



State of Florida
Office of the Public Defender
Fifteenth Judicial Circuit of Florida

Carey Haughwout
Public Defender

421 3rd Street
West Palm Beach, Florida
33401-4297

Telephone
(561) 355-7500

By Electronic Delivery

April 16, 2024

The Honorable Scott S. Harris
Clerk of Court
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543

Re: *Freddie Quinn v. Florida*, Case No. 23-6558

Dear Mr. Harris:

On behalf of the Petitioner in this matter, I write in opposition to Florida's third successive request for an extension of time to file its Brief in Opposition. Mr. Quinn filed his petition on January 12, 2024. On Florida's motion, the time to file the Brief in Opposition was first extended from February 23, 2024, to March 25, 2024, and then again from March 25, 2024, to April 24, 2024. Florida now asks once more for an extension, this time to May 24—a full three months after the initial deadline. There is no basis for further delay, and the Court should deny the request.

The State has already opposed the grant of 13 pending petitions for certiorari raising the same question presented here: whether the Sixth and Fourteenth Amendments guarantee the right to a trial by a 12-person jury when the defendant is charged with a felony. *See note 1 of its extension letter*. In each case, Florida has responded with its views of the merits and asserted what it claims are vehicle issues. This case raises an identical question presented and has no conceivable procedural obstacle to merits review by this Court. Having already extensively briefed the only relevant issue, there is no reason for any further extension of time—particularly on an important constitutional question that should be considered promptly.

Pursuant to Supreme Court Rule 30.4, I respectfully request that this motion be submitted to the Court and ask that Florida's request for an extension be denied.

Sincerely,

/s/ PAUL E. PETILLO
Paul E. Petillo
Counsel of Record

cc: Henry C. Whitaker
Counsel of Record