

In The Supreme Court of the United States

SAMUEL LEE SMITHERS,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

**BRIEF IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI
TO THE SUPREME COURT OF FLORIDA**

EXECUTION SCHEDULED FOR OCTOBER 14, 2025, AT 6:00 P.M.

PROOF OF SERVICE

I, C. Suzanne Bechard, a member of the Bar of this Court, hereby certify that on this 10th of October 2025, a true and correct copy of the State's Brief in Opposition in the above-entitled case was submitted to the Clerk of the United States Supreme Court using the Electronic Filing System. I further certify that a copy has also been furnished by United States mail to Ann Marie Mirialakis and Melody Jacquay-Acosta, Assistants CCRC-Middle, Capital Collateral Regional Counsel-Middle, 12973 N. Telecom, Temple Terrace, Florida 33637, **jacquay@ccmr.state.fl.us**, **mirialakis@ccmr.state.fl.us**, **support@ccmr.state.fl.us**.

Respectfully submitted,

JAMES UTHMEIER
ATTORNEY GENERAL OF FLORIDA

/s/ C. Suzanne Bechard
C. SUZANNE BECHARD
Counsel of Record