

**IN THE SUPREME COURT
STATE OF FLORIDA**

DONALD JAMES SMITH
Appellant

vs.

Case No.: SC18-822
LT Case No. 16-2013-CF-005781-
AXXXMA

STATE OF FLORIDA
Appellee

_____ /

MOTION TO SET NEW BRIEFING SCHEDULE

COMES NOW, the Appellant, Donald James Smith, by and through the undersigned counsel who files this Motion to Set New Briefing Schedule, in the above named cause, and in support thereof would state:

1. That on May 31, 2019, prior counsel filed the Initial Brief on the Merits of the above captioned case;
2. That the undersigned was appointed to represent the Defendant on August 20, 2019;
3. That on September 16, 2019, the undersigned traveled to visit the Defendant, who indicated that he did not want to adopt the brief which had been filed;
4. That the undersigned is in the process of obtaining the file from the Defendant's prior attorneys as well as the Office of the Public Defender, and requires time to review both the case file and the prior Initial Brief;
5. That the undersigned asks this Court to set a new briefing schedule on the above captioned case;

RECEIVED, 10/14/2019 02:02:33 PM, Clerk, Supreme Court

6. That the undersigned has been in contact with Charmaine M. Millsaps with the Office of the Attorney General, who has no objection to this motion;
7. That there would be no prejudice to either party or to this Court.

WHEREFORE, the undersigned counsel respectfully requests this Honorable Court allow this Appeal to proceed timely and set the briefing schedule in this cause.

/s/ H. Kate Bedell, Esquire
H. KATE BEDELL, ESQUIRE
Florida Bar No: 0632457
RICHARD R. KURITZ, ESQUIRE
Florida Bar No: 0972540
Bedell & Kuritz and Associates
200 East Forsyth Street
Jacksonville, Florida 32202
(904) 355-1999 Telephone
(904) 854-1999 Facsimile
kate@kuritzlaw.com
contact@kuritzlaw.com
Attorneys for Appellant