

CHOLDSBORO,
PETITIONER

v.

FLORIDA,
RESPONDENT

SUPREME COURT OF THE UNITED STATES


CASE NO.:
24-5554
FLCOAS NO.:
SD2023-1391
LT. CASE NO.:
2019-LF-021200-A

REQUEST FOR EXTENSION TO FILE WRIT OF CERTIORARI DATE: 8 NOVEMBER 2024

COMES Now, on this 8th day of November 2024, the Petitioner, HARRY LEE GOLDSBORO II, pro se, submits this Request For Extension to File Writ of Certiorari to the United States Supreme Court in response to the U.S. Supreme Court's notice filed on November 4th, 2024 indicating that the Petitioner's documents for the writ of certiorari used to initiate U.S. Supreme Court case no. 24-5554, were returned because the Petitioner's case must first be reviewed by a U.S. District Court or by the highest state court. The Petitioner files this request for extension because he has complied with the exhaustion requirements by filing a Notice of Appeal with the Florida Supreme Court on August 24th, 2024; however, he has not received a response or ruling from the Florida Supreme Court. The Petitioner is including a copy of the timely filed Notice of Appeal to the Florida Supreme Court in case no. SD2023-1391, and also a copy of the timely filed Notice of Appeal to the Florida Supreme Court in case no. 6D2023-2883 and the Florida Supreme Court's Order denying the Petitioner's Notice to Invoke Discretionary Jurisdiction ordered on September 11th, 2024. The Petitioner filed the Notice of Appeal in case 6D2023-2883 on August 15th, 2024 and received the Florida Supreme Court's order on September 11th, 2024; however, the Petitioner followed the exact same procedures in preparation to file the writ of certiorari and filed the Notice of Appeal to the Florida Supreme Court on August 24th, 2024, but he has not received a response or order in that case and no mail was returned undeliverable. The Petitioner asserts that both notices were timely filed, but it seems that the Florida Supreme Court only ruled on one of them. The Petitioner is requesting an extension to refile his writ of certiorari to provide him time to resubmit his Notice of Appeal to the Florida Supreme Court and receive the court's response to ensure that his writ complies with the requirements of exhaustion. (The Florida Supreme Court published its order on September 11th, 2024 in case no. 6D2023-2883 and a copy is available online and the Petitioner has included a copy as evidence of compliance in one case to demonstrate that he also complied with the same requirement in the instant case).

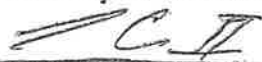
OATH

Under penalties of perjury, I declare that I have read the foregoing motion or had it read to me, that I understand its motion's contents, and that all of the Facts alleged in the motion are true and correct.


HARRY LEE GOLDSBORO II, Pro Se
DEFENDANT, JAZL #4838407


CERTIFICATIONS AND ACKNOWLEDGEMENTS

I certify that the motion is filed in good faith, that I have a reasonable belief that the motion is timely filed, has potential merit, and does not duplicate previous motions that have been disposed of by the court. I certify that I understand English and have read the foregoing motion or had the motion read to me. I understand that I am subject to judicial or administrative sanctions, including but not limited to forfeiture of gain time, if this motion is found to be frivolous, malicious, made in bad faith, or with reckless disregard for the truth, or an abuse of the legal process.


HARRY LEE GOLDSBORO II, Pro Se
DEFENDANT, JAZL #4838407

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Request for Extension to File Writ of Certiorari was delivered by mail to: the United States Supreme Court Office of the Clerk of Courts 1 First St. NE Washington, D.C. 20543, the United States Attorney General 850 Pennsylvania Avenue Washington, D.C. 20530, and the Florida Supreme Court Office of the Clerk of Courts 500 South Duval Street Tallahassee, FL 32399-1927 on this 8th day of November 2024.


HARRY LEE GOLDSBORO II, Pro Se
DEFENDANT, JAZL #4838407
BREVARD COUNTY JAIL COMPLEX
ATTN: LEGAL MAIL
850 CHINA ROAD
COCOA, FL 32927
DATE: 08 NOVEMBER 2024

Supreme Court of Florida

WEDNESDAY, SEPTEMBER 11, 2024

Harry Lee Goldsboro, II,
Petitioner(s)

v.

State of Florida,
Respondent(s)

SC2024-1316

Lower Tribunal No(s):

6D2023-2883;

482018CF004010000AOX

Petitioner's Notice to Invoke Discretionary Jurisdiction, seeking review of the order or opinion issued by the 6th District Court of Appeal on July 31, 2024, is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wheeler v. State*, 296 So. 3d 895 (Fla. 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy

Test:

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John A. Tomasino
Clerk, Supreme Court



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TD

Served:

CRIMINAL APPEALS DAB ATTORNEY GENERAL
HON. LUIS FERNANDO CALDERON
6DCA CLERK
ORANGE CLERK
HARRY LEE GOLDSBORO, II