

IN THE UNITED STATES SUPREME COURT

RECIEVED  
UNION CORRECTIONAL INSTITUTION

MAR 05 2025  
BY: *[Signature]*  
FOR MAILING

HALE R. HARRIS,  
Appellant,  
v.  
SECRETARY, DEPARTMENT OF  
CORRECTIONS,  
Appellees,  
\_\_\_\_\_ /

Case No: \_\_\_\_\_  
11<sup>th</sup> Cir. Case No: 24-10767-J

**APPLICATION FOR EXTENSION OF TIME**

COMES NOW the petitioner, Hale R. Harris, pro se, pursuant to Rules of the United States Supreme Court, Rules 22 and Rule 30 and moves this Honorable Court for an extension of time in which to submit his Petition for Writ of Certiorari and in support of this motion would show the following:

**JURISDICTION**

The Basis for Jurisdiction in the United States Supreme Court is found in 28 USC §1254. See *Hohn v. United States*, 524 U.S. 236, 118 S.Ct. 1969, 141 L.Ed.2d. 242. Further, The United States Supreme Court's Rules expressly provide for extensions of time in which to file a petition for writ of certiorari, thus, this Court has Jurisdiction to entertain the application/motion for an extension of time.

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## REASONS FOR EXTENSION OF TIME

Petitioner, Hale Harris, moves this Court for an extension of time in which to submit his Petition for Writ of Certiorari due to several factors that are outside of his control.

1. On October 18, 2024, the Eleventh Circuit issued an order denying the issuance of a COA, stating that petitioner failed to make a substantial showing of the denial of a constitutional right.

2. On December 20, 2024, the Eleventh Circuit issued an order denying petitioner's Motion for Reconsideration stating that Harris has not alleged any points of law or fact that the Court overlooked or misapprehended. The fact that the State Trial Court granted petitioner's postconviction motion, vacated the sentence and judgment based on Trial Counsel's ineffectiveness was never even considered by the Eleventh Circuit and had it been, then the Eleventh Circuit would have been bound by this Court's decisions in *Lafley v. Cooper*, 132 S. Ct. 1376, 182 L. Ed. 2d 398 (2012); *Missouri v. Frye*, 132 S. Ct. 1399, 182 L. Ed. 2d 379 (2012).

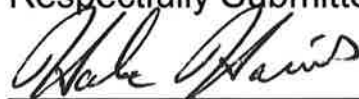
3. Petitioner asseverates that the Eleventh Circuit's denial of these motions clearly is an unreasonable determination of the facts and clearly fails to follow this Courts' precedent, which deserves review by this Court.

4. Appellant is housed at a level 7 institution and has limited access to the law library due to his housing assignment. Further, appellant will need the assistance of a certified law clerk and will be only allowed to visit the law library at pre-determined times based on the submission of an inmate request and placement on a call-out. The need of law clerk assistance is necessary to ensure that the Petition for Writ of Certiorari is properly presented with all the necessary facts, which will include typing and copy services.

5. Appellant has no way of contacting opposing counsel in regards to any objections to this request for an extension of time, however, appellant submits that this motion is filed in good faith and in no way is done to delay the proceedings, and as such would not prejudice the State of Florida in any manner.

Wherefore, based on the foregoing, Appellant would request that this Court grant appellant an additional Sixty (60) days, in which to submit his Petition for Writ of Certiorari.

Respectfully Submitted



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Hale Harris, *pro se*  
DC # 394715 Loc: I3-102  
Union Correctional Institution  
P.O. Box 1000  
Raiford, Florida 32083

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 24-10767

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HALE R. HARRIS,

Petitioner-Appellant,

*versus*

SECRETARY, FLORIDA DEPARTMENT OF  
CORRECTIONS,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Southern District of Florida  
D.C. Docket No. 0:21-cv-61371-KMM

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ORDER:

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Order of the Court

24-10767

Hale Harris's motion for a certificate of appealability is DENIED because he has failed to make a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). His motion for leave to proceed *in forma pauperis* is DENIED AS MOOT.

/s/ Charles R. Wilson

UNITED STATES CIRCUIT JUDGE

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 24-10767

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HALE R. HARRIS,

Petitioner-Appellant,

*versus*

SECRETARY, FLORIDA DEPARTMENT OF  
CORRECTIONS,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Southern District of Florida  
D.C. Docket No. 0:21-cv-61371-KMM

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Before WILSON and JILL PRYOR, Circuit Judges.

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Order of the Court

24-10767

BY THE COURT:

Hale Harris has filed a motion for reconsideration of this Court's order dated October 18, 2024, denying his motions for a certificate of appealability and to appeal *in forma pauperis*.<sup>1</sup> Because Harris has not alleged any points of law or fact that this Court overlooked or misapprehended in denying his motion, this motion for reconsideration is DENIED.

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<sup>1</sup> Harris's motion for leave to file the reconsideration motion out of time is GRANTED. See Fed. R. App. P. 26(b).

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY under §92.525 Fla. Stat. (2024) and under the authority of *Houston v. Lack*, 487 U.S. 266, 108 S. Ct. 2379, 2382, 101 L. Ed. 2d 245 (1988). (prisoner's mailbox rule) that I have placed a true and correct copy of the foregoing "Application for Extension of Time" into the hands of prison officials for mailing to: Clerk of Court, United States Supreme Court, 1 First St., N.E., Washington, DC 20543-0001; Office of the Attorney General, PL-01, The Capitol, Tallahassee, FL 32399-1050

On this 5<sup>th</sup> day of March 2025.

Respectfully Submitted



Hale Harris, *pro se*  
DC # 394715 Loc: I3-102  
Union Correctional Institution  
P.O. Box 1000  
Raiford, Florida 32083

I, Hale Harris, declare under penalty of perjury that the foregoing is true and correct. Executed on March 5, 2025



Hale Harris, *pro se*  
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