

IN THE SUPREME COURT OF FLORIDA

GABRIEL BRIAN NOCK,

Petitioner,

v.

Case No. SC17-472

STATE OF FLORIDA,

Respondent.

_____/

MOTION TO TOLL TIME

Respondent, the State of Florida, through undersigned counsel, pursuant to Florida Rule of Appellate Procedure 9.300(d)(10), hereby requests that time be tolled pending ruling on the Motion for Extension of Time to File Jurisdictional Brief which is being filed contemporaneously with this motion and would state as follows.

1. Contemporaneously with this motion Respondent is filing an Motion for Extension of Time to File Jurisdictional Brief. Pursuant to Florida Rule of Appellate Procedure 9.300(d)(10) respondent hereby requests that time be tolled pending ruling on the Motion.

2. This request is being made in good faith, not for purposes of delay and is absolutely necessary.

WHEREFORE, Respondent respectfully requests that time be

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tolled pending a ruling on the motion for extension of time.

Respectfully submitted,

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/s Don M. Rogers

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing "Motion to Toll Time" has been forwarded to Paul Petillo and Ian Seldin, Assistant Public Defenders, 421 Third St, 6th floor, West Palm Beach, FL. 33401 at appeals@pd15.state.fl.us and filed with this court through the portal at myflcourtaccess.com on April 17, 2017.

/s/ Don M. Rogers

Of Counsel