

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, P.O. BOX 3315, WEST PALM BEACH, FL 33402

ADMINISTRATIVE ORDER:

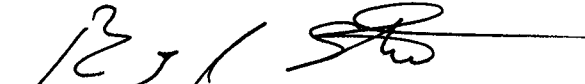
**In re: Emergency Order Extending Fourth District Court
of Appeal Time Periods**

It appearing to the court that on Wednesday, September 1, 2004, Hurricane Frances caused the closure of the Fourth District Court of Appeal until 8:00 A.M. Wednesday, September 15, 2004, and that this may have temporarily impeded the ability of attorneys and litigants in the performance of their duties and obligations in this court; in accordance with Fla. R. Jud. Admin. 2.030(2)(B)(iv) the court has requested the tolling of deadlines in this court for the period of closure, which request has been approved by the Chief Justice of the Supreme Court of Florida.

ACCORDINGLY, IT IS ORDERED THAT:

1. Any deadline for filing in this court, including briefs, responses, replies to orders to show cause, and motions for rehearing under Fla. R. App. P. 9.330 and 9.331, which fell during the period of court closure, is automatically extended through Thursday, September 30, 2004.
2. Any deadline for the filing of original proceedings pursuant to Fla. R. App. P. 9.100 which fell during the time of the closure of the court is tolled and automatically extended for the period of closure.
3. This Court recognizes that there may be instances where, because of this hurricane, these and other time limits in this court could not be met even after taking into consideration the extension and tolling period stated above. If such a claim is made, it shall be resolved by this Court on a case-by-case basis where a party demonstrates that the lack of compliance with requisite time periods was directly attributed to this emergency situation.

DONE AND ORDERED at West Palm Beach, Florida, the 15th Day of September, 2004.



CHIEF JUDGE GARY M. FARMER
By Acting Chief Judge Barry J. Stone

ATTEST:



Marilyn Beuttenmuller, Clerk