

IN THE SUPREME COURT OF THE STATE OF FLORIDA

DALE LEE NORMAN,	)	CASE NO. SC15-650
	)	
Petitioner,	)	
	)	
vs.	)	
	)	
STATE OF FLORIDA,	)	
	)	
Respondent.	)	
_____	)	

**RESPONSE TO MOTION FOR LEAVE TO  
FILE AMICUS CURIAE BRIEF AND REQUEST  
FOR CLARIFICATION OF BRIEFING SCHEDULE**

Respondent, the State of Florida, by and through the undersigned Assistant Attorney General, hereby responds to Mississippi Carry, Inc's Motion for leave to File Amicus Curiae Brief, and states as follows:

1. After receiving an agreed extension of thirty (30) days, Petitioner filed his Initial Brief on November 25, 2015. Thus, the State's Answer Brief is due to this Court on or before December 20, 2015.

2. On December 4 and 9, 2015, Mississippi Carry, Inc. (hereinafter referred to as "Mississippi Carry"), filed a motion requesting the opportunity to file an Amicus Curiae Brief in this matter. The motion was, and still is, deficient. See Fla. R. App. P. 9.370(a), (c) and (d).

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3. Mississippi Carry has stated that the issue to be addressed is "whether a constitutionally protected, fundamental right may be conditioned upon obtaining a permit or license for the exercise of that right in any manner or location outside a person's home." Clearly Mississippi Carry intends to support the position of Petitioner in this matter. Therefore, Rule 9.370(c) requires Mississippi Carry's Amicus Brief to have been filed no later than 10 days after Petitioner's first brief. Because Petitioner's Initial Brief was filed on November 25, Mississippi Carry's brief would have been due to this Court by December 5, 2015, at the latest.

4. Rule 9.370(c) also provides that this Court may grant leave for later service, specifying the time within which an opposing party may respond.

5. The State requests that should this Court be so inclined to grant later service to Mississippi Carry, then it also set a briefing scheduling specifying the time within which the State must file its Answer Brief in this matter. Currently, even were Mississippi Carry to file its Amicus Brief in all due haste, the State would have less than 10 days within which to include its response to Mississippi Carry's arguments in its Answer Brief.

WHEREFORE, based on the foregoing argument and authorities, should this Court permit the filing of the Amicus Curiae Brief by Mississippi Carry, the State requests a clarification of the remaining briefing schedule.

Respectfully submitted,

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**Certificate Of Service And E-Mail Transmission**

I HEREBY CERTIFY that on this 11th day of December, 2015, in accordance with Fla. R. Jud. Admin. 2.516, a .pdf copy of the foregoing with an electronic signature has been e-mailed to **Eric J. Friday, Esquire**, Fletcher & Phillips, 541 East Monroe Street, Suite 1, Jacksonville, Florida, 32202-2861, at familylaw@fletcherandphillips.com and efriday@fletcherandphillips.com; and **M. Reed Martz, Esquire**, Freeland Martz, PLLC, 302 Enterprise Drive, Suite A,

Oxford, Mississippi, 38655-2249, at [reed@freelandmartz.com](mailto:reed@freelandmartz.com). Additionally, in accordance with Administrative Order 2013-01 of the Florida Supreme Court, a .pdf copy of the foregoing with an electronic signature has been electronically filed at <https://myflcourtaccess.com>.

/s/ Celia A. Terenzio  
CELIA A. TERENZIO  
Assistant Attorney General