

No:

IN THE  
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2024

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WILLEMS CALIXTE, JR.,

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

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**MOTION FOR EXTENSION OF TIME  
WITHIN WHICH TO FILE A PETITION FOR WRIT OF  
CERTIORARI**

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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:**

Pursuant to Supreme Court Rules 13.5, 22, and 30.3, Willems Calixte respectfully requests a 30-day extension of time within which to file a petition for writ of certiorari to the United States Court of Appeals for the Eleventh Circuit. In support of this motion, Mr. Calixte, through counsel states:

Mr. Calixte was convicted of 18 U.S.C. §922(g)(1). Calixte appealed his conviction and sentence. While his case was pending before the Eleventh Circuit, multiple cases from this Court issued

which positively affected Mr. Calixte's legal issues, and at this time, some of these cases have led to circuit splits. These cases included: *Borden v. United States*, 141 S.Ct. 1817 (2021); *New York Rifle Assoc. v. Bruen*, 142 S.Ct. 2111 (2022); *Brown v. United States*, 144 S.Ct. 1195 (2024), and *Erlinger v. United States*, 144 S.Ct. 1840 (2024). The Eleventh Circuit court affirmed Mr. Calixte's judgment on June 18, 2024. Mr. Calixte filed a Petition for Rehearing and Rehearing *En Banc* which was denied on September 16, 2024.

Mr. Calixte's Petition for Writ of Certiorari is currently due December 16, 2024. Counsel seeks an additional 30 days to prepare the petition because of the heavy press of earlier assigned cases; due to the novel issues based on this Court's recent decisions that have impacted Mr. Calixte's case; and because counsel will be out of the district from December 12, 2024-January 3, 2025.

This request for an extension is being filed more than ten days before the filing date of the Petition for Writ of Certiorari. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1). A copy of the Eleventh Circuit's opinion affirming Mr. Calixte's judgment is attached as Exhibit A. The Eleventh Circuit's denial of rehearing is attached as Exhibit B.

No party will be prejudiced by the granting of this request.

Accordingly, petitioner respectfully requests that this Court extend the time to file a petition for writ of certiorari by 30 days.

Respectfully submitted,

HECTOR DOPICO  
FEDERAL PUBLIC DEFENDER

Fort Lauderdale, Florida  
November 21, 2024

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