

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

ROBERT J. TLUSTY,

Petitioner,

v.

ALEXANDER, et al.,

Respondents.

On Petition for a Writ of Certiorari to the
United States Court of Appeals
for the Eleventh Circuit

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

Pursuant to Supreme Court Rule 13.5, Petitioner Robert J. Tlusty respectfully moves for a 90-day extension of time, to and including January 4, 2027, within which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Eleventh Circuit entered on July 8, 2026. The petition is currently due on October 6, 2026.

In support of this motion, undersigned counsel states as follows:

1. Undersigned counsel was appointed to represent Petitioner in this matter pursuant to Addendum Five to the Eleventh Circuit Plan Under the Criminal Justice Act. The Eleventh Circuit issued its opinion affirming the dismissal of Petitioner's complaint on July 8, 2026.

2. Good cause exists for the requested extension. Undersigned counsel has been called into oral argument in a capital case pending before the Florida Supreme Court, which has required immediate and substantial preparation and attention during the period in which the petition for a writ of certiorari would otherwise be due. The demands of capital appellate representation have made it impracticable to prepare and file a petition of the quality this case warrants within the original 90-day period.

3. The additional time is necessary to allow counsel to thoroughly review the record, incorporate corrections identified by Petitioner, research relevant authority - including any developments arising from the Supreme Court's grant of certiorari in *Nielsen v. Watanabe*, No. 25-417 - and prepare a petition that accurately and completely presents the questions for this Court's review.

4. This is Petitioner's first request for an extension of time in which to file the petition for a writ of certiorari.

5. Because no respondent was served below before the case was dismissed at the screening stage pursuant to 28 U.S.C. § 1915A, there is no opposing counsel to consult regarding this motion. No respondent has entered an appearance in this proceeding.

For the foregoing reasons, Petitioner respectfully requests that the Court grant a 90-day extension of time, to and including January 4, 2027, within which to file the petition for a writ of certiorari.

Respectfully submitted,

/s/Thomas Butler

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Counsel for Petitioner Robert J. Tlusty
Appointed Pursuant to Addendum Five to the
Eleventh Circuit CJA Plan

Dated: September 25, 2026