

No. 17-15470-EE

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In the  
**United States Court of Appeals**  
**for the Eleventh Circuit**

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UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

v.

CORRINE BROWN,  
*Defendant-Appellant*

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
No. 3:16-CR-93-J-32JRK-1

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**UNITED STATES' OPPOSITION TO APPELLANT'S  
MOTION TO EXCEED WORD COUNT**

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March 12, 2018

*United States v. Corrine Brown*  
17-15470-EE

**Certificate of Interested Persons  
and Corporate Disclosure Statement**

In addition to the persons and entities identified in the certificate of interested persons and corporate disclosure statement in Corrine Brown's motion to exceed word count, the following persons and entities have an interest in the outcome of this case:

1. Andrews, Barbara, victim;
2. Andrews, John, victim;
3. Baker, John D., II, victim;
4. Bentley, A. Lee, III, former United States Attorney;
5. Bittel, Stephen, victim;
6. C.A.P. Contracting, Inc., victim;
7. Caldwell, Leslie, former Assistant Attorney General, United States Department of Justice;
8. Charter Communications (ticker symbol: CHTR), victim;
9. Chartrand, Gary, victim;
10. Community Leadership PAC, Inc., victim;
11. Conner, Timothy J., Esq.;
12. Cronon, John P., Acting Assistant Attorney General, United States Department of Justice;
13. CSX Corporate Citizenship (ticker symbol: CSX), victim;

14. Delaware North Companies, Inc. Buffalo, NY, victim;
15. Finker, Lonya, victim;
16. Flooring with Dimensions, dba S.L. Gresham Co., victim;
17. Florida East Coast Industries Company, LLC, victim;
18. Geraghty, Pat, victim;
19. Greenpointe Holdings, LLC, victim;
20. Greenspoon Marder, victim;
21. Hall, Loretta, victim;
22. Halverson, Steven T., victim;
23. Hoppmann, Karin B., Assistant United States Attorney;
24. Hulser, Raymond N., former Chief, Public Integrity Section, United States Department of Justice;
25. Lazzara, Gaspar, victim;
26. Lipsky, Richard, victim;
27. Lopez, Maria Chapa, United States Attorney;
28. Ludwig Family Foundation, victim;
29. Marta Employees Charity Club, victim;
30. McFarland, Ryan E., Esq.;
31. Mills, Harry, victim;

32. Mills, Rosa, victim;
33. Muldrow, W. Stephen, former Acting United States Attorney;
34. Orange Park Mitsubishi, victim;
35. Pajcic & Pajcic, victim;
36. Picerne Developmental Corporation, victim;
37. Picerne, John G., victim;
38. Rhodes, David P., Assistant United States Attorney,  
Chief, Appellate Division;
39. Simply Healthcare Plans, Inc., victim;
40. Simpson, Allison Kirkwood, Esq.;
41. Smith, Daniel Austin, Esq.;
42. Smith, James Wesley, III, Esq.;
43. Stafftime, LLC, victim;
44. Stermon, Kent, victim;
45. Tirol, AnnaLou, Acting Chief, Public Integrity Section,  
United States Department of Justice;
46. USSC, LLC, victim;
47. Ward, Michael, victim;
48. Wiggins, Janet, victim; and
49. Wiggins, Sidney, victim.

In the United States Court of Appeals  
for the Eleventh Circuit

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UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

v.

No. 17-15470-EE

CORRINE BROWN,  
*Defendant-Appellant*

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**United States' Opposition to Appellant's Motion to  
Exceed Word Count**

The United States opposes Corrine Brown's motion to exceed the authorized word count for her principal brief.

This Court allows for principal briefs of up to 13,000 words; it "looks with disfavor" on motions to exceed that limit, granting them only "for extraordinary and compelling reasons." 11th Cir. R. 32-4; *cf.* 11th Cir. R. 27-1(c)(12) (allowing clerk to grant such motions, if unopposed, "but only upon a showing of extraordinary circumstances").

This appeal involves one appellant and one issue: whether the district court abused its discretion when it removed a juror during deliberations. The trial itself—which is probably immaterial to the juror issue anyway—was not especially long or complex. This appeal presents no extraordinary and compelling reasons for additional words.

Brown asserts that she “addresses the issue from several perspectives,” Motion at 2, which is true. But that does not justify, let alone necessitate, the 16,352-word brief that she has proposed. (The brief that she filed contains thousands of words in lengthy quotations from a variety of sources.) Nor is a brief of that length warranted because two amici likely will file briefs in support of Brown’s position, *see id.* at 3; if anything, this suggests that a shorter brief ought to be enough.

Finally, we disagree with Brown’s implication that additional words might be warranted because she is a “former twelve term Congresswoman” or because her case, including the juror’s dismissal, “created considerable public controversy.” *Id.* at 2–3. The decision whether to allow additional words—and, if so, how many—is up to this Court’s discretion, of course. But that discretion ought to be exercised based on the complexity of the appeal and whether it can properly be briefed in 13,000 words, not based on the perceived status of the appellant.

## Conclusion

For these reasons, this Court should deny Brown's motion to exceed word count.

Respectfully submitted,

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**Certificate of Compliance with Type-Volume Limitation**

This response, which contains 319 countable words, complies with Fed. R. App. P. 27(d)(2)(A) and Fed. R. App. P. 32(a)(5), (6).

## Certificate of Service

I certify that a copy of this response and the notice of electronic filing was sent by CM/ECF on March 12, 2018, to:

WILLIAM MALLORY KENT, ESQ.  
*Counsel for Corrine Brown*

*s/ David P. Rhodes*  
\_\_\_\_\_  
DAVID P. RHODES  
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