

**IN THE SUPREME COURT OF FLORIDA**

**LINDA PEDROZA,**

Petitioner,

vs.

**CASE NO. SC18-964**

**STATE OF FLORIDA,**

Respondent.

\_\_\_\_\_ /

**MOTION FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE**

The undersigned President of the Florida Public Defender Association, Inc., pursuant to Florida Rule of Appellate Procedure 9.370(a), hereby seeks leave as amicus curiae to file a brief in support of the Petitioner, Linda Pedroza.

1. The Florida Public Defender Association, Inc., (“FPDA”) consists of nineteen elected public defenders who supervise hundreds of assistant public defenders and support staff. As appointed counsel for thousands of indigent criminal defendants annually, FPDA members and staff have tremendous practical experience with juvenile clients facing sentencing in adult court. All FPDA members are deeply committed to promoting the interests of fairness, proportionality, and rehabilitation when it comes to juvenile sentencing. The FPDA has a particular

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interest in the Petitioner's case because the outcome will have a significant impact on other similar cases involving clients of FPDA members.

2. As amicus curiae, the undersigned will address the practical and constitutional pitfalls of adopting a de facto life standard for determining the constitutionality of a juvenile's lengthy sentence. The FPDA will argue that these unavoidable problems weigh strongly against receding from this Court's decision in *Kelsey v. State*, 206 So. 3d 5 (Fla. 2016).

3. The undersigned has contacted counsel for the Petitioner, Mr. Benjamin Eisenberg, Assistant Public Defender, and is authorized to state that Mr. Eisenberg consents to this motion for leave to file an amicus brief. Counsel for the Respondent State of Florida, Mr. Matthew Ocksrider, Assistant Attorney General, has also been contacted, and the undersigned is authorized to represent that the Respondent has no objection to this motion for leave to file an amicus brief

WHEREFORE, the undersigned respectfully requests that the Court grant this motion for leave to file a brief as amicus curiae and accept the accompanying amicus brief.

**CERTIFICATES OF SERVICE AND FONT SIZE**

I hereby certify that a copy of the foregoing has been furnished via the Florida Courts E-Filing Portal to counsel for the petitioner, Benjamin Eisenberg, Office of the Public Defender, 421 Third Street, West Palm Beach, FL 32401; counsel for the respondent, Matthew Ocksrider, Assistant Attorney General, Office of the Attorney General, Ninth Floor, 1515 N. Flagler Drive, West Palm Beach, FL 33401-3432; and to all amicus counsel who have filed amicus notices, this 14th day of February, 2019.

I further certify that this brief has been prepared using Times New Roman 14-point font.

***/s Carey Haughwout***  
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