

IN THE DISTRICT COURT OF APPEAL
THIRD DISTRICT

FILED

JUL 01 2009

MARY CAY BLANKS
CLERK, DISTRICT COURT OF
APPEAL, THIRD DISTRICT

THE STATE OF FLORIDA AND
CIVIL REGIONAL COUNSEL, THIRD
DISTRICT COURT OF APPEAL
REGION,

Appellants/Petitioners,

v.

PUBLIC DEFENDER, ELEVENTH
JUDICIAL CIRCUIT OF FLORIDA,

Appellee/Respondent.

Case Nos. 3D08-2272 and
3D08-2537 (Consolidated)
Lower Tribunal No. 08-1

NOTICE OF INTENT TO INVOKE DISCRETIONARY JURISDICTION

NOTICE IS HEREBY GIVEN THAT, Carlos J. Martinez, Public Defender for the Eleventh Judicial Circuit of Florida, pursuant to Florida Rules of Appellate Procedure 9.120 and 9.030(a), invokes the discretionary jurisdiction of the Supreme Court of Florida to review the decision of this Court originally issued May 13, 2009 and rendered on June 16, 2009. The bases for jurisdiction are: (1) this Court's decision expressly affects classes of constitutional officers; and (2) this Court's decision expressly and directly conflicts with prior decisions of the Supreme Court of Florida on the same question of law.

Respectfully submitted,

Hogan & Hartson LLP
Mellon Financial Center
1111 Brickell Avenue, Suite 1900
Miami, Florida 33131
Telephone: (305) 459-6500
Facsimile: (305) 459-6550

By: 

Parker D. Thomson
Florida Bar No. 081225
PDThomson@hhlaw.com
Alvin F. Lindsay
Florida Bar No. 939056
AFLindsay@hhlaw.com
Julie E. Nevins
Florida Bar No. 0182206
JENevins@hhlaw.com
Matthew R. Bray
Florida Bar No. 30070
MRBray@hhlaw.com

*Attorneys for Carlos J. Martinez, Public
Defender Eleventh Judicial Circuit of
Florida*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this motion was served via U.S. Mail
on this 1 day of July, 2009 upon the following:

Chief Judge Joseph P. Farina

Dade County Courthouse
73 West Flagler Street
Miami, Florida 33130

Administrative Judge Stanford Blake

Richard E. Gerstein Justice Building
1351 N.W. 12th Street
Miami, Florida 33125

Linda Kelly Kearson

General Counsel
Eleventh Judicial Circuit of Florida
Lawson E. Thomas Courthouse Center
175 N.W. First Avenue, 30th Floor
Miami, Florida 33128

Richard Polin

Office of the Attorney General

444 Brickell Avenue
Suite 650
Miami, Florida, 33131

Scott D. Makar

Louis F. Hubener

Office of the Attorney General

The Capitol, PL-01
Tallahassee, Florida 32399-1050

Arthur J. Jacobs
Jacobs & Associates, P.A.
961687 Gateway Blvd.
Suite 201-I
Fernandina Beach, Florida 32034

Penny Brill
Don Horn
Office of the State Attorney
E.R. Graham Building
1350 N.W. 12th Avenue
Miami, Florida 33136

Joseph P. George, Jr.
Nancy C. Wear
**Office of Criminal Conflict and
Civil Regional Counsel, Third Region**
1501 N.W. North River Drive
Miami, FL 33125

Stephen Presnell
General Counsel
Justice Administrative Commission
P.O. Box 1654
Tallahassee, FL 32302

J. Marion Moorman
Robert A. Young
Florida Public Defender Association
Post Office Box 9000-PD
Bartow, FL 33831-9000



Julie E. Nevins