IN THE SUPREME COURT OF FLORIDA

FILED
THOMAS D. HALL
2012 DEC 28 AM 9:39
CLERK, SUPREME COURT
BY

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. Counsel is presently on annual leave and away from the office.

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 tried to confer with counsel for appellee but we were unable to reach her for her 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 December 27th, 2012.

Respectfully submitted,
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