

DISTRICT COURT OF APPEAL, FIRST DISTRICT
2000 Drayton Drive
Tallahassee, Florida 32399-0950
Telephone No. (850)488-6151

August 06, 2018

CASE NO.: 1D18-3260
L.T. No.: 2018-CA-1114

Department of State, an agency of
the State of Florida, et al. v.

Florida Greyhound Association, Inc.,
a Florida corporation, et al.

Appellant / Petitioner(s),

Appellee / Respondent(s)

BY ORDER OF THE COURT:

**CERTIFICATION OF APPEAL AS REQUIRING IMMEDIATE RESOLUTION BY THE
SUPREME COURT OF FLORIDA**

The parties in this appeal from a final judgment in a ballot summary challenge jointly request that we certify the matter pursuant to article V, section 3(b)(5) of the Florida Constitution, which provides that the Florida Supreme Court “[m]ay review any order or judgment of a trial court certified by the district court of appeal in which an appeal is pending to be of great public importance, or to have a great effect on the proper administration of justice throughout the state, and certified to require immediate resolution by the supreme court.”

Our responsibility in this circumstance is to determine whether an appealable order has been issued, whether the issues presented in the appeal are of great public importance or are likely to have a great effect on the proper administration of justice throughout the state and whether “circumstances exist which require that the supreme court immediately resolve the issues, rather than permitting the normal appellate process to run its course.”

Am. Civil Liberties Union of Fla., Inc. v. Hood, 881 So. 2d 664, 666 (Fla. 1st DCA 2004) (citing *Harris v. Coal. to Reduce Class Size*, 824 So. 2d 245, 246-47 (Fla. 1st DCA 2002)).

RECEIVED 08/06/2018 3:45 pm FLORIDA SUPREME COURT

We conclude that certification is proper because (a) a final, appealable order was entered in this case; (b) the issues presented are of great public importance, arising from a proposal of the Florida Constitution Revision Commission to amend the state constitution; and (c) a need for immediate resolution exists due to time constraints related to the pending election and ballot preparation timelines.

As such, we certify that the issues pending in this case are of great public importance requiring immediate resolution by the Supreme Court of Florida, noting that we stand ready to assist on an emergency basis should the matter be remanded back to us for our consideration. See *Sancho v. Smith*, 830 So. 2d 856, 861 (Fla. 1st DCA 2002) (deciding ballot summary issue in constitutional amendment case on the merits, noting that “the supreme court declined to exercise discretionary jurisdiction to review the order under the pass through provision. The appeal is now back before this court for a decision on the merits.”).

LEWIS, MAKAR, and M.K. THOMAS, JJ., concur.

I HEREBY CERTIFY that the foregoing is (a true copy of) the original court order.

Served:

Hon. Pamela Jo Bondi, AG
M. Stephen Turner
Ralph A. Demeo
Paul M. Hawkes
Kevin A. Forsthoefel
Edward M Wenger
Hon. Karen Gievers, Judge
Hon. John Tomasino, Clerk

Major B. Harding
Stephen C. Emmanuel
Jeffrey D. Kottkamp
Leonard M. Collins
Jordan Pratt
Lauren M. Deweil
Hon. Gwen Marshall, Clerk

am


KRISTINA SAMUELS, CLERK

