No. _____

IN THE SUPREME COURT OF THE UNITED STATES

JOSUE BATISTA,

Applicant,

v.

JAKE SCHULMAN,

Respondent.

APPLICATION FOR AN EXTENSION OF TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE DISTRICT COURT OF APPEAL OF FLORIDA, FOURTH DISTRICT

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

Under Supreme Court Rules 13.5, 22, and 30, Applicant Josue Batista, appearing pro se, respectfully requests a 60-day extension of time, to and including February 1, 2027, within which to file a petition for a writ of certiorari.

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1. The judgment for which review will be sought is the per curiam affirmance of the District Court of Appeal of Florida, Fourth District, in *Batista v. Schulman*, No. 4D2025-2187, entered July 30, 2026, without opinion. That court denied Applicant's timely motion for rehearing, motion for written opinion, and motion for certification on September 4, 2026, stating that because review was de novo, "neither a transcript nor a statement of the evidence was required to rule on this appeal." (Apps. A, B.) The Supreme Court of Florida dismissed Applicant's notice to invoke its discretionary jurisdiction on September 28, 2026, for lack of jurisdiction to review an unelaborated decision. *Batista v. Schulman*, No. SC2026-1468. (App. C.) The lower tribunal is the County Court for Palm Beach County, Florida, No. 50-2025-SC-011579.

2. This Court's jurisdiction will rest on 28 U.S.C. § 1257(a). Counting 90 days from the September 4, 2026 denial of rehearing, the petition is currently due December 3, 2026. Sup. Ct. R. 13.1, 13.3. This application is filed more than ten days before that date. Sup. Ct. R. 30.2. No prior application has been made.

3. Good cause exists for the extension. Applicant is not a lawyer and has no counsel. He will ask to proceed in forma pauperis, and this will be his first petition in this Court. He needs time to learn this Court's rules, to review the record of the proceedings below, to research the federal question, and to seek assistance from counsel or a legal clinic experienced in practice before this Court. During the same period Applicant has other pending appellate deadlines as a pro se litigant, including a reply brief in No. 26-12869 in the United States Court of Appeals for the Eleventh Circuit and an initial brief in No. 4D2026-3268 in the Fourth District Court of Appeal of Florida, due in early January 2027.

4. The petition will present a question under the Due Process Clause of the Fourteenth Amendment, which Applicant raised in the Fourth District Court of Appeal in his initial brief and in his motion for rehearing. This request is made in good faith and not for delay, and Respondent will suffer no prejudice from the extension.

For these reasons, Applicant respectfully requests that the time to file a petition for a writ of certiorari be extended 60 days, to and including February 1, 2027.

Dated: November 9, 2026

Respectfully submitted,

Josue Batista

Josue Batista, Applicant, Pro Se
7026 Charleston Shores Blvd.
Lake Worth, Florida 33467
Telephone: (561) 618-0093
Email: barbersway1@gmail.com

CERTIFICATE OF SERVICE

I, Josue Batista, certify that on November 9, 2026, a copy of the foregoing Application was sent by first-class mail, postage prepaid, addressed to counsel for Respondent Jake Schulman in the proceedings below: Elizabeth Jimenez, Esq., Raines Legal, 2500 N. Military Trail, Suite 303, Boca Raton, Florida 33431 (ejimenez@raineslegal.com), Alan L. Raines, Esq., at the same address (alan@raineslegal.com), and Brandon Max Rothstein, Esq., at the same address. All parties required to be served have been served. Sup. Ct. R. 29.

Josue Batista

Josue Batista

APPENDIX

A. Fourth District Court of Appeal, per curiam affirmance, No. 4D2025-2187 (July 30, 2026)

B. Fourth District Court of Appeal, order denying rehearing, written opinion, and certification (Sept. 4, 2026)

C. Supreme Court of Florida, order dismissing notice to invoke discretionary jurisdiction, No. SC2026-1468 (Sept. 28, 2026)

APPENDIX A

Fourth District Court of Appeal
Per curiam affirmance, No. 4D2025-2187
(July 30, 2026)

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

JOSUE BATISTA,
Appellant,

v.

JAKE SCHULMAN,
Appellee.

No. 4D2025-2187

[July 30, 2026]

Appeal from the County Court for the Fifteenth Judicial Circuit, Palm Beach County; Reginald R. Corlew, Judge; L.T. Case No. 502025SC011579XXXASB.

Josue Batista, Lake Worth, pro se.

Alan Lester Raines of Raines Legal, Boca Raton, for appellee.

PER CURIAM.

Affirmed.

GROSS, LEVINE and FORST, JJ., concur.

* * *

Not final until disposition of timely-filed motion for rehearing.

APPENDIX B

Fourth District Court of Appeal
Order denying rehearing, written opinion, and certification
No. 4D2025-2187 (Sept. 4, 2026)

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401

September 4, 2026

JOSUE BATISTA, Appellant(s), v. JAKE SCHULMAN, Appellee(s).	**CASE NO. - 4D2025-2187** L.T. No. - 502025SC011579XXXASB

BY ORDER OF THE COURT:

The motions for rehearing, written opinion and certification are denied. The court notes that this appeal was subject to *de novo* review, so neither a transcript nor a statement of the evidence was required to rule on this appeal. *See, e.g., Harris v. Lagana*, 431 So. 3d 294, 296 (Fla. 6th DCA 2026).

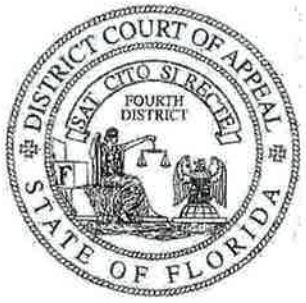
Served:
Josue Batista
Elizabeth Jimenez
Alan Lester Raines
Brandon Max Rothstein

AM

I HEREBY CERTIFY that the foregoing is a true copy of the court's order.

4D2025-2187 Lonn Weissblum

LONN WEISSBLUM, Clerk
Fourth District Court of Appeal
4D2025-2187 September 4, 2026



APPENDIX C

Supreme Court of Florida
Order dismissing notice to invoke discretionary jurisdiction
No. SC2026-1468 (Sept. 28, 2026)

Supreme Court of Florida

MONDAY, SEPTEMBER 28, 2026

Josue Batista,
Petitioner(s)
v.

Jake Schulman,
Respondent(s)

SC2026-1468
Lower Tribunal No(s).:
4D2025-2187;
502025SC011579XXXASB

Petitioner's Notice to Invoke Discretionary Jurisdiction, seeking review of the order or opinion issued by the Fourth District Court of Appeal on July 30, 2026, is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wheeler v. State*, 296 So. 3d 895 (Fla. 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy
Test:

SC2026-1468 9/28/2026

John A. Tomasino
Clerk, Supreme Court

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SC2026-1468 9/28/2026

TD

Served:

4DCA CLERK
PALM BEACH CLERK
HON. REGINALD CORLEW
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ALAN LESTER RAINES
BRANDON MAX ROTHSTEIN
JOSUE BATISTA

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