

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

Civil Action Case No.

DR. BRENDA C. SNIPES)	
Plaintiff,)	
)	
v.)	<u>NOTICE OF CONSTITUTIONAL</u>
)	<u>CHALLENGE OF STATUTE</u>
RICK SCOTT)	
In his official capacity as)	
Governor of Florida)	
And)	
BILL GALVANO)	
In his official capacity as)	
President of the Florida Senate.)	

Pursuant to Rule 5.1(a) of the Federal Rules of Civil Procedure, Plaintiff, Dr. Brenda C. Snipes, by and through counsel, respectfully files this Notice of Constitutional Challenge of Statute with the Court and gives notice to Pam Bondi, Attorney General of Florida (“the Attorney General”). In support thereof, Plaintiff shows as follows:

1. This action was instituted by Plaintiff on the seventeenth day of December 2018, and the Defendant thereafter accepted service.
2. By certified letter dated the seventeenth day of December 2018 and pursuant to Rule 5.1(a)(1) (B), Plaintiff provided the Attorney General with a copy of the Summons and Complaint in this action and notified them

that this action challenged the constitutionality of a state statute. A true and accurate copy of that notice is attached hereto as Exhibit A. In that letter, Plaintiff communicated that they serving a copy of the Summons and Complaint on the Attorney General pursuant to Rule 5.1(a), that the Complaint challenged the constitutionality of a state statute, and that the Complaint was filed against the Governor of the State of Florida and the President of the Florida Senate, respectively in their official capacities. In this manner, Plaintiff has complied with Rule 5.1 (a)(1)(B)'s requirements that the Attorney General be notified that a state statute was being challenged through this action and that neither the State, one of its agencies, nor one of its officers or employees had been names as a Defendant.

3. Plaintiff files this Notice that as reflected in their Complaint, Plaintiff is challenging the constitutionality of Florida Statutes §112 Part V and Senate Rule 12 because they individually and together deprive Plaintiff of her fundamental right to due process of law before depriving her of her right to property and liberty as guaranteed by the 14th Amendment of the U. S. Constitution. The Attorney General has 60 days from receipt of this notice to intervene in this matter.

4. In further compliance with Rule 5.1(a)(2), Plaintiff will serve the Attorney General with a copy of this Notice via certified mail.

Respectfully submitted this seventeenth day of December, 2018.

By /s/ Burnadette Norris-Weeks
Burnadette Norris-Weeks, Esquire
Fla. Bar No.: 949940
401 NW 7th Avenue
Fort Lauderdale, Florida 33311
Telephone: 954-768-9770 Facsimile 954-768-9790
Email: Bnorris@bnwlegal.com
Attorney for Plaintiff, Dr. Brenda C. Snipes

CERTIFICATE OF SERVICE

I hereby certify that on the seventeenth day of December, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System.

I further certify that the foregoing was served upon the Attorney General of Florida by mailing a copy thereof to the address indicated below with the proper postage attached and deposited in an official depository under the exclusive care and custody of the United States Postal Service in Fort Lauderdale, Florida.

Served Via Certified Mail:
Florida Attorney General Pam Bondi
Office of Attorney General State of Florida
The Capitol PL-01
Tallahassee, FL 32399-1050

By /s/ Burnadette Norris-Weeks
Burnadette Norris-Weeks, Esquire
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Email: Bnorris@bnwlegal.com
Attorney for Plaintiff, Dr. Brenda C. Snipes

LAW OFFICE OF
BURNADETTE NORRIS-WEEKS, P.A.

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REPLY TO:
POST OFFICE BOX 14065
FORT LAUDERDALE, FLORIDA 33302

EMAIL: bnorris@bnwlegal.com
WEB: www.bnwlegal.com

CERTIFIED RETURN RECEIPT REQUESTED

December 17, 2018

Honorable Pam Bondi
Office of Attorney General State of Florida
The Capitol PL-01
Tallahassee, FL 32399-1050

RE: Copy of the summons and Complaint of Dr. Brenda C. Snipes v. Governor Rick Scott and Bill Galvano an action challenging the constitutionality of a state statute

Dear Ms. Bondi:

Please find enclosed copies of Dr. Brenda C. Snipes and Governor Rick Scott and Bill Galvano; **Notice of Constitutional Challenge of the Statute** and Complaint for Declaratory and Injunctive Relief, with exhibits and copies of the summons to the Defendants.

Neither the State, one of its agencies or one of its officers or employees have been named as a Defendant.

Sincerely,

A large, stylized handwritten signature in dark ink, appearing to read 'Burnadette', is written over the typed name.

Burnadette Norris-Weeks, Esquire