

*In the Supreme Court of Florida*

**DONALD JAMES SMITH,**

*Appellee,*

v.

CASE NO.: SC18-822  
CAPITAL CASE

STATE OF FLORIDA,

*Appellant.*

\_\_\_\_\_/

MOTION TO ACCEPT ANSWER BRIEF AS TIMELY FILED

The State moves this Court to accept the answer brief as timely filed. The State's answer brief was due on Monday, July 6, 2020, but was filed until the next day, on Tuesday, at July 7, 2020, at 2:15 p.m. Late Monday night, after finishing editing the 99-page brief, the program that I use to generate the table of authorities, Perfect Authority, which automatically generates a table of authorities, was not working which necessitated generating the table by hand which is quite time consuming. The answer brief was filed as soon as I could generate the table of authorities. The State regrets the delay.

Accordingly, the motion to accept State's answer brief should be granted.

RECEIVED, 07/09/2020 01:17:34 PM, Clerk, Supreme Court

Respectfully submitted,

ASHLEY MOODY  
ATTORNEY GENERAL OF FLORIDA

/s/ Charmaine Millsaps  
CHARMAINE M. MILLSAPS  
SENIOR ASSISTANT ATTORNEY GENERAL  
FLORIDA BAR NO. 0989134  
OFFICE OF THE ATTORNEY GENERAL  
THE CAPITOL, PL-01  
TALLAHASSEE, FL 32399-1050  
(850) 414-3300  
COUNSEL FOR THE STATE  
primary email:  
capapp@myfloridalegal.com  
secondary email:  
charmaine.millsaps@myfloridalegal.com

COUNSEL FOR THE STATE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing MOTION TO ACCEPT ANSWER BRIEF AS TIMELY FILED has been furnished via e-portal to H. KATE BEDELL of Bedell & Kuritz and Associates, 200 East Forsyth Street, Jacksonville, FL 32202; Phone: (904) 355-1999; email: kate@kuritzlaw.com and RICHARD R. KURITZ of Bedell & Kuritz and Associates, 200 East Forsyth Street, Jacksonville, FL 32202; Phone: (904) 355-1999; email: contact@kuritzlaw.com this 9th day of July, 2020.

/s/ Charmaine Millsaps  
Charmaine M. Millsaps  
Attorney for the State of Florida