No. _____

IN THE SUPREME COURT OF THE UNITED STATES

CUBANOS PA'LANTE, ENGAGE MIAMI INC., FIU ACLU CLUB, CINDY POLO, and GENESIS M. CASTILLA FALCON,

Applicants,

v.

FLORIDA HOUSE OF REPRESENTATIVES and CORD BYRD, in his official capacity as Florida Secretary of State,

Respondents.

On Appeal from the United States District Court for the Southern District of Florida

APPLICATION FOR AN EXTENSION OF TIME IN WHICH TO FILE A JURISDICTIONAL STATEMENT

Joseph T. Eagleton
Counsel of Record
Robert S. Schenck
BRANNOCK BERMAN & SEIDER
1111 West Cass Street, Suite 200
Tampa, Florida 33606
813-223-4300
jeagleton@bbsappeals.com
rschenck@bbsappeals.com
eservice@bbsappeals.com

Reid Levin
Leylany Rodriguez
REID LEVIN, PLLC
P.O. Box 880682
Boca Raton, Florida 33488
561-866-6089
reid@reidlevinpllc.com
leylany@reidlevinpllc.com

Counsel for Applicants

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

Applicants,[1] Plaintiffs below and Appellants here, respectfully request an extension of time to file a jurisdictional statement, pursuant to Supreme Court Rules 18.3, 21, 22, and 30. Applicants request a 45-day extension of time, to Tuesday, January 19, 2027, in which to file a jurisdictional statement in the appeal from the judgment in *Cubanos Pa'lante v. Florida House of Representatives*, Case No. 1:26-cv-21983 (S.D. Fla. Aug. 6, 2026). Counsel for the Applicants has conferred with the Defendants below and Appellees here, who do not object to the requested extension.

The district court issued a partial final judgment on August 6, 2026. *See* Appendix B. Its accompanying opinion found for the State of Florida on Applicants' challenge to several Florida State House districts as racial gerrymanders under the Fourteenth Amendment. *See* Appendix A. Applicants' claim regarding a Congressional district remains pending. However, the court below issued a Certification Order Pursuant to Fed. R. Civ. P. 54(b), and a partial final judgment on the State House claims, allowing an immediate appeal of those claims, and Applicants timely filed their notice of appeal on October 5, 2026. *See* Appendix C and D. Because the decision below was determined by a three-judge district court, this Court has jurisdiction under 28 U.S.C. § 1253.

Under Supreme Court Rule 18.3, the jurisdictional statement is due on December 4, 2026, sixty days from the filing of the notice of appeal. For good cause,

[1] The Applicants are Cubanos Pa'lante, Engage Miami Inc., the FIU ACLU Club, Cindy Polo, and Genesis M. Castilla Falcon.

"a Justice may extend the time to file a jurisdictional statement for a period not exceeding 60 days." S. Ct. R. 18.3. Accordingly, Applicants respectfully request a 45-day extension to file their jurisdictional statement. Granting the request would move the deadline to Tuesday, January 19, 2027.

There is good cause for the extension, as follows:

1. Applicants retained their appellate counsel only recently, within the past two weeks. Applicants' counsel did not serve as trial counsel. Counsel require additional time to become familiar with the case file, read the record from the four-day bench trial, review the hundreds of trial exhibits, examine the issues to be raised on appeal, and prepare a jurisdictional statement that will best assist the Court in resolving the appeal.

2. The current deadline also falls in the midst of the holiday season and substantial overlapping professional and personal obligations of counsel. Undertaking the required work outlined in the preceding paragraph would be impractical under the current schedule.

3. More importantly, this case involves the right to vote and the government's use of race to draw electoral districts for certain racial groups. This Court has previously ruled that the right to vote is "a fundamental political right because [it is] preservative of all rights." *Reynolds v. Sims*, 377 U.S. 533, 562 (1964) (citation omitted); *see also Wesberry v. Sanders*, 376 U.S. 1, 17 (1964) ("No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live."). The Court has

taken just as seriously racial classifications in districting, which it has decried as "by their very nature odious to a free people whose institutions are founded upon the doctrine of equality." *Shaw v. Reno*, 509 U.S. 630, 643 (1993) (quoting *Hirabayashi v. United States*, 320 U.S. 81, 100 (1943)). Because this case involves such weighty interests, good cause exists to grant the requested extension to afford Applicants' counsel adequate time to address the constitutional rights at stake.

4. No prejudice will occur because of the requested extension. Applicants emailed counsel for both Respondents (the Florida House of Representatives and the Florida Secretary of State) to seek their position on the requested extension. Both Respondents stated that they do not object to the relief requested in this Application.

CONCLUSION

Applicants respectfully request that this Court grant the requested extension and permit Applicants to file their jurisdictional statement by January 19, 2027.

Respectfully submitted November 11, 2026,

/s/ Joseph T. Eagleton

Joseph T. Eagleton
Counsel of Record
Robert S. Schenck
BRANNOCK BERMAN & SEIDER
1111 West Cass Street, Suite 200
Tampa, Florida 33606
813-223-4300
jeagleton@bbsappeals.com
rschenck@bbsappeals.com
eservice@bbsappeals.com

Reid Levin
Leylany Rodriguez
REID LEVIN, PLLC
P.O. Box 880682
Boca Raton, Florida 33488
561-866-6089
reid@reidlevinpllc.com
leylany@reidlevinpllc.com