

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

ROBERT A. HAMBERG,
Petitioner,

v.

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,
Respondent.

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

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

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Counsel for the Petitioner

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

Introduction

Pursuant to this Court's Rule 13.5, the Petitioner, Robert A. Hamberg, respectfully requests a thirty-day extension of time within which to file a petition for a writ of certiorari in this Court, to and including November 7, 2024.

Jurisdiction

The order of the Eleventh Circuit Court of Appeals affirming the denial of the Petitioner's 28 U.S.C. § 2254 petition was entered on July 10, 2024. Unless extended, the time within which to file a petition for a writ of certiorari would expire on October 8, 2024.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). A copy of the opinion of the Eleventh Circuit Court of Appeals is included in the appendix to this motion.

Argument

The issue in this case is whether the Petitioner's 28 U.S.C. § 2254 petition was improperly denied. In his § 2254 petition, the Petitioner alleged that the district court erred in finding that the state postconviction court properly applied federal law when it found that the Petitioner's trial counsel did not provide ineffective assistance of counsel.

Unfortunately undersigned counsel's schedule requires him to seek an extension of time in this case. In particular, since the Eleventh Court of Appeals entered its opinion, undersigned counsel has: participated in two postconviction evidentiary hearings; two sentencing hearings before Florida circuit courts; attended a continuing legal education seminar; and attended two Florida Bar committee meetings.

Additionally, during the next two months, undersigned counsel will be attending two oral arguments before Florida district courts and three postconviction evidentiary hearings before Florida circuit courts.¹

Therefore, the Petitioner requests an extension of thirty days to file the petition for a writ of certiorari. No party will be prejudiced by the granting of a thirty-day extension in this case.

Accordingly, the Petitioner respectfully requests that an order be entered extending the time to petition for writ of certiorari by thirty days.

Respectfully submitted,

/s/ Michael Ufferman
MICHAEL UFFERMAN
Counsel for the Petitioner

¹ Undersigned counsel will appear at oral arguments on: 1) September 17, 2024, in *Dauphin v. State*, case number 1D23-1192, pending in the Florida First District Court of Appeal; and 2) October 8, 2024, in *Vastag v. State*, case number 2D23-0192, pending in the Florida Second District Court of Appeal. Undersigned counsel will appear at postconviction evidentiary hearings on: 1) September 20, 2024, in *State v. Manley*, case number 2014-CF-16428, pending in the Florida Twentieth Judicial Circuit Court (Lee County); 2) October 22, 2024, in *State v. Cotton*, case number 2004-CF-1151, pending in the Florida Second Judicial Circuit Court (Leon County); and 3) November 8, 2024, in *State v. Neeley*, case number 2017-CF-300622, pending in the Florida Seventh Judicial Circuit Court (Volusia County).

CERTIFICATE OF SERVICE

I, Michael Ufferman, a member of the Bar of this Court, hereby certify that on the 10th day of September, 2024, a copy of this Application For Extension of Time To File A Petition For A Writ Of Certiorari in the above-entitled case was mailed, first class postage prepaid, to the Office of the Attorney General, Concourse Center 4, 3507 EastFrontage Road, Suite 200, Tampa, FL 33607-7013 (counsel for the Respondent herein). I further certify that all parties required to be served have been served.

/s/ Michael Ufferman
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