Electronically Filed 07/02/2013 01:53:50 PM ET

RECEIVED, 7/2/2013 13:58:33, Thomas D. Hall, Clerk, Supreme Court

IN THE SUPREME COURT OF FLORIDA

Case No. SC11-1446

Lower Tribunal No. 98-48092B

ANA MARIA CARDONA,

Appellant,

vs.

STATE OF FLORIDA,

Appellee.
_____/

APPELLANT'S AMENDED MOTION FOR EXTENSION OF TIME IN WHICH TO FILE INITIAL BRIEF

The Appellant has before the Court a pending motion for an extension of time for the filing of the initial brief in this cause. For the reasons stated below, the Appellant submits this Amended Motion. In support of this motion, the appellant states:

1. The initial brief is due to be filed in this Court.

2. Despite the undersigned counsel's diligent efforts, counsel has been unable to complete the initial brief.

3. Since the filing of that motion, counsel experienced a

generalized tonic-clonic seizure – the type of seizure commonly called "*grand mal*."[1]

Counsel[2]

1 Counsel suffers from epilepsy, but his seizures are normally well-controlled by medication. It has been a period of years since he last experienced a seizure.
2 To be clear, the seizure, which took place on June 29, 2013, was not the basis of the original motion for extension, and the undersigned requires more time to produce a competent brief, independent of this additional complication.

typically experiences a period of mild cognitive and memory problems.

4. The requested extension will, moreover, overlap with non-reschedulable annual leave. Though counsel will work during his annual leave to meet his responsibilities to the Court and Ms. Cardona, he is likely to be less efficient.

5. The record on appeal is extensive, consisting of 225 volumes and more than 22,000 pages. Preparation of the brief further requires review of other documents from the preceding fourteen years of litigation.

6. The undersigned counsel finds that he is unable to complete a timely initial brief that would be consistent with his ethical responsibilities and Ms. Cardona's right to effective assistance of counsel.

7. For these reasons, counsel amends the requested extension and requires 90 days. This will allow counsel time to complete a competent brief.

8. This motion is made in good faith and not for the purpose of unnecessary delay. The motion is filed based on the firm fact that counsel cannot meet his ethical and constitutional obligations to Ms. Cardona without the requested extension.

9. Pursuant to Rule 9.300(a) of Florida Rules of Appellate Procedure, undersigned counsel tried to confer with counsel for Appellee and has been authorized to state that the State takes no position as to the granting of this motion.

WHEREFORE, the appellant moves the Court to extend the time for filing

the initial brief by 90 days.

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by email service to counsel for the appellee, Sandra Jaggard, Assistant Attorney General, at CAPAPP@MYFLORIDALEGAL.COM, on March July 2, 2013.

Respectfully submitted,
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