

IN THE SUPREME COURT OF FLORIDA

STATE OF FLORIDA,)	No. SC22-458
<i>Petitioner,</i>)	
)	DCA No. 4D20-345
v.)	
)	
ZACHARY JOSEPH PENNA,)	
<i>Respondent.</i>)	
_____)	

**UNOPPOSED MOTION FOR EXTENSION OF
TIME TO FILE INITIAL BRIEF**

Petitioner, the State of Florida, hereby moves for a 45-day extension of time to file the initial brief in this matter. See Fla. R. App. P. 9.300(a). The grounds for that request are as follows.

1. The Court accepted review in this case on September 13, 2022, and the initial brief is currently due on October 18, 2022.
2. This is the State's first request for an extension of time.
3. An extension of time is necessary for several reasons. Counsel has a heavy caseload in both state and federal courts. This case also presents important questions of constitutional law that implicate the interactions of law enforcement and the citizenry.
4. This motion is not filed for the purpose of undue delay, and neither party would be prejudiced by this extension.

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5. Counsel has consulted with Respondent's attorney, Assistant Public Defender Paul Edward Petillo, who has no objection to this extension.

Wherefore, Petitioner respectfully requests that this Court extend the time for filing the initial brief by 45 days to December 2, 2022.

Dated: October 7, 2022

Respectfully submitted,

ASHLEY MOODY
Attorney General

/s/ Evan Ezray

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via the e-filing portal to Paul Edward Petillo, Assistant Public Defender, at appeals@pd15.state.fl.us, ppetillo@pd15.org, and mroberts@pd15.org via the Florida e-Filing Portal on this **7th** day of October 2022.

/s/ Evan Ezray
Deputy Solicitor General