

DOCKET NO. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

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HARRY FRANKLIN PHILLIPS

Petitioner,

vs.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,

Respondent.

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ON PETITION FOR A WRIT OF CERTIORARI TO  
THE ELEVENTH CIRCUIT COURT OF APPEALS

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APPLICATION FOR A SIXTY-DAY EXTENSION OF TIME  
IN WHICH TO FILE PETITION FOR WRIT OF CERTIORARI TO  
THE ELEVENTH CIRCUIT COURT OF APPEALS

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

Petitioner, HARRY FRANKLIN PHILLIPS, by and through undersigned  
counsel, and pursuant to 28 U.S.C. § 2101(d) and Rules 13.5 and 30.2 of this Court,  
respectfully requests an extension of time of sixty (60) days to file a petition for writ  
of certiorari to the Eleventh Circuit Court of Appeals, to and including September 16,  
2024.

Mr. Phillips is an indigent death-sentenced inmate in the custody of the State  
of Florida. This Court has jurisdiction to review the decision of the Eleventh Circuit

Court of Appeals under 28 U.S.C. § 1254(1).

Mr. Phillips was convicted of one count of first-degree murder and sentenced to death in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida. This case involves the February 9, 2024 decision of the Eleventh Circuit Court of Appeals affirming the denial of Mr. Phillips' petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. See *Phillips v. Secretary, Florida Department of Corrections*, No. 15-15714-P (11<sup>th</sup> Cir. 2024). ("Attachment A"). Mr. Phillips timely filed rehearing *en banc* which the court of appeals denied on April 15, 2024. ("Attachment B").

Mr. Phillips' time to petition for certiorari in this Court expires on July 16, 2024. This application for a sixty-day extension is being filed more than ten days before that date. Undersigned counsel shows the following good cause in support of this request.

Mr. Phillips is represented by the Office of the Capital Collateral Regional Counsel-South (CCRC-South), a Florida state agency charged with the responsibility of representing indigent death row inmates. Undersigned counsel is assigned as lead counsel for Mr. Phillips. Undersigned counsel was unexpectedly diagnosed on the evening of June 18, 2024, with a serious illness which usually requires three to five weeks from which to recover, and which can take longer. Part of the treatment for this illness includes rest and reduction of stress along with medications. Undersigned counsel also has several other capital or serious non-capital cases in which briefing is due or representation in the lower courts is scheduled. Due to the undersigned

counsel's sudden serious illness, counsel is unable to prepare a proper petition for writ of certiorari in Mr. Phillips' case in the time frame allowed and respectfully asks that this Court grant a sixty-day extension of time in which to file a petition for writ of certiorari with this Court. If the sixty-day extension of time is granted, counsel's intention is to file a petition for writ of certiorari on or before September 16, 2024.

Wherefore, Mr. Phillips respectfully requests that an order be entered extending his time to petition for certiorari to and including September 16, 2024.

Respectfully submitted,

*s/Marie-Louise Samuels Parmer*  
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COUNSEL FOR MR. PHILLIPS

