No. _____

_____

SUPREME COURT OF THE UNITED STATES

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SAMUEL LEE SMITH, JR.,

Petitioner,

v.

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 United States Court of Appeals for the Eleventh Circuit dismissing his appeal.

I. IDENTIFICATION OF JUDGMENT AND JURISDICTIONAL BASIS

Petitioner seeks review of the order entered by the Supreme Court of Florida, denying the Petitioner's appeal in Case No. SC2026-0380 on August 11th, 2026. In the Supreme Court of Florida Order stated this cause having heretofore been submitted to the Court on jurisdictional briefs and portions of the record deemed necessary to reflect jurisdiction, it is ordered that the

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petition for review is denied. The Supreme Court of Florida Order affirmed no Motion for rehearing will be entertained by the Court officials John Daniel Couriel, Jorge Labarga, Jamie R. Grosshans, Renatha Francis and Meredith L. Sasso. Petitioner emphasizes 18 U.S.C. §§ 1961-1968 ABUSE OF POWER and 18 U.S.C. § 201 Judicial Corruption by collective judicial panel of the District Court of Appeal Of Florida, Third District and the Court officials for The Supreme Court of Florida. Petitioner accentuates Federal law 18 U.S.C. § 242 deprivation of rights under color of law and 18 U.S.C § 241. Under Federal law, the government is prohibited from infringing on fundamental rights.

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 bases for Supreme Court of The United States review is rightful, due to the District Court of Appeal Of Florida, Third District issuing a Court order restricting the undersigns filing privileges "Blocking" in the District Court of Appeal Of Florida, Third District and undermining of the rule of law by Court officials from the beginning of filings to the end, violating the Petitioners due process, procedural due process which requires adequate notice and a meaningful opportunity to be heard to contest any government action, speedy trial violations, government abuse displaying egregious judicial and law enforcement misconduct, 18 U.S.C. §§ 1961-1968 and 18 U.S.C. §§ 1341-1346 . The flagrantly improper bias unethical judicial conduct displays a conflict of interest from all Court officers of the law. The

underlying case arose from a false arrest and the Petitioner charged with driving while license suspended/ financial suspension (Fla stat. 322.34(10)(B)1) arising from an incident alleged to have occurred on May 10th, 2025 in which R. Aguero badge 1993, K. Coloma Badge 2465, N. Martinez Badge 2518 and J. Borroto 2418. Hialeah officer R. Aguero acted unlawfully, and factually falsified the arrest affidavit 8 U.S.C. § 1324c. Petitioner filed Motion to return Property on May 14th, 2025, Petitioner filed Motion to Produce on June 6th, 2025, the state never complied obstruction to data Fla Stat. § 815.06. Victoria Ferrer heard this matter on June 17th, 2025 and ordered the State to produce discovery in 15 days. The state failed to comply. Motion to Impose Sanctions was filed on July 3rd, 2025 for failing to comply with discovery request. Petitioner filed Motion to Dismiss with Prejudice on August 12th, 2025, the Court egregiously ignored the Petitioners Motion and denied the undersigned his opportunity to be heard. The case was then heard before Betsy Alvarez- Zane on October 21st, 2025, at 9:45 am, who violated the rules of procedure for discovery by granting the state with a second opportunity to produce discovery. Judicial double standards and corruption is a breach of judicial duty 18 U.S.C. §§ 1961-1968. On November 28th, 2025, Petitioner filed Second Motion to Impose Severe Sanctions due to unreasonable delays and Speedy Trial violations. On December 15th, 2025 The Motion to Impose Sanctions was heard before Betsy Alvarez-Zane who affirmed under oath the Motion will be heard on December 16th, 2025. The senior official acted impartial and used a bait and switch technique on the 16th of December 2025 dismissing the case ignoring the

Petitioners Motion To Impose Sanction and contradicting her statement Fla Stat. § 837.021

Petitioner cites 5 U.S.C. § 3331 for violation of their oath of office by denying the undersign right of access to Courts. The United States Constitution ensures that the Petitioner has a right to be free from government interference. The Supreme Court of Florida procedural actions conflicts the founding document of the United States, The Declaration of Independence.

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 13The 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 gymsam7@gmail.com

Supreme Court of Florida

TUESDAY, AUGUST 11, 2026

Samuel Lee Smith, Jr.,
Petitioner(s)
v.
State of Florida,
Respondent(s)

SC2026-0380
Lower Tribunal No(s).:
3D2025-2570;
132025CT000ALEJZFE00;
132025TR000ALEJZEE00

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).

COURIEL, C.J., and LABARGA, GROSSHANS, FRANCIS, and SASSO, JJ., concur.

A True Copy
Test:

SC2026-0380 8/11/2026
John A. Tomasino
Clerk, Supreme Court
SC2026-0380 8/11/2026

LC

Served:
HON. BETSY ALVAREZ-ZANE
CRIM APPEALS MIA ATTORNEY GENERAL
3DCA CLERK
MIAMI-DADE CLERK
SAMUEL LEE SMITH, JR.

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Third District Court of Appeal

State of Florida

Opinion filed February 5, 2026.
Not final until disposition of timely filed motion for rehearing.

No. 3D25-2570
Lower Tribunal Nos. ALEJZFE & ALEJZEE

Samuel Lee Smith, Jr.,
Appellant,

vs.

State of Florida,
Appellee.

An Appeal from the County Court for Miami-Dade County, Betsy Alvarez-Zane, Judge.

Samuel Lee Smith, Jr., in proper person.

James Uthmeier, Attorney General, for appellee.

Before SCALES, C.J., and LINDSEY and BOKOR, JJ.

On Order to Show Cause

PER CURIAM.

On January 15, 2026, this Court issued an Order to Show Cause directing *pro se* appellant Samuel Lee Smith, Jr. to show cause as to why he should not be prohibited from filing any further *pro se* petitions, appeals, motions or other proceedings in this Court for any lower court case. Smith has filed thirty-six *pro se* matters in this Court in the past five years, and since the order to show cause, he has filed three more.[1] Smith failed to respond to this Court's January 15, 2026 order, thereby providing no legal argument for the benefit of this Court. Accordingly, we find that Smith has failed to show good cause why he should not be barred from further *pro se* filings.

Under Florida law, "a citizen . . . abuses the right to pro se access by filing repetitious and frivolous pleadings, thereby diminishing the ability of the courts to devote their finite resources to the consideration of legitimate claims." State v. Spencer, 751 So. 2d 47, 48 (Fla. 1999) (determining that a

[1] The appellate case numbers of the thirty-six matters are: 3D23-1301, 3D24-0051, 3D24-0052, 3D24-0054, 3D24-0062, 3D24-0125, 3D24-0126, 3D24-0139, 3D24-0140, 3D24-0535, 3D24-0687, 3D24-1030, 3D25-1317, 3D25-1320, 3D25-1353, 3D25-1354, 3D25-1355, 3D25-1386, 3D25-1410, 3D25-1411, 3D25-1423, 3D25-1704, 3D25-1705, 3D25-1707, 3D25-1708, 3D25-1806, 3D25-1912, 3D25-2049, 3D25-2129, 3D25-2144, 3D25-2195, 3D25-2250, 3D25-2252, 3D25-2363, 3D25-2448, 3D25-2570. The three new matters are: 3D26-0093, 3D26-0099, and 3D26-0115.

court may prohibit future *pro se* pleadings as a sanction for repeated and frivolous filings if the court first provides a *pro se* litigant notice and an opportunity to respond).

This Court's judicial resources are limited. Consequently, and consistent with notions of due process, this Court has the inherent authority to determine whether a *pro se* litigant is abusing the judicial process. See Jimenez v. State, 196 So. 3d 499, 501 (Fla. 3d DCA 2016); see also Brown v. Miami-Dade Cnty., 319 So. 3d 81, 84 (Fla. 3d DCA 2021) (affirming the county court's determination of an appellant's vexatious litigant status where the county's motion properly set forth "'five or more civil actions' which had been 'commenced, prosecuted or maintained pro se' by [the appellant] 'over the immediately preceding 5-year period[.]'" (quoting § 68.093(2)(d)1., Fla. Stat. (2019))); Hasanati v. State, 117 So. 3d 1157, 1158 n.1 (Fla. 3d DCA 2013) (finding that the appellant "abused the judicial process through his repeated and meritless pro se appeals and petitions" when he filed "[i]n less than three years . . . a total of seventeen separate pro se appeals or petitions," warranting a ban on further *pro se* filings).

In addition to the extraordinary quantity of his filings, Smith has repeatedly filed unmeritorious pleadings, requests for relief, and other documents that demonstrate an abuse of Florida's appellate court system.

Smith has filed insufficient or non-compliant notices of appeal; routinely has failed to respond to this Court's orders; has filed unauthorized and meritless petitions for writ relief within his recent appeals; and has demonstrated a lack of respect for the court system in his choice of words accompanying his signatures on court filings.

In accordance with Spencer, Smith is prohibited from filing in this Court any further *pro se* petitions, appeals, motions or other proceedings regarding any lower court case. We direct the Clerk of the Third District Court of Appeal to refuse to accept any such papers unless they have been reviewed and signed by an attorney who is a duly licensed member of The Florida Bar in good standing.

So ordered.[2]

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[2] As noted, Smith has several other matters currently pending in this Court (e.g., 3D2026-0093, 3D2026-0099, 3D2026-0115). Given the due process afforded Smith prior to our rendering this opinion and given our findings regarding Smith's abuse of the judicial process in this Court, nothing in this opinion should be construed as preventing the temporary panels or merits panels in any of those pending matters from adjudicating these cases or from entering orders barring Smith from further *pro se* filings.

No. _____

_____

IN THE

SUPREME COURT OF THE UNITED STATES

_____

SAMUEL LEE SMITH JR — PETITIONER
(Your Name)

VS.

Florida — RESPONDENT(S)

PROOF OF SERVICE

I, Samuel Lee Smith Jr, do swear or declare that on this date, November 4th, 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:

crimapp@myfloridalegal.com, jason.doyle-jdoyle@floridabar.org, city@coj.myflorida.com
betsy alvarez zane-balvarez-zane@jud11.flcourts.org, george fuentes-gfuente@hialeahfl.gov
jeremy redfern-jeremy.redfern@myflorida.com, bradley mcvay-bradley.mcvay@myfloridalegal.com, mayor@miamidade.gov.
richard l polia-richard.polia@myfloridalegal.com, yolinda samerson-yolinda.samerson@myfloridalegal.com

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 4th, 2026

KING OF ZONE
(Signature)

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