

IN THE SUPREME COURT OF FLORIDA

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Case No. SC16-

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CHARLES N. GANSON, JR.,  
as Personal Representative of  
the Estate of Molly Beyer,

Petitioner-Appellant,

v.

CITY OF MARATHON, FLORIDA, and the  
STATE OF FLORIDA,

Respondents-Appellees.

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On Appeal from the District Court of Appeal of the State of Florida,  
Third District, Case No. 3D12-777

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PETITIONER-APPELLANT'S **UNOPPOSED** MOTION FOR  
EXTENSION OF TIME TO FILE JURISDICTIONAL BRIEF

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RECEIVED, 10/18/2016 11:26:04 AM, Clerk, Supreme Court

Petitioner-Appellant, Charles N. Ganson, Jr., as Personal Representative of the Estate of Molly Beyer, by and through undersigned counsel, hereby requests a seven-day extension of time to serve his Jurisdictional Brief, and as grounds therefor would state:

1. On September 14, 2016, the Third District Court of Appeal denied Petitioner-Appellant's Motion for Rehearing and Rehearing En Banc in the underlying case from which this appeal arises.

2. On October 13, 2016, Petitioner-Appellant filed his timely Notice to Invoke Discretionary Jurisdiction of Supreme Court, asking this Court to review the District Court of Appeal's decision.

3. Between receiving the order denying rehearing and rehearing en banc and filing the Notice to Invoke Discretionary Jurisdiction of Supreme Court, Hurricane Matthew struck Florida. Although ultimately it came ashore north of counsel's office in Palm Beach Gardens, our office was closed for 2.5 days for preparation and to clean up after the storm, and our office computer server failed because of a power outage or power surge during the hurricane. It took approximately a week to repair the server.

4. Although the undersigned did not allow the hurricane and its effects to interfere with the timely filing of the Notice to Invoke Discretionary Jurisdiction, counsel asks this Court for a short seven-day extension of the Petitioner-Appellant's

deadline to file the Jurisdictional Brief based on the hurricane and the impact the hurricane had on the undersigned's office.

5. Per Florida Rule of Appellate Procedure 9.300, the undersigned consulted with Counsel for the City of Marathon and for the State of Florida regarding this motion for an extension. Both have graciously advised that they do not oppose the Court granting this motion.

WHEREFORE, Petitioner-Appellant Ganson respectfully requests a seven-day extension of time in which to serve his jurisdictional brief. This would move the deadline from October 24, 2016 to October 31, 2016.

DATED: October 18, 2016.

Respectfully submitted,

By: /s/Mark Miller

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*Counsel for Petitioner-Appellant*

**CERTIFICATE OF COMPLIANCE**

I certify that the font used in this notice is Times New Roman 14 point and in compliance with Fla. R. App. P. 9.210(a)(2).

DATED: October 18, 2016.

/s/ Mark Miller

MARK MILLER

Florida Bar No. 0094961

## CERTIFICATE OF SERVICE

I hereby certify that the foregoing motion has been electronically filed with the Clerk of Court using the E-Filing Portal on this 18th day of October, 2016, which will send a notice of electronic filing to the following:

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/s/ Mark Miller

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