

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
SECOND DISTRICT

NEIL J. GILLESPIE  
Appellant,

Case No.: 2D10-5197  
Lower Court Case No. 05-CA-007205

vs.

BARKER, RODEMS & COOK, PA  
a Florida Corporation; and WILLIAM J. COOK,  
Appellees.

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**APPELLANT'S MOTION FOR LEAVE TO FILE  
AN AMENDED INITIAL BRIEF**

Appellant pro se Neil J. Gillespie moves for leave to file an amended initial brief, and in support thereof states:

1. This Court, by order dated February 17, 2011, granted appellant's motion to extend the time for the preparation of the record for thirty days. The thirty day time extension expires March 19, 2011, which is a Saturday. Pursuant to Fla. R. App. P. 9.420(f), in computing any period of time prescribed or allowed by these rules the last day of the period so computed shall be included unless it is a Saturday, a Sunday, or a holiday in which event, the period shall run until the end of the next day that is neither a Saturday, Sunday, nor holiday, in this case that day is March 21, 2011.

2. This Court's Order of February 17, 2011 holds in part "If the appellant deems it necessary to file an amended initial brief, he shall file an appropriate motion to that effect within thirty days."

3. Appellant deems it necessary to file an amended initial brief, but he has not yet received the corrected or amended Index from Clerk of the Circuit Court,

Hillsborough County. Therefore appellant cannot file an amended initial brief until he receives the corrected or amended Index from Clerk.

4. Today appellant filed two motions addressing the Index and Record:

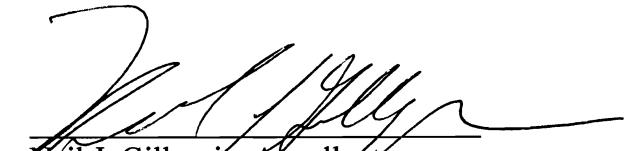
a. Appellant's Motion to Compel the Clerk to Correct and Prepare Index and Record; and

b. Appellant's Motion to Compel the Thirteenth Judicial Circuit and Judge Barton to file communication in the case with the Clerk of the Circuit Court.

5. Upon receipt of the corrected or amended Index from Clerk appellant request thirty (30) days to file an amended initial brief.

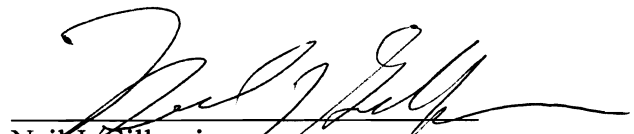
WHEREFORE, appellant moves the Court to grant his motion for leave to file Appellant's Amended Initial Brief within thirty (30) days of receipt of the corrected or amended Index from Clerk, and other relief as this Court deems necessary.

RESPECTFULLY SUBMITTED March 17, 2011.

  
Neil J. Gillespie, Appellant pro se  
8092 SW 115<sup>th</sup> Loop  
Ocala, Florida 34481  
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Certificate of Service

I certify that a copy hereof has been furnished to Ryan Christopher Rodems, Barker, Rodems & Cook, PA, 400 North Ashley Drive, Suite 2100, Tampa, Florida 33602 by mail on March 17, 2011.

  
Neil J. Gillespie