

IN THE SUPREME COURT OF FLORIDA

Case No. SC2024-1179

RUSTY MILLER, et al., Petitioner(s),

v.

STATE OF FLORIDA, Respondent(s).

MOTION TO AMEND PETITION FOR WRIT OF MANDAMUS

Petitioner, Rusty Miller, respectfully moves this Honorable Court for leave to file an Amended Petition for Writ of Mandamus pursuant to this Court's Order dated August 22, 2024, and states:

1. On August 13, 2024, Petitioner filed a Petition for Writ of Mandamus with this Court.
2. On August 19, 2024, Petitioner filed a "Supplemental Brief to the Writ of Mandamus," which this Court treated as an amendment to the original petition.
3. On August 22, 2024, this Court issued an Order striking the supplemental brief and granting Petitioner leave to file a motion to amend the petition, accompanied by an amended petition that fully complies with Florida Rule of Appellate Procedure 9.100.
4. Petitioner has prepared an Amended Petition for Writ of Mandamus that fully complies with Rule 9.100, including the 50-page limit and the requirement to contain all arguments as to the basis for invoking the Court's jurisdiction and in support of the petition.
5. The Amended Petition consolidates and refines the arguments presented in the original petition and the stricken supplemental brief, providing a more cohesive and compliant presentation of Petitioner's case.
6. Granting this motion and accepting the Amended Petition will serve the interests of justice by allowing the Court to consider Petitioner's arguments in a format that complies with the applicable rules and facilitates efficient review.

WHEREFORE, Petitioner respectfully requests that this Court grant this Motion to Amend and accept the accompanying Amended Petition for Writ of Mandamus for filing and consideration.

Respectfully submitted,

Rusty Miller, Petitioner pro se
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion has been furnished via electronic mail to the Office of the Attorney General, Criminal Appeals Division at CrimAppTPA@myfloridalegal.com, to Honorable Judge Diego Madrigal III, 12orange@ninthcircuit.org; State Attorney Richard Walsh, division12@sao9.org; Allen Holland, allenholland@bellsouth.net; Jonathan Mills, floridalaw2009@gmail.com; Amanda Kazzi, amanda@kazzilaw.com; Gary Schwartz, gschwartz@rc5state.com, on this 6th day of September, 2024.

Rusty Miller