

IN THE SUPREME COURT OF FLORIDA

**LEON DAVIS, JR.,
Appellant,**

**CASE NO.: SC21-1778
CASE NO.: SC21-1779**

vs.

**THE STATE OF FLORIDA,
Appellee.**

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**APPELLANT’S MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF**

Appellant, LEON DAVIS, JR., through undersigned counsel, respectfully moves this Court for a 30-day extension to file the initial briefs in SC21-1778 and SC21-1779 and as grounds states:

1. On February 17, 2011, Mr. Davis was convicted by a jury of two counts of first-degree murder and sentenced to death for crimes committed at Headley Insurance Agency in Lake Wales. (2007-CF-009386-XX, SC21-1778).

2. On October 4, 2012, Mr. Davis was convicted at a bench trial before Judge Jacobsen for two counts of first-degree murder and sentenced to death for crimes committed at the BP station at CR 557 and I-4 in Polk County. (2007-CF-009613-XX, SC21-1779).

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3. Mr. Davis appealed his four death sentences in two separate appeals. (SC11-1122 and SC13-1). This Court affirmed Mr. Davis's convictions and sentences on direct appeal. *Davis v. State*, 207 So. 3d 177 (Fla. 2016).

4. Mr. Davis filed Rule 3.851 motions for postconviction relief in the Headley case (SC21-1778) and the BP case (SC21-17790. Mr. Davis's evidentiary hearings in both cases were consolidated and held on August 23-24, 2021.

5. The circuit court issued an order denying all postconviction claims on November 29, 2021. Mr. Davis timely appealed.

6. On March 7, 2022, this Court established a briefing schedule for SC21-1778 and SC21-1779, with Mr. Davis's initial briefs due on June 7, 2022.

7. Undersigned counsel must prepare two initial briefs, as well as two petitions for writ of habeas corpus in Mr. Davis's cases.

8. Undersigned counsel has been diligently reviewing the record in the postconviction proceedings, as well as the massive records on appeal for the Headley jury trial and the BP bench trial to

investigate ineffective assistance of counsel claims for Mr. Davis's petitions for writ of habeas corpus.

9. Undersigned counsel has conferred with opposing counsel and Assistant Attorney General Marilyn Beccue has advised she has no objection to a 30-day extension of time for the filing of Mr. Davis's initial briefs and petitions for writ of habeas corpus.

10. Undersigned counsel certifies that this motion is filed in good faith and not for the purpose of unnecessary delay.

WHEREFORE, Mr. Davis respectfully moves this Court for a thirty-day extension to file the initial briefs in SC21-1778 and SC21-1779, with a new due date of July 7, 2022.

I HEREBY CERTIFY that a true copy has been electronically served upon all counsel of record this 20th day of May, 2022.

Respectfully submitted,

/s/ Stacy R. Biggart

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