

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 21-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 following an extension the initial brief is currently due on December 2, 2022.

2. This is the State's second 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.

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 21 days to December 23, 2022.

Dated: November 14, 2022

Respectfully submitted,

ASHLEY MOODY
Attorney General

/s/ Evan Ezray

HENRY C. WHITAKER (FBN1031175)
Solicitor General

JEFFREY PAUL DESOUSA
(FBN110951)
Chief Deputy Solicitor General

EVAN EZRAY (FBN1008228)
Deputy Solicitor General
Office of the Attorney General
The Capitol, PL-01
Tallahassee, Florida 32399
(850) 414-3300
evan.ezray@myfloridalegal.com
Counsel for State of Florida

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 **14th** day of November 2022.

/s/ Evan Ezray
Deputy Solicitor General