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In the

Supreme Court of Florida

Jason Andrew Simpson,

Appellant/Petitioner,

v. Case Nos.: SC18-1238; SC-19-700

STATE OF FLORIDA,

Appellee/Respondent.
_____/

RECEIVED, 01/25/2022 11:59:21 AM, Clerk, Supreme Court

UNOPPOSED MOTION TO EXTEND REHEARING DEADLINE

COMES NOW the State of Florida by undersigned counsel and requests this Court extend the deadline to file rehearing for an additional ten days (until February 7, 2022). *See* Fla. R. App. P. 9.300(a) (permitting parties to seek extensions of time by motion).

This Court issued its opinion vacating Simpson's first-degree murder convictions based on a *Brady*[1] violation on January 13, 2022. *Simpson v. State*, No. SC18-1238, 2022 WL 120867, at *9 (Fla. Jan. 13, 2022). Any motion for rehearing is therefore due on January 28, 2022. *See* Fla. R. App. P. 9.330(a)(1) (providing

[1] *Brady v. Maryland*, 373 U.S. 83 (1963).

rehearing is due within 15 days after the decision unless the Court provides another timeframe).

The undersigned was just assigned this case yesterday, as previously assigned Assistant Attorneys General Jennifer Donahue and Michael Kennett are no longer with the Attorney General's Office. The undersigned has been tasked with preparing a motion for rehearing in this case, which will require reviewing voluminous transcripts from Simpson's direct appeal and postconviction proceedings. Since the undersigned has no familiarity with this case, it will not be possible to complete this review, research the issues, write, and file rehearing by January 28, 2022, when rehearing is presently due.

Additionally, the Tallahassee Capital/Collateral division of the Attorney General's Office is currently experiencing a staffing shortage. There are presently two vacancies in Tallahassee. This has led to several cases being reassigned, some of which have been sent to other Capital/Collateral locations in Florida.

The undersigned has contacted Attorney John Mills, counsel for Simpson. Attorney Mills has <u>no objection</u> and agrees with this motion.

WHEREFORE, the State requests this Court extend the deadline for filing rehearing until February 7, 2022.

ASHLEY MOODY
ATTORNEY GENERAL

/s/ *Jason William Rodriguez*
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Extend Rehearing Deadline has been furnished via the e-portal to all counsel of record this 25th day of January 2022.

/s/ Jason William Rodriguez
Jason William Rodriguez