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IN THE

SUPREME COURT OF FLORIDA

ROBERT E. BANKS, Petitioner, v. JULIE L. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, Respondent.	Case No. SC16-1478 Lower Tribunal No(s).: 1D15-330 2014-CA-585

UNOPPOSED MOTION FOR EXTENSION OF TIME FOR SERVING PETITIONER'S INITIAL BRIEF ON THE MERITS

The Petitioner, ROBERT E. BANKS, by and through undersigned counsel and pursuant to Florida Rule of Appellate Procedure 9.300(a), moves the Court to extend the time for serving his Initial Brief on the Merits, and alleges:

1. Pursuant to the briefing schedule issued by the Court on November 1, 2016, the Petitioner's Initial Brief on the Merits is due on November 21, 2016.

2. Since the date that the Court issued the briefing schedule, undersigned counsel has filed numerous appellate pleadings and participated in postconviction proceedings which necessitate the filing for an extension of time in the instant case. In particular, undersigned counsel has:

a. Attended the postconviction evidentiary hearing in *State v. Smith*, case

number 2009-CF-372, pending in the Second Judicial Circuit (Gadsden County), on November 18, 2016;

b. Served the Reply Brief of Appellant in *United States v. Sotolongo*, docket number 15-10844, pending in the Eleventh Circuit Court of Appeals, on November 16, 2016; and

c. Served the Reply Brief of Appellant in *Hwang v. State*, case number 4D14-3288, pending in the Fourth District Court of Appeal, on November 15, 2016.

3. Accordingly, undersigned counsel requests the Court to grant the Petitioner an extension of time to serve his Initial Brief on the Merits.

4. *Certificate of counsel.* Undersigned counsel has contacted opposing counsel (Deputy Solicitor General Denise M. Harle), who does not oppose the relief requested.

WHEREFORE, the Petitioner prays the Court to allow an extension of thirty days to serve his Initial Brief on the Merits (i.e., a new due date of December 21, 2016).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing instrument has been furnished to:

Deputy Solicitor General Denise M. Harle
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by email delivery this 21st day of November, 2016.

Respectfully submitted,

/s/ Michael Ufferman

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