

SUPREME COURT OF FLORIDA

DEREK LANG SHINE, JR.,
Petitioner,

CASE NO. SC18-0688

vs.

L.T. NOS. 3D15-2876
3D15-2877
14-890
14-891

THE STATE OF FLORIDA,
Respondent.

UNOPPOSED
RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE
MERITS BRIEF

Respondent, THE STATE OF FLORIDA, pursuant to Fla. R. App. P. 9.300(a), without objection by Petitioner, respectfully moves for an extension of thirty days to file a merits brief.

On July 16, 2018, the Court accepted jurisdiction and set a briefing schedule. Petitioner filed a brief on the merits. Respondent's brief was due yesterday, August 21.¹

Due to his unusually heavy case load in the past 20 days, counsel for Respondent requests an additional 30 days to review Petitioner's brief and the record below. Counsel had oral argument in *Hedvall v. State*, Case No. 3D15-2368 (Fla. 3d DCA), a second degree murder appeal with a 4,000 page record

¹ Counsel apologizes for filing this motion a day late. Yesterday, counsel was attempting to file the motion and had technical difficulties logging into the e-Filing Portal website.

and numerous issues. Counsel filed an answer brief in *Rodriguez v. State*, Case No. 3D17-1212 (Fla. 3d DCA), an appeal involving a challenge to a sentence under the Eighth Amendment and the new juvenile sentencing statutes. Counsel had oral argument in *Pickett v. State*, Case No. 3D16-2871 (Fla. 3d DCA), an attempted murder appeal. Counsel also filed an answer brief in *Cross v. State*, Case No. 3D17-0922 (Fla. 3d DCA), another juvenile sentencing appeal. This request for additional time is made in good faith and not for unnecessary delay.

Counsel for Petitioner, Jeffrey DeSousa, kindly informed that he does not object to this request for an extension. Fla. R. App. P. 9.300(a).

And so, Respondent respectfully requests that the Court extend the time for Respondent to file a merits brief by thirty days, or on or before **September 20, 2018**.

Respectfully submitted,

PAMELA JO BONDI
ATTORNEY GENERAL

/s/Jonathan Tanoos

JONATHAN TANOOS, FBN 88851
Assistant Attorney General

CERTIFICATE OF SERVICE

I CERTIFY that the foregoing document – *Respondent's Unopposed Motion for Extension of Time to File Merits Brief* – has been delivered to Jeffrey DeSousa [jdesousa@pdmiami.com; appellatedefender@pdmiami.com] and Shannon Hemmendinger [sah@pdmiami.com], Office of the Public Defender, by **e-mail** on **August 22, 2018**.

/s/Jonathan Tanoos

JONATHAN TANOOS, FBN 88851

Assistant Attorney General

Office of the Attorney General

1 SE 3rd Ave., Ste. 900

Miami, FL 33131

(305) 377-5441 (phone)

(305) 377-5655 (fax)

P: CrimAppMia@myfloridalegal.com

S: Jonathan.Tanoos@myfloridalegal.com