

No. 24 - _____

**IN THE
SUPREME COURT OF THE UNITED STATES**

Christine Scott,

Applicant,

vs.

State of Florida,

Respondent.

On Petition for Writ of Certiorari to
the Florida Supreme Court

**APPLICATION FOR EXTENSION OF TIME TO FILE A
PETITION FOR WRIT OF CERTIORARI**

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**APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION
FOR A WRIT OF CERTIORARI**

TO: Clarence Thomas, Circuit Justice for the United States Court of Appeals
for the Eleventh Circuit:

Under Rule 13.5 and 22, Pro Se Applicant Christine Scott requests an extension of sixty days to file her petition for a writ of certiorari. This petition will challenge the decision of the Florida Fourth District Court of Appeals for which the Florida Supreme Court declined to accept jurisdiction, copies of both are attached. In support of this application, Applicant provides the following information:

1. The Florida Supreme Court issued its decision to decline jurisdiction on November 22, 2023. App. 1. Without an extension, the petition for a writ of certiorari would be due on Tuesday, February 20, 2024. With the requested sixty-day extension, the petition would be due on Monday, April 22, 2024. (The 60th day is Saturday, April 20, 2024, making the due date April 22, 2024. *See* Rule 30.1.) This Court's jurisdiction is based on 28 U.S.C. s. 1257(a), Rules 11 and 22.

2. This case addresses the right to petition on quasi-public property, what constitutes public or conversely, what constitutes private when a property is open to the public and/or holding government contracts, and the parameters thereto as they relate to (a) the First Amendment (relating to right to free speech, right to assemble and right to petition for redress of grievances); (b) Florida Constitution's Article 1, Section 4 which was originally represented under Section 5 of the 1838 state constitution which 'drew inspiration...from neighboring states, especially Alabama¹, reading, 'That every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty; and no law shall **ever**² be passed to curtail, abridge, or restrain that liberty of speech or of the press.', which has been changed without historical preservation to prove the consent of the people of the constitutional change, with the revised constitution represented in Article 1, Section 4. Freedom of speech and press, which reads in relevant part, "Every person may speak, write and publish sentiment on all subjects but shall be responsible for the abuse of that

¹ See FloridaMemory.com/discover/historical_records/constitution

² Emphasis added

right. No law shall be passed to restrain or abridge the liberty of speech or of the press...”; (c) with Section 20 of the 1838 state constitution reading, “That the people have a right, in a peaceable manner, to assemble together to consult for the common good; and to apply those invested with the powers of government, for redress of grievances, or other proper purposes, by petition, address, or remonstrance.” which was later revised, again without historical preservation of consent from the people, to read under Florida Constitution Article 1, Section 5, “Right to assemble. - The people shall have the right peaceably to assemble, to instruct their representatives, and to petition for redress of grievance.” (d) The district court’s finding in part on the misinterpreted belief that “...nothing in article I, section 5’s text which leads [the district court of appeals] to conclude that the Florida Constitution confers political speech rights greater than those provided by the First Amendment to the United States Constitution.” when, in fact, the Florida Constitution was not designed or intended to ‘confer’ with the federal constitution but rather is meant to be “consistent with the principles of the Federal Constitution” according to Florida’s original writing of its constitution. While the Florida

Supreme Court has agreed with the district court's opinion³, Applicant's reading of the intent and meaning of Florida's original constitution would be more expansive than that of the federal constitution, which this court has found to be a guiding consideration in *Pruneyard Shopping Center v. Robins*⁴ (1980). (e) In the First Amendment, petitioning is a stand-alone right, yet consistently attached to other rights, such as the right to free speech and the right to assemble. The right to petition is not subservient to any of the other four rights given to Americans by way of the First Amendment. The act of petitioning cannot be curtailed by whim of owner (with additional concern over foreign-ownership influence) or government contractor determined in a discriminatory manner, yet with the onslaught of overbearing corporations aggressively determining who will and won't petition for ballot access on their property based on their political preferences, the realistic locations for petitioning has decreased to such a degree as to deprive an indigent of their constitutional right to petition to gain ballot access. This matter is seeped in the right to

³ See *Department of Education v. Lewis* (Fla. 1982)

⁴ 447 U.S. 74

petition on quasi-public property, how such property is defined, and of imperative public importance since the current dynamics have allowed for applicant, and petitioners finding their constitutional right to petition brutally attacked based on interpretation of the property, which seems to be a whimsical inclination, at best. In about a three year period, Scott was told to leave, warned and/or trespassed approximately 50 times, with two of those events ending in an arrest and one of them landing her in jail, with the inability to afford bail, for 66 days on a sole misdemeanor trespass charge without the case going to trial, resulting from exercising her constitutional right to petition on quasi-public property, because she had refused to leave a property where she was actively petitioning at that time, and where she had been discriminated against and had been told she had to ask permission and have a permit, while others had been allowed to petition. A person can stand on their constitutional rights without being forced to abandon them due to preference of someone related to a property that has been willfully and intentionally opened to the public. The conclusions on what is and is not 'public' needs to be revised to

ensure the rights of Americans, to gain access to the ballot by petition, is protected.

3. Applicant was represented by a public defender in the lower court litigation; while directly affected by the litigation, she was not directly involved. The extension of time is necessary for Pro Se Applicant Scott to familiarize herself with the record and to prepare a petition that will be helpful to the Court in evaluating whether to review the decision below.
4. The extension would not cause prejudice to respondent. Respondent 'takes no position' on the requested extension of time.
5. In conclusion, for the foregoing reasons, Applicant respectfully requests that this Court grant an extension of 60 days, up to and including April 22, 2024, within which to file a petition for a writ of certiorari for this case.

Respectfully submitted.

Dated Feb. 10, 2024

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/s/ Christine Scott

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no phone