



THOMAS J. TRASK, B.C.S.\*  
JAY DAIGNEAULT, B.C.S.\*  
ERICA F. AUGELLO, B.C.S.\*  
RANDY D. MORA, B.C.S.\*  
ROBERT ESCHENFELDER, B.C.S.\*  
NANCY S. MEYER  
DAVID E. PLATTE  
JEREMY SIMON

\* Board Certified by the Florida Bar in  
City, County and Local Government Law

January 29, 2021

Scott S. Harris, Clerk  
Supreme Court of the United States  
1 First St., NE  
Washington, D.C. 20543

Re: *Huong L. Tran v. City of Holmes Beach et al.*  
Case No. SC20-881  
Eleventh Circuit Court of Appeals Case No. 19-13470  
United States District Court Case No. 8:19-cv-534 (M.D. Fla.)

Dear Mr. Harris:

Please note that the undersigned attorney notes his appearance in the aforementioned case as counsel for Respondent, City of Holmes Beach, Florida.

Pursuant to this Court's Rule 30.4, Respondent, City of Holmes Beach, Florida, hereby respectfully requests a thirty (30) day extension of time, up to and including March 5, 2021, to file its brief in opposition to the Petition for Writ of Certiorari as docketed in this Court on January 4, 2021. As grounds for such extension, Respondent states:

1. Respondent is a Florida municipal corporation engaged with litigation with Petitioner in several matters presently pending (and another threatened) in the state courts of Florida.
2. In this case, Petitioner seeks review of an order of the United States Court of Appeals for the Eleventh Circuit affirming the United States District Court for the Middle District of Florida's final dismissing with prejudice Petitioner's Third Amended Complaint.
3. Respondent's brief in opposition is due for filing in this Court on February 3, 2021.
4. Co-Respondents Florida Department of Environmental Protection and its Department Officials have moved the Court for and received an extension of time to their responsive brief until March 5, 2021.
5. Further, undersigned counsel is presently handling a series of complex land use appeals in Florida's appellate courts along with other significant litigation, including that brought against the Respondent by Petitioner here.

6. A proper brief in opposition to the instant Petition will require substantial time to research and draft, and extension would facilitate the filing of such proper brief while balancing the other demands of the undersigned's practice. Moreover, such extension would align the filing dates for the responsive briefs of Respondent City of Holmes Beach and Co-Respondents Florida Department of Environmental Protection and the Department Officials.

7. Considering the foregoing, good cause exists for a thirty day extension of time.

8. Undersigned counsel has communicated with the *pro se* Petitioner, Huong L. Tran, who consents to the requested extension but only the condition that the City abate a code enforcement fine that is presently accruing on the property underlying this case during the period of the thirty day extension. Undersigned counsel has informed Petitioner that the fine cannot be administratively abated while the property remains non-compliant with the City's Code of Ordinances. Accordingly, Petitioner opposes the extension requested herein.

For the reasons stated herein, Respondent City of Holmes Beach respectfully requests that the time to file its Response to the Petition in this case be extended by thirty days, up to and including March 5, 2021.

Respectfully,

TRASK DAIGNEAULT, LLP.



/s/ Jay Daigneault, Esq.

Jay Daigneault, Esq.  
Supreme Court of the United States Bar No. 314012  
Florida Bar No. 25859  
malsimdaig@gmail.com  
1001 S. Fort Harrison Ave., Ste. 201  
Clearwater, FL 33756  
Phone: (727) 733-0494  
Fax: (727) 733-2991  
Counsel for Respondent City of Holmes Beach

cc: Huong L. Tran  
103 29<sup>th</sup> St.  
Holmes Beach, FL 34217