

No. ____

IN THE

Supreme Court of the United States

KENNETH HARTLEY,

Petitioner,

v.

SECRETARY,

FLORIDA DEPARTMENT OF CORRECTIONS,

Respondent.

*On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Eleventh Circuit*

**APPLICATION FOR SIXTY (60) DAY EXTENSION OF TIME IN WHICH TO
FILE PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

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

COMES NOW the Petitioner, Kenneth Hartley, by and through undersigned counsel and pursuant to Supreme Court Rule 13.5, respectfully requests an extension of time of sixty (60) days within which to file his Petition for Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit. Petitioner requests that the Court extend the deadline to May 8, 2025. In support of his request, Petitioner, through counsel, states the following:

1. Petitioner is an inmate sentenced to death in the custody of the State of Florida. This case involves an appeal from the decision of the United States Court of Appeals for the Eleventh Circuit denying Petitioner's application for certificate of appealability.

2. This Court's jurisdiction rests on 18 U.S.C. § 1254.

3. Petitioner was convicted of murder and sentenced to death in Duval County, Florida.

4. The Eleventh Circuit denied Petitioner's application for certificate of appealability on May 20, 2024 (Attachment A) and denied Petitioner's timely motion for reconsideration on December 9, 2024 (Attachment B). Petitioner's time to petition for certiorari in this Court expires March 9, 2025.

5. Petitioner has good cause in support of this request, which is based on counsel's commitment in other cases and matters in the weeks immediately preceding the March 9, 2025, deadline and the complexity of the lengthy record, spanning three decades, and many issues presented in this case. In preparing Petitioner's petition, it became clear to the undersigned that additional time is needed to effectively present Petitioner's arguments. The issues in this petition are factually and legally complex, warranting 60 additional days to prepare.

WHEREFORE, Petitioner, through his undersigned counsel, respectfully requests an extension of time of sixty (60) days within which to file the Petition for Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit on the above-styled case.

I HEREBY CERTIFY that a true copy of the foregoing motion has been furnished by United State Mail, postage prepaid, to all counsel for record on February 13, 2025.

Respectfully submitted,

/s/ Linda McDermott

LINDA McDERMOTT

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ATTACHMENT A

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 22-13006-P

KENNETH HARTLEY,

Petitioner - Appellant,

versus


SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,
FLORIDA ATTORNEY GENERAL,

Respondents - Appellees.

Appeal from the United States District Court
for the Middle District of Florida

ORDER:

Appellant's motion for certificate of appealability is DENIED.


UNITED STATES CIRCUIT JUDGE

ATTACHMENT B

In the
United States Court of Appeals
For the Eleventh Circuit

No. 22-13006

KENNETH HARTLEY,

Petitioner-Appellant,

versus

SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,
FLORIDA ATTORNEY GENERAL,

Respondents-Appellees.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 3:08-cv-00962-MMH-LLL

Before ROSENBAUM, LUCK, and LAGOA, Circuit Judges.

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Order of the Court

22-13006

BY THE COURT:

Appellant's motion for reconsideration of the May 20, 2024 single-judge order denying motion for certificate of appealability is denied.