

In The Supreme Court Of The United States

Jason Orlando Rias  
vs. Petitioner

Appeal Case # 4D23-1381  
L.O. case # 18-CF-1256A

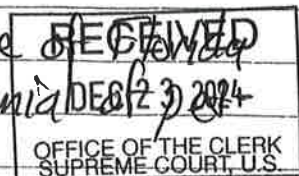
State Of Florida  
Respondent

Motion For Extension Of Time For Applying For  
A Writ Of Certiorari

The Petitioner, Jason Orlando Rias, pro se, hereby respectfully requests this Most Honorable Court for a 60 day extension of the 90 day time limit for applying for a writ of certiorari in the Supreme Court of the United States, pursuant to 28 U.S.C.S. § 2101(c) which states in part that "A Justice of the Supreme Court, for good cause shown, may extend the time for applying for a writ of certiorari for a period not exceeding 60 days". In support thereof the petitioner would provide the following to demonstrate "good cause shown":

1. When denying the petitioners direct appeal of his judgement and sentence, in appeal case # 4D23-1381, on Sept. 12th, 2024, the 4th District Court of Appeal State of Florida failed to provide any copy of the denial of petitioners direct appeal to the petitioner himself, preventing the petitioner from being aware his 90 day time limit began running on Sept. 12th, 2024.

2. The 4th District Court of Appeal State of Florida did not provide any notice of the denial of the





-itioners direct appeal until the 4th D.C.A. provided petitioner with the mandate filed at the 4th D.C.A. on October 8th, 2024, which petitioner did not receive the mandate until shortly thereafter in mid October 2024.

3. The 90 day time limit for the petitioner to apply for a writ of Certiorari in the United States Supreme Court expires approx. on December 10th, 2024. The petitioner has only been aware of this deadline for approx. 45 days, since mid October of 2024 when the 4th D.C.A. provided their mandate to the petitioner, which has effectively cut petitioner's 90 day time limit in half at no fault of the petitioner.

4. Petitioner's Counsel, appointed to represent the indigent petitioner for his direct appeal on case number 4D23-1381 was the appellate division of the Public Defender's Office, Benjamin Eisenberg, Bar # 100538, 401 3rd St., West Palm Beach, FL 33401. Eisenberg completely failed to assist petitioner in discussing the filing of a writ of certiorari, Eisenberg has refused all communication attempted by petitioner since Eisenberg was appointed to represent petitioner on his direct appeal, this has violated the petitioner's right to counsel while seeking to file a writ of certiorari, contrary to U.S. v. Prile, 491 F.3d 613 (7th Cir.) cert. denied 552 U.S. 1048 (2007) (Holding that the defendant had a statutory right to counsel while seeking certiorari review, granting defendant's motion for appointment of new counsel to assist him in the filing of




a petition for Writ of Certiorari in the Supreme Court of the United States).

Here petitioner has been completely denied this statutory right to counsel, as the petitioner should at least have an opportunity to discuss the filing of a writ of certiorari with appointed counsel, See: *U.S. v. Price*, 491 F.3d 613 (7th Cir.), cert. denied, 552 U.S. 1048 (2007).

5. Therefore, the petitioner Jason Orlando Rios has met his burden to demonstrate good cause shown by the petitioner, to this Most Honorable Court, in order for this Most Honorable Court to grant a 60 day extension of the time limit for the petitioner to file a writ of certiorari in this Court from the current December 12th, 2024 deadline, extending 60 day to approx. a February 12th 2024 deadline.

### Unnotarized Sworn Oath

The petitioner Jason Orlando Rios, under penalty of perjury hereby declares that the facts contained within this motion are true, correct, and are made in good faith. I understand that if this motion is found to have been made in bad faith and or frivolously made, that I am subject to sanctioning including but not limited to the forfeiture of gain time by the Dept. of Corrections. I further certify that I can read and write the English language.

  
Jason Rios  
DC # C21930

## Certificate of Service

I hereby certify that a true and correct copy of the foregoing motion was placed into the hands of legal mail personnel at Mayo C.I. to be sent by U.S. Mail to the following recipients on this 10th day of December, 2024:

1. Office of the Clerk, Supreme Court of the United States, Washington, DC, 20543-0001.
2. Office of the Attorney General, 1515 N. Flagler Dr., Suite 900, West Palm Beach, FL 33401.



Jason Rias

DC # C 21930

Mayo Correctional Institution

8784 U.S. Hwy 27 West

Mayo, FL 32066