

IN THE SUPREME COURT OF FLORIDA

GARRETT STATLER,  
*Appellant,*

No. SC21-119

v.

L.T. No. 1D19-264

HENRY P. SIRECI,  
*Appellee.*

**STATE'S UNOPPOSED MOTION FOR EXTENSION  
OF TIME TO FILE ANSWER BRIEF**

Respondent, the State of Florida, moves this Court for a 21-day extension of time for filing the answer brief in this matter. See Fla. R. App. P. 9.300(a). The grounds for that request are as follows.

1. On September 9, 2021, this Court accepted jurisdiction, and Petitioner filed his initial brief on the merits on November 12. After the State sought and obtained a 45-day extension of time to file the answer brief, that brief is set to be filed on January 27, 2022.

2. This case presents the question whether Florida's sexual battery statute, Section 794.011(5)(b), requires that the defendant know of the victim's nonconsent.

3. Counsel is responsible for a heavy caseload in appellate courts in both the state and federal systems, as well as various supervisory duties in the Office of the Solicitor General.

4. As a result, counsel will be unable to research, draft, and finalize the answer brief by the current deadline.

5. The State has consulted with counsel for Petitioner, Assistant Public Defender Glen Gifford, who has **no objection** to the requested extension.

*Wherefore*, the State requests that this Court extend the time for filing the answer brief by 21 days until February 17, 2022.

Dated: January 25, 2022

Respectfully submitted,

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/s/ Jeffrey Paul DeSousa  
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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served via the e-Filing Portal to the following on this **twenty-fifth** day of January 2022:

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