

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Supreme Court Case
No. SC19-1913

Complainant,

The Florida Bar File
No. 2018-50,518 (13F)

v.

The Florida Bar Initial File
No. 2018-50,508 (17A)

WENDELL TERRY LOCKE,

Respondent.

_____ /

**RESPONDENT’S MOTION FOR EXTENSION OF TIME
TO FILE ANSWER/CROSS-INITIAL BRIEF**

Respondent, WENDELL LOCKE (the “Respondent”), through counsel, moves this Court to extend the deadline for him to file his Answer/Cross-Initial Brief, and states:

1. The current deadline for the Respondent to file his Answer/Cross-Initial Brief in July 12, 2021.
2. The Respondent requires additional time to file his Answer/Cross-Initial Brief for a number of reasons, including that on July 12, 2021, the three-week trial period begins for three cases wherein the Respondent is counsel of record. One of the cases is very likely to begin trial on

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July 12, 2021, before Circuit Judge Nicholas Lopane, and two of the three cases are very likely to be tried during the three-week trial period beginning on July 12, 2021, before either Circuit Judge Nicholas Lopane or Circuit Judge Carol-Lisa Phillips. Calendar calls for the three-week trial period is on July 1, 2021, for one of the cases, and July 6, 2021, for the other two cases. Jury selection for trials to take place during the first week of the three-week trial period for Judge Lopane is on July 9, 2021.

3. Further, the Respondent is taking one student to college orientation June 29, 2021, through July 2, 2021, and taking two college students to college in August 2021; one student will be taken to Tallahassee, Florida, and the other student will be taken to Washington, DC.
4. Additionally, the Respondent also has initial briefs due in July 2021 and August 2021 for matters pending in the Third and Fourth Districts, respectively.
5. Lastly, the Respondent is still resolving an issue pertaining to the Record with the Referee. Specifically, the Index of Record appears to have been submitted to this Court on March 17, 2021, which was prior to deadline for the parties to file motions to supplement the record. The Respondent's Unopposed Motion to Supplement the Record was

timely filed on March 31, 2021. The Referee did not enter the Order on Respondent's Unopposed Motion to Supplement the Record until June 10, 2021, granting said motion.¹ The Order on Respondent's Unopposed Motion to Supplement the Record made it onto the docket on June 22, 2021. However, the documents that were identified as being supplemented to the record should have been listed on the Amended Index of Record, but were not. The undersigned is working with the Referee's judicial assistant (and copying trial counsel for The Florida Bar) to resolve this issue.

6. The Respondent is requesting a 90-day extension of time to file his Answer/Cross-Initial Brief. If granted, the new deadline would be on October 10, 2021. The Respondent did not locate an administrative order entered by the Florida Supreme Court mirroring those available in all five district courts wherein the parties could stipulate to extensions of time up to 90 days in non-criminal cases without having to file a motion and, therefore, submits this motion.
7. In good faith, the undersigned communicated with appellate counsel for The Florida Bar concerning the relief sought herein. The Florida

¹ See Amended Index of Record.

Bar does not object to a 30-day extension of time for the Respondent to file his Answer/Cross-Initial Brief.

8. This motion is filed in good faith and not for the purpose of delaying this proceeding. No party will be prejudiced by the 90-day extension of time sought by the Respondent.

WHEREFORE, the Respondent respectfully requests that this Court extend the deadline for the Respondent to file his Answer/Cross-Initial Brief by 90 days – until October 10, 2021.

Dated: June 28, 2021.

Respectfully submitted,

/s/ Wendell Locke

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CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that on June 28, 2021, a true and correct copy of the foregoing was served via e-Mail to all persons identified on the Service List below.

/s/ Wendell Locke

SERVICE LIST

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