

**IN THE SUPREME COURT FOR THE
STATE OF FLORIDA**

**JAMES BARRY WRIGHT,
Petitioner,**

Case No. SC16-1518
3d DCA Case No. 3D16-1804
L.T. Case No. 16-16248

v.

**CITY OF MIAMI GARDENS, ETC.,
ET AL.,**

Respondents.

**PETITIONER'S EMERGENCY MOTION
FOR LEAVE TO FILE INITIAL BRIEF**

Petitioner, JAMES BARRY WRIGHT, by and through undersigned counsel, respectfully files this Emergency Motion for Leave to File Initial Brief, and states:

1. This case involves election law and the interpretation and application of one specific statute, section 99.061(7)(a)1., Florida Statutes.
2. On August 19, 2016, Petitioner filed a Notice to Invoke Discretionary Jurisdiction in the Third District Court of Appeal seeking this Court's review of a decision of the district court, rendered August 17, 2016, certifying the following question as one of great public importance:

Does section 99.061(7)(a)1. Require a candidate's disqualification when the candidate's qualifying fee check is returned by the bank after the expiration of the qualifying period due to a banking error over which the candidate has no control?

3. On the same day, August 19, 2016, Petitioner filed in this Court an Emergency Motion to Expedite, asking this court to reserve ruling on jurisdiction at this time and to set an expedited merits briefing schedule. The reason for the emergency motion is to enable the City of Miami Gardens to move the August 30, 2016, election for mayor to November 8, 2016, and to enable Mr. Wright to be put on the ballot as a candidate for mayor of Miami Gardens in the November 8, 2016, general election, should this court answer the certified question in the negative.

4. This Court has not yet ruled on Mr. Wright's Emergency Motion to Expedite. The City of Miami Gardens August 30, 2016, mayoral election is imminent, the ballots for the November 8, 2016, general election will be printed on or about September 1, 2016, and Mr. Wright respectfully seeks resolution of this case in time to move the mayoral election to November and place his name on the ballot. Therefore, in an abundance of caution, and knowing that time is of the essence, he has prepared and is filing his Initial Brief on the merits.

WHEREFORE, Petitioner, JAMES BARRY WRIGHT, respectfully asks this Honorable Court to grant this Emergency Motion for Leave to File Initial Brief and grant his Emergency Motion to Expedite.

Respectfully submitted,
/s/ Simone Marstiller
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 24, 2016, a copies of the foregoing Emergency Motion for Leave to File Initial Brief and of Petitioner's Initial Brief have been furnished via e-mail to: Juan-Carlos Planas, Esq., (jcplanas@kymplaw.com), KYMP, 600 Brickell Avenue, Suite 1715, Miami, FL 33131, Attorney for Respondents, City of Miami Gardens and Ronetta Taylor; Sonja K. Dickens, Esq., (sdickens@miamigardens-fl.gov), City of Miami Gardens, 18605 N.W. 27th Avenue, Miami Gardens FL, 33056, Attorney for Respondents, City of Miami Gardens and Ronetta Taylor; Oren Rosenthal, Esq. and Michael B. Valdes, Esq., (orosent@miamidade.gov) (mbv@miamidade.gov), County Attorney's Office, 111 N.W. First Street, 28th Floor, Miami, Florida 33130, Attorneys for Respondent, Christina White.

/s/ Simone Marstiller

SIMONE MARSTILLER