

No. 24-

IN THE
Supreme Court of the United States

HUMBERTO FALCON SAN-MARTIN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**On Petition For A Writ Of Certiorari To The
United States Court Of Appeals
For The Eleventh Circuit**

**MOTION FOR EXTENSION OF TIME TO
FILE PETITION FOR WRIT OF CERTIORARI**

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No. 24-

HUMBERTO FALCON SAN-MARTIN,

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UNITED STATES OF AMERICA,

Respondent.

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

Petitioner Humberto Falcon San-Martin (“San-Martin”) request a thirty (30) day extension, to file his Petition for Writ of Certiorari. The final judgment was entered on May 15, 2024, in the United States Court of Appeals for the Eleventh Circuit. The Petition for Writ of Certiorari is presently due on August 13, 2024, pursuant to the 90 days required by Rule 13.1. This application is being filed at least 10 days prior to that due date.

Attached is a copy of the opinion. The jurisdiction of this court is invoked under 28 U.S.C. § 1254(1).

Petitioner San-Martin will be petitioning this Court for a writ of certiorari to review the judgment of the United States Court of Appeals for the Eleventh Circuit. The Eleventh Circuit affirmed the district court’s decision to deny the defense of sentencing entrapment.

The undersigned requests an extension for the following reasons:

Undersigned is court-appointed counsel in this case. Counsel has been drafting the Petition but has also been involved in other cases such as a trial in West Palm Beach relating to the probate and guardianship of Mrs. Henry Ford 50-2018GA000542XXXXNBIA, as well as other issues in several active cases dealing with that estate, including recently having to review and determine whether to seek rehearing in two appeals in the probate and post-guardianship portions of the case. Undersigned also has been involved in the CJA appointed case, *United States v. David W. Schwarz*, Case No. 16-Cr-10039-KMM (DLG) as co-counsel in the re-trial, and now on appeal. *Schwarz* was a complex fraud case which undersigned reversed in the first trial and in which she has been appointed in the appeal. The pending issue of bail on appeal has resulted in a remand by the Eleventh Circuit to the trial court for additional facts; that remand has short deadlines as the defendant is incarcerated because bond was denied. Undersigned has other matters that also need attending.

The undersigned has been addressing an emergency medical issue for the last two weeks.

Undersigned counsel requests an extension of time of 30 days that would make the Petition due on September 12, 2024.

This Motion is not being filed for purposes of delay but rather to ensure the undersigned provides Petitioner with effective assistance.

On July 29, 2024, the undersigned contacted the Solicitor General 's Office, but have not received a response as to their position regarding this motion.

Respectfully submitted,

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Date: July 31, 2024

CERTIFICATE OF SERVICE

As required by Supreme Court Rule 29, I, Sonia Escobio O'Donnell, a member of the Supreme Court Bar, hereby certify that on July 31, 2024, I served the Motion for extension of time to file Petition for a Writ of Certiorari on each party to above proceeding, and on every other party required to be served, via electronic mail addressed as follows:

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

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