

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

NATHAN COOPER,

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 Nathan Cooper respectfully requests a 30-day extension of time, up to and including August 22, 2024, 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 July 23, 2024. *See* Sup. Ct. R. 13.5. The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1).

After being adjudicated guilty of being a felon in possession of a firearm in the U.S. District Court for the Southern District of Florida, Petitioner appealed his conviction to the U.S. Court of Appeals for the Eleventh Circuit. On appeal, he challenged the district court's denial of his motion to suppress a firearm discovered on his person pursuant to a stop-and-frisk under *Terry v. Ohio*, 392 U.S. 1 (1968). He argued that the stop was not supported by reasonable suspicion that there was criminal activity afoot, that the frisk was not supported by reasonable suspicion that he was armed and dangerous, and that *Terry's* frisk holding was contrary to the original meaning of the Fourth Amendment. The Eleventh Circuit rejected all three arguments and affirmed the conviction. A copy of its decision is attached here.

Undersigned counsel will not have sufficient time to prepare and file the certiorari petition by the current deadline due to the press of other business, including motions for sentence reductions in the district court, initial briefs in the Eleventh Circuit (e.g., *United States v. Steven Schmitz*, 11th Cir. No. 24-11157, and *United States v. Steven Schreck*, 11th Cir. No. 24-11951), and certiorari petitions in this Court (e.g., *United States v. Peddicord*, 11th Cir. 22-13882, *In re Bowe*, 11th Cir. No. 24-11704, and *United States v. Harris*, 11th Cir. No. 22-11533).

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 thirty-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 thirty days—extending the current deadline from July 23, 2024, to August 22, 2024.

Respectfully submitted,

HECTOR A. DOPICO
Interim Federal Public Defender

July 1st, 2024

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