

# Supreme Court of Florida

TUESDAY, OCTOBER 11, 2011

CASE NO.: SC09-1181 & SC10-1349  
Lower Tribunal No(s): 3D09-3023,  
3D08-2272,  
3D08-2537,  
08-1, 09-19364

PUBLIC DEFENDER, ELEVENTH JUDICIAL CIRCUIT OF FLORIDA vs. STATE OF FLORIDA, ET AL.

PUBLIC DEFENDER, ELEVENTH JUDICIAL CIRCUIT OF FLORIDA vs. STATE OF FLORIDA, ET AL.

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Petitioner(s)

Respondent(s)

The petitioner's motion to consolidate cases for briefing and oral argument and to enlarge consolidated briefing schedule and page limits is granted, and the above cases are consolidated for all appellate purposes. The Court accepts jurisdiction of Public Defender, Eleventh Judicial Circuit of Florida v. State of Florida, et al., case no. SC10-1349. Oral argument will be set by separate order. Counsel for the parties will be notified of the oral argument date approximately sixty days prior to oral argument.

Petitioner's initial brief on the merits shall be served on or before November 7, 2011, and shall not exceed seventy five pages in length; respondent's answer brief on the merits shall be served twenty days after service of petitioner's initial brief on the merits and shall not exceed seventy five pages in length; and petitioner's reply brief on the merits shall be served twenty days after service of respondent's answer brief on the merits and shall not exceed twenty two pages in length. Please file an original and seven copies of all briefs.

Case Nos. SC09-1181 & SC10-1349

Page 2:

Per this Court's Administrative Order In Re: Mandatory Submission of Electronic Copies of Documents, AOSC04-84, dated September 13, 2004, counsel are directed to transmit a copy of all briefs in an electronic format as required by the provisions of that order.

The Clerk of the Third District Court of Appeal shall file the original record which shall be properly indexed and paginated on or before December 12, 2011. The record shall include the briefs filed in the district court separately indexed.

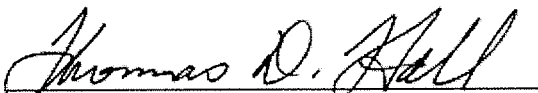
**As to Certified Great Public Importance:**

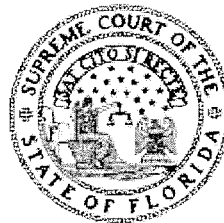
QUINCE, POLSTON, LABARGA, and PERRY, JJ., concur.  
CANADY, C.J., dissents.

**As to Class of Constitutional Officers:**

QUINCE, POLSTON, LABARGA, and PERRY, JJ., concur.  
CANADY, C.J., dissents.

A True Copy  
Test:

  
Thomas D. Hall  
Clerk, Supreme Court



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# Supreme Court of Florida

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To the Parties:

PLEASE READ CAREFULLY - THIS IS A NEW FORM EFFECTIVE MAY 8, 2003  
(Amd 02/28/2008)

COUNSEL ACKNOWLEDGMENT OF PRESENCE AT ORAL ARGUMENT - In lieu of the previously furnished yellow card acknowledging receipt of the notice of oral argument, counsel for the parties are directed to e-mail this Court at [oralargument@flcourts.org](mailto:oralargument@flcourts.org) that they will be in attendance at the scheduled oral argument and whether they will give the argument for the party they represent.

COUNSEL FOR THE PARTIES ARE EXPECTED TO APPEAR FOR ORAL ARGUMENT - If you anticipate any problem being present for oral argument on the date assigned, you should call this office within five days of the receipt of this notice. If we do not hear from you, the Court will expect you to appear for argument as scheduled.

DIVISION OF TIME - If there are multiple parties to a side, counsel for the parties on that side shall agree on a division of time. Similarly, if two or more cases are being argued on a consolidated basis, counsel for the parties on each side of the cases shall collectively agree on a division of time for that side.

PREPARATION FOR ORAL ARGUMENT - In preparing for your appearance before the Court, you should be conscious of the fact that the Justices have read all the briefs filed in this matter. Moreover, each Justice has on the bench a concise summary of the facts of the case. Counsel for the appellant or petitioner should, nevertheless, give a short, concise statement of the material facts and the points relied on for reversal.

MANUAL OF INTERNAL OPERATING PROCEDURES - A copy of this Court's Manual of Internal Operating Procedures is available by following the Clerk's Office link on the Supreme Court's Home Page on the Florida State Court's website (<http://www.flcourts.org>). Counsel are encouraged to review those portions of the manual which bear on the procedures for oral

argument. Counsel should be aware that as of September 1, 2004, all oral argument cases scheduled Monday through Thursday will begin at 9:00 a.m., ET, unless otherwise ordered by the Court. All cases scheduled on Friday begin at 8:30 a.m., ET unless otherwise ordered by the Court.

SIMILAR CASES - If you are aware of any cases similar to yours pending in the Court, please advise this office in writing immediately.

VIDEOTAPES - The Florida State University College of Law videotapes all oral arguments and maintains an archive. A copy of any videotape, prior to September, 1997, is available for review in the FSU law library at no charge with two days' notice. Copies of tapes are available for \$150 by calling FSU at 644-3405. Copies of tapes, subsequent to September, 1997, are available for \$25 by calling WFSU at 1-800-322-WFSU or 850-487-3170

INTERNET BROADCASTS AND ARCHIVE - Oral arguments are broadcast live via the Internet in both audio and video. Links to the broadcasts, usage instructions, and an Internet archive are available by following the links provided on the Supreme Court's Home Page on the Florida State Courts website (<http://www.flcourts.org>).

AMERICANS WITH DISABILITIES ACT - If you are a person with a disability who needs any accommodation in order to participate in oral argument, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Victoria Milton, 500 South Duval Street, Tallahassee, Florida 32399, 850-922-5517, within two (2) working days of your receipt of this oral argument notice with any request for accommodation you may have; if you are hearing or voice impaired, call 711.

Thank you for your cooperation.

Most cordially,



Thomas D. Hall