

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, ET AL.,

Respondents

**RESPONDENTS' RESPONSE IN OPPOSITION
TO WRIGHT'S EMERGENCY MOTION TO FILE INITIAL BRIEF**

Respondents, CITY OF MIAMI GARDENS and RONETTA TAYLOR, by and through undersigned Counsel, hereby file this Response in Opposition to Petitioner WRIGHT's Emergency Motion to file Initial Brief and would state as follows:

1. Petitioner, Wright has filed an Emergency Motion seeking leave of this Court to file his Initial Brief.
2. Wright bases his Motion and his need for expediency on a flawed legal conclusion; that this Court can grant him relief that his underlying action never requested in the first place.
3. Wright filed an action in trial court seeking to add his name as a qualified candidate for the August 30, 2016 election based on a bank error that lead to

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his qualifying check being returned by the bank and his disqualification from the race.

4. As argued in the Respondent's Opposition to Wright's Motion to Expedite, this Court can not grant any relief without voiding the results of the Mayoral election in Miami Gardens which is now almost over.
5. Furthermore, Wright did not filed a proper action that would even allow the relief he is seeking from this Court. More importantly, he did not even name the proper parties; i.e., the candidates for Mayor currently on the August 30, 2016 ballot.
6. The relief that Wright is currently seeking from this Court would cause harm and injury to parties that Wright did not even name in his original suit.
7. Accordingly, premature acceptance of any brief at this time before the Court has even accepted jurisdiction, would cause undue harm to parties who would be adversely affected by any action of this Court without their knowledge or ability to participate in these proceedings.
8. Even if the Court were to eventually accept this matter in order to address the question certified by the Third District, it would only provide a pathway to deal with future issues and not affect the outcome of this election as Wright has not filed any proper action which could lead to vacating the election results of the current ongoing election for Mayor of Miami Gardens.
9. As Wright did not file an action to contest or void the results of the current election for Mayor of Miami Gardens, this Court can not grant him any relief

which he did not originally seek. As such, there is no legal basis to either expedite this matter nor grant leave of this Court to file his Initial Brief.

WHEREFORE, for the foregoing reasons, the Respondents request that this Honorable Court deny the Petitioner's Emergency Motion for leave to file his Initial Brief.

Respectfully submitted this 25th day of August, 2016 by,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via THE EFILING PORTAL on this 25th day of August, 2016, to Counsel for James Barry Wright, Simone Marstiller, The Marstiller Firm, P.A., P.O. Box 173738, Tampa, FL 33672, simone@marstillerfirm.com, Jason M. Murray and Rashad M. Collins, MURRAY LAW, P.A., 201 S. Biscayne Boulevard, Suite 2800, Miami, Florida 33131, jmurray@murraylawpa.com, rcollins@murraylawpa.com, legalassistant@murraylawpa.com, Sorraya M. Solages-Jones, SMS|JONES LAW, PLLC, 12161 Ken Adams Way, Suite 110-PP, Wellington, FL 33414, sorraya@smsjoneslaw.com, and to Counsel for Christina White, Abigail Williams, Oren Rosenthal and Michael B. Valdes, County Attorney's Office, 111 N.W. First Street, 28th Floor, Miami, Florida 33130, orosent@miamidade.gov, mbv@miamidade.gov.

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