

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

MITCHELLE ROBINSON,

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

---

**APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION FOR A  
WRIT OF CERTIORARI FROM A JUDGMENT OF THE UNITED STATES  
COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

---

**TO THE HON. CLARENCE THOMAS, ASSOCIATE JUSTICE OF THE  
UNITED STATES SUPREME COURT AND CIRCUIT JUSTICE FOR THE  
UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

---

Pursuant to Rules 13.5, 22, and 30 of this Court, Petitioner Michelle Robinson respectfully requests a 30-day extension of time, up to and including March 6, 2025, within which to file a petition for a writ of certiorari from the judgment of the U.S. Court of Appeals for the Eleventh Circuit. Petitioner has not previously sought an extension of time from this Court. Petitioner is filing this Application at least ten days before the current deadline, which is February 4, 2025. *See* Sup. Ct. R. 13.5. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1).

A jury found petitioner guilty of attempting to possess with intent to distribute cocaine, as well as using/carrying a firearm during and in relation to/in furtherance

of a drug-trafficking crime, in the U.S. District Court for the Southern District of Florida. Petitioner was subject to a mandatory minimum prison sentence of ten years.

Petitioner appealed his conviction to the U.S. Court of Appeals for the Eleventh Circuit. On appeal, he argued, *inter alia*, the district court erred under Federal Rule of Evidence 404(b) by admitting into evidence text messages showing that he had previously distributed small quantities of marijuana. At trial, the government argued that this drug trafficking in the past showed that he had the knowledge and intent to engage in drug trafficking in the present case. In particular, the prosecution argued in closing that the prior drug trafficking showed that petitioner “knows the game.” On appeal, petitioner argued that the prior drug trafficking was inadmissible because its relevance to that knowledge/intent depended on the use of impermissible propensity reasoning. The Eleventh Circuit affirmed, applying circuit precedent holding that the evidence of drug trafficking in the past is relevant to petitioner’s knowledge and intent to commit drug trafficking in the present. A copy of its decision is attached, along with a copy of the district court’s order and judgment of conviction.

Undersigned counsel will not have sufficient time to prepare and file the petition for a writ of certiorari by the current deadline due to the press of other business, including motions for sentence reductions in the district court (*e.g.*, *United States v. Peddicord*, S.D. Fla. No. 22-cr-20208), briefs in the Eleventh Circuit (*e.g.*, *United States v. Brian Bocage*, 11th Cir. No. 24-12275, *United States v. Ott*, 11th Cir. No. 24-13812), and oral arguments in the Eleventh Circuit (*United States v. Steven Schreck/Sandburg*, 11th Cir. No. 24-11951).

Undersigned counsel believes that additional time is important to ensure the effective representation of petitioner. No party will be prejudiced by the granting of a 30-day extension of time. Accordingly, petitioner respectfully requests that an order be entered extending his time to file a petition for a writ of certiorari by 30 days—extending the current deadline from February 4, 2025, to March 6, 2025.

Respectfully submitted,

HECTOR A. DOPICO  
Federal Public Defender

January 14th, 2025

By: /s/ Andrew L. Adler  
Andrew L. Adler  
*Counsel of Record*  
Assistant Federal Public Defender  
1 E. Broward Blvd., Suite 1100  
Ft. Lauderdale, FL 33301  
(954) 356-7436  
Andrew\_Adler@fd.org