

IN THE SUPREME COURT OF FLORIDA  
(Before a Referee)

THE FLORIDA BAR,  
Complainant,

SUPREME COURT CASE  
NO. SC20-1777  
The Florida Bar File  
No. 2019-10,038(20A)

v.

RAYMOND B. MITCHELL  
Respondent.

\_\_\_\_\_ /

**MOTION TO ACCEPT & SUBMIT THE INITIAL BRIEF WITH THE  
AMENDED & CORRECTED FONT AND CERTIFICATION OF WORDS  
AND AUTHORIZED FONT IN THE INITIAL BRIEF**

The Respondent, Raymond B. Mitchell, by and through the undersigned counsel files this *Motion Accept and Submit his Initial Brief- amended font version* (with the Amended Font and Amended Certification of Font and Word Count in the Brief) that was filed on October 16, 2021 around 1:56 a.m. and would state as follows:

1. Respondent moves this court to accept, admit, and submit his corrected Initial Brief that contained the amended and correct Font and amended Certificate of Compliance of font and word count in it that was filed on October 16, 2021.

2. Respondent filed an Initial Brief on October 13, 2021. However, that original Initial Brief was written in Courier New 12 font which was an accepted font in this Court before the new Rule 9.045(e) on Fonts was

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enacted around January 2021, but now with Rule 9.045(e) enacted only the Arial 14 and Bookman Old Style 14 fonts are now the only accepted fonts. Respondent was unaware of that new Rule being enacted as his 2020 Florida Rules of Court he uses in his office still used the old Rule stating Courier New 12 and Times New Roman 12 font was required, which Respondent reviewed before he filed his Initial Brief to be sure he had the right font, but that turned out to be incorrect font under the current Rule. The new Rule also requires a certification of word count and proper font in the briefs, and the original Initial Brief did not contain a proper Certificate of Compliance of those. (Respondent realized that his original Initial Brief did not contain a PDF bookmarks Index/Table of Contents to make it much easier for the honorable justices to click quickly to various pages in the Initial Brief and should be in them, thus Respondent filed his Initial Brief about 90 minutes later on October 14, 2021 with the bookmarks Table of Contents included to save much time for justices to review and read the Initial Brief.)

3. On Order was entered on October 14, 2021 for Respondent to file “a proper Certificate of Compliance” so that his Initial Brief could be accepted and submitted to the Court. Rule 9.045(e) requires the Certificate of Compliance be contained in the document (Initial Brief) after the certificate of service. Thus, the only way to file “a proper Certificate of Compliance” was to

file the Initial Brief again with the accepted and legal font (done in Arial 14 point) with a proper and legal Certificate of Compliance stating the font and the word count (and an Initial Brief that includes a PDF bookmarks table of contents for easy page access).

4. Respondent filed his Initial Brief written in Arial 14-point font in compliance with the new Rules and with a proper Certificate of Compliance inside at the end of the Initial Brief on October 16, 2021 at 1:56 a.m.

5. The Court called with a very nice and friendly courtesy call to Respondent's voice messages on October 19 & 20, 2021 from Carmen Arnold (a very nice and helpful lady) and she said the Court required a motion for any amended Initial Briefs (although this Initial Brief was not amended in the actual wording and argument of the Initial Brief, just the font, table of contents page numbers *[since the larger font caused two extra pages and thus had to be renumbered]* and Certificate of Compliance were actually amended, and perhaps a tiny bit of grammar, commas, periods in the Brief). Regardless, it seems to be viewed as an amended Initial Brief, thus this Motion.

6. Respondent moves the Court to submit his amended Initial Brief filed on October 16, 2021 around 1:56 a.m.

CERTIFICATE OF MOVANT'S COUNCEL

I, Raymond B. Mitchell, attorney for Respondent/movant, certify that I telephoned opposing counsels for the Florida Bar and I am authorized to represent that they emailed Respondent back and said the Bar does not oppose this Motion and they agree they do not oppose allowing the amended Initial Brief filed on October 16, 2021 at 1:56 a.m. to be admitted and submitted to the Court.

By: /s/ Raymond B. Mitchell  
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Respondent / Attorney for Resp.

**CERTIFICATE OF SERVICE**

I certify that a copy of this document (Motion) was emailed to Joi L. Pearsall and to all the persons/emails listed below on October 20, 2021:

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