TR000AJPCSLE00,
132024TR000AJPBCME00,
132024CT000AJLNSEE00,
132024TR000AJLNSFE00,
132024TR000AJLNSGE00

This cause having heretofore been submitted to the Court on jurisdictional briefs and portions of the record deemed necessary to reflect jurisdiction under Article V, Section 3(b), Florida Constitution, and the Court having determined that it should decline to accept jurisdiction, it is ordered that the petition for review is denied.

No motion for rehearing will be entertained by the Court. See Fla. R. App. P. 9.330(d)(2).

CASE NO.: SC2025-1348

Page Two

Petitioner's motion for attorney's fees is hereby denied.

**MUÑIZ, C.J., and COURIEL, GROSSHANS, SASSO, and
TANENBAUM, JJ., concur.**

A True Copy

Test:

SC2025-1348 5/7/2026

John A. Tomasino

Clerk, Supreme Court

SC2025-1348 5/7/2026



DL

Served:

3DCA CLERK

MIAMI-DADE CLERK

IVY R. GINSBERG

HON. JULIE HARRIS NELSON

YOLANDE MARVA SAMERSON

SAMUEL LEE SMITH, JR.

IN THE DISTRICT COURT OF
APPEAL
OF FLORIDA
THIRD DISTRICT

August 12, 2025

Samuel Lee Smith, Jr.,
Appellant(s),
v.

3D2025-1353
3D2025-1354
3D2025-1355
3D2025-1317
3D2025-1410

State of Florida,
Appellee(s).

Trial Court Case Nos. AJPCSLE,
AJPBCME, AJLNSEE, AJLNSFE,
AJLNSGE

Upon consideration, pro se Appellant's "Motion to Vacate August 7th, 2025 Order and Re-Open the Case and Correct the Substantive Judicial Error" is hereby denied.

SCALES, C.J., and MILLER and GOODEN, JJ., concur.

A True Copy
ATTEST

3D2025-12538-12/25
Mercedes M. Prieto, Clerk
District Court of Appeal
Third District



CC: Crim Appeals MIA Attorney General
Linda S. Katz
Richard L. Polin
Yolande Marva Samerson
Samuel Lee Smith, Jr.

NS

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

SAMUEL LEE SMITH JR — PETITIONER
(Your Name)

VS.

STATE OF FLORIDA — RESPONDENT(S)

PROOF OF SERVICE

I, SAMUEL LEE SMITH JR, do swear or declare that on this date, August 2nd, 2026, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

ivy r ginsberg-ivy.ginsberg@myfloridalegal.com, cismaggini@myfloridalegal.com, thomas ggrinas colb2-tobit@
yolande marva samerson-yolande.Samerson@myfloridalegal.com, jason cohen-jcohen@pinecrest-fl.gov
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linda melendez-lmelendez@jud11.flcourts.org, liette curidad martinez-lmartinez@jud11.flcourts.org, marcia paula meland
I declare under penalty of perjury that the foregoing is true and correct. mariameland@maricopa.gov

Executed on August 2nd, 2026

Kiss THE SKY
(Signature)

**Additional material
from this filing is
available in the
Clerk's Office.**