

IN THE SUPREME COURT OF FLORIDA

CITY OF TALLAHASSEE, FLORIDA
et. al.,

Petitioners,

vs.

Case No.: SC21-651
DCA Case No.: 1D20-2193

FLORIDA POLICE BENEVOLENT
ASSOCIATION, INC., JOHN DOE 1,
AND JOHN DOE 2.

Respondents.

_____ /

**MOTION TO FILE JURISDICTIONAL BRIEF
IN EXCESS OF WORD COUNT LIMIT**

Respondents move to file a jurisdictional brief containing 3,002 words. This motion is made on the authority of Rule 9.210(a)(5) (“The court may permit longer briefs.”).

1. Petitioners are seeking to have this Court exercise discretionary jurisdiction. Petitioners are the City of Tallahassee and Intervenor News Media. The Petitioners have filed two, separate jurisdictional briefs. Petitioners’ two briefs on jurisdiction total approximately 5,000 words.

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2. Respondents are two, individual officers of the Tallahassee Police Department as well as their bargaining agent. Respondents wish to file a single jurisdictional brief. Respondents seek leave to file their jurisdictional brief in excess of the word count limitation, which, pursuant to Rule 2.910(a)(2)(A), is 2,500 words.

3. Undersigned counsel acknowledges that expanded briefs are disfavored. Undersigned counsel is contemporaneously filing a proposed jurisdictional brief for this Court's review to determine the necessity of exceeding the standard word limit. Counsel, in responding to approximately 5,000 words of jurisdictional brief, has made every effort to come within the word limitation imposed by Rule 9.210.

4. In undersigned counsel's professional judgment, removing any further material from the tendered brief will only make this Court's review more difficult. Undersigned counsel is responding to two briefs with one brief. One of the two briefs to which undersigned counsel responds contains an independent argument related to this Court's jurisdiction.

5. Additionally, had the Respondents briefed this matter individually, possibly represented by separate counsel, they would

have been permitted to file three briefs on jurisdiction limited to 2,500 words each, with a combined word limit of 7,500 words. The additional words requested come in far under that amount.

6. Undersigned counsel certifies that he has conferred with counsel for both the City of Tallahassee (Joe Eagleton) and Intervenor News Media (Mark R. Caramanica) who have, independently, expressed no objection to the Respondent's request for an expanded word count.

WHEREFORE, Respondent asks this Court grant leave to file a jurisdictional brief containing 3,002 words and accept the jurisdictional brief filed herewith.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been filed using the Florida ePortal system and **electronic** service has been directed to:

Stephanie Dobson Webster, stephanie@flpba.org; Louis J. Baptiste, lb@swesterlaw.net; Stephen Webster, sw@swesterlaw.net; Carol Jean LoCicero, clocicero@tlolawfirm.com; Mark R. Caramanica, mcaramanica@tlolawfirm.com; Phillip J. Padovano, ppadovano@bhappeals.com; Hannah Monroe, hannah.monroe@talgov.com; Cassandra Jackson, cassandra.jackson@talgov.com and Daniela Abratt, dabratt@tlolawfirm.com.

...as well as all other counsel listed on the Florida ePortal system (including all alternate email addresses) on this fourteenth (14th) day of July, 2021.

Respectfully submitted;

/s/ Luke Newman

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