

**IN THE DISTRICT COURT OF APPEAL
FIFTH DISTRICT, STATE OF FLORIDA**

FOLEY, *et ux*, *Appellants*

vs.

ORANGE COUNTY, *et alia*, *Appellees*

Appeal No.: 5D21-233

Case No.: 2016-CA-007634-O

**MOTION FOR
ORAL ARGUMENT**

Appellants David and Jennifer Foley request oral argument per Florida Rule of Appellate Procedure 9.320.

ARGUMENT

The purpose oral argument is to provide an undecided appellate panel with a “preliminary conference” that includes the advocates who have mastered the record, the briefs, the authorities, the legislative history, and the scholarly commentary.¹ The Foleys’ initial and reply briefs should give the Court confidence that the Foleys, even *pro se*, have mastered these matters and can ably assist the Court in its “preliminary conference.”

The reason for a “preliminary conference” in this case is that constitutional questions of statewide importance are presented regarding Article I,

¹ Joseph W. Hatchett & Robert J. Telfer, *The Importance of Appellate Oral Argument*, 33 Stet. L. Rev. 139, 142 (2003). Cited in *Jackson v. Bd. of Election Com'rs*, 975 NE 2d 583 ¶73 (Ill. 2012).

RECEIVED, 08/30/2021 05:02:21 PM, Clerk, Fifth District Court of Appeal

Section 18, Article IV, Section 9, and Article VIII, Section 1(j), Florida Constitution. The Foleys, at least, are seeking a written opinion that will provide a final resolution of these questions, or provide a basis for all parties to seek that resolution on review in Florida's Supreme Court.

CONCLUSION

For this reason appellants David and Jennifer Foley request oral argument pursuant Florida Rule of Appellate Procedure 9.320.

CERTIFICATE OF SERVICE

Appellants certify that on August 30, 2021, the foregoing was electronically filed with the Clerk of the Court using Florida Courts E-Filing Portal, and electronically served to the following:

Linda S. Brehmer Lanosa, Assistant County Attorney,
201 S. Rosalind Av., 3rd Floor, Orlando FL, 32802,
linda.lanosa@ocfl.net;

Ronald L. Harrop, O'Connor & O'Connor LLC,
800 N. Magnolia Av. Ste 1350, Orlando FL, 32789,
rharrop@oconlaw.com;

Gail C. Bradford, Dean, Ringers, Morgan & Lawton PA,
PO 2928, Orlando FL 32802, gbradford@drml-law.com

David W. Foley, Jr.

Jennifer T. Foley
Jennifer T. Foley

Date: August 30, 2021

Appellants

1015 N. Solandra Dr.

Orlando FL 32807-1931

PH: 407 721-6132

e-mail: david@pocketprogram.org

e-mail: jtfoley60@hotmail.com