

IN THE SUPREME COURT OF THE STATE OF FLORIDA

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

RESPONSE TO MOTION FOR LEAVE TO FILE OVERSIZED BRIEF

Respondent, the State of Florida, by and through the undersigned Assistant Attorney General, hereby responds to Petitioner, Dale Lee Norman's Motion to file an oversized brief, and states as follows:

1. Rule 9.210(a)(5) of the Florida Rules of Appellate Procedure mandates that a reply brief not exceed fifteen (15) pages in length. Petitioner requests an additional five (50 pages to address issues raised in the Amicus Brief

2. Rule 9.210(d) mandates that the reply brief "shall contain argument in response and rebuttal to argument presented in the **answer brief**" (emphasis added). The Rule does not provide that a reply brief should be used as a vehicle to rebut arguments presented in an amicus brief. Further, the rule is completely silent as to whether a litigant should be granted additional space to respond to arguments presented by various amicus curiae.

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3. In light of the foregoing, the State takes no position on Petitioner's request to file an oversized reply brief.

WHEREFORE, based on the foregoing argument and authorities, the State requests that this Court enter an order that it deems just and proper.

Respectfully submitted,

PAMELA JO BONDI

Attorney General
Tallahassee, Florida

/s/ Celia A. Terenzio
CELIA A. TERENZIO
Assistant Attorney General
Chief, West Palm Beach Bureau
Florida Bar No. 0656879

/s/ Heidi L. Bettendorf
HEIDI L. BETTENDORF
Assistant Attorney General
Florida Bar No. 0001805
1515 North Flagler Drive
Ninth Floor
West Palm Beach, FL 33401-3432
Tel: (561) 837-5000
Fax: (561) 837-5099
crimappwpb@myfloridalegal.com

Counsel for Respondent

Certificate Of Service And E-Mail Transmission

I HEREBY CERTIFY that on this 11th day of March, 2016, 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, efriday@fletcherandphillips.com, and epittman@fletcherandphillips.com; **Glenn Burhans, Jr., Esquire**, Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, P.A., 106 East College Avenue, Suite 720, Tallahassee, Florida, 32301, at gburhans@stearnsweaver.com; and **Deepak Gupta, Esquire**, and **Jonathan E. Taylor, Esquire**, Gupta Wessler, P.L.L.C., 1735 20th Street NW, Washington, DC, 20009, at deepak@guptawessler.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://myflcourtagency.com>.

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