

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
IN AND FOR COLLIER COUNTY, FLORIDA  
CIVIL DIVISION**

CITY OF NAPLES, FLORIDA,

*Plaintiff/Respondent.*

v.

CASE NO. 18-CA-001166

ETHICS NAPLES, INC.,

*Defendant/Petitioner.*

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**NOTICE OF PRIORITY STATUS FOR  
ETHICS NAPLES, INC.'S EMERGENCY PETITION FOR WRIT OF MANDAMUS**

Petitioner Ethics Naples, Inc., pursuant to Rule 2.545(c)(1) of the Florida Rules of Judicial Administration, gives notice that its Emergency Petition for Writ of Mandamus is entitled to priority status by this Court.

**Nature of Case** – Ethics Naples seeks a writ of mandamus compelling the Naples City Council to perform its ministerial duty to place a citizens' referendum amending the City's Charter on the ballot for the August 2018 election.

**Source of Priority Status** - Because this case involves an election, it is entitled to priority status and the court has a duty to expedite it to the extent possible. Fla. R. Jud. Admin. 2.215(g).

**Deadlines Imposed & Factors Affecting Them** - The Supervisor of Elections has set a deadline of June 29, 2018, for the City to direct the petition on the ballot. The last City Commission meeting before the June 29th deadline is Wednesday, June 13, 2018, at 8:30 AM. In addition, either party may want to seek appellate review of an adverse judgment.

**WHEREFORE**, Petitioner, Ethics Naples, Inc., respectfully requests that this Court assign its Emergency Petition for Writ of Mandamus priority status pursuant to Rules 2.215(g) and 2.545(c)(l) of the Florida Rules of Judicial Administration and grant such further relief as the Court deems appropriate.

Respectfully submitted,

UPTON LAW FIRM, P.L.

/s/ C.B. Upton

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*Attorney for Defendant/ Petitioner  
Ethics Naples, Inc.*

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on all counsel of record via the Florida e-filing portal on May 16, 2018.

/s/ C.B. Upton

C.B. Upton