FILED
THOMAS D. HALL
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CLERK, SUPREME COURT
BY

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 MOTION FOR EXTENSION OF TIME IN WHICH TO FILE INITIAL BRIEF

The Appellant moves this Court for an extension of time for the filing of the initial brief in this cause. 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 will be unable to file a competent, thorough brief within the time allotted by the Court.

3. 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.

4. At the time that the Court issued its scheduling order, counsel had already planned and paid for three and one-half weeks of annual leave time for family vacation.

5. 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.

6. Counsel will require an additional 90 days in which to complete the initial brief. This will allow counsel time to complete a competent brief.

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

8. Pursuant to Rule 9.300(a) of Florida Rules of Appellate Procedure, undersigned counsel has conferred with counsel for appellee and has been authorized to state that the appellee 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 CrimAppMIA@MyFlorida.com, on September 3, 2012, and delivered by courier at the Office of the Attorney General, Department of Legal Affairs, 444 Brickell Avenue, Suite 950, Miami, Florida 33131 on September 4, 2012.

Respectfully submitted,
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