

**CASE NO. SC2025-1176**

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**Supreme Court of Florida**

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**GARY S. EDINGER,**

Petitioner,

v.

**RON DESANTIS,**

in his official capacity as Governor of Florida,

Respondent.

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**GOVERNOR'S RESPONSE TO PETITION FOR WRIT OF  
MANDAMUS**

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Ryan D. Newman (FBN 1031451) <i>General Counsel</i>	Executive Office of the Governor 209 The Capitol
David Axelman (FBN 90872) <i>Senior Deputy General Counsel</i>	Tallahassee, Florida 32399-0001 (850) 717-9310 Ryan.Newman@eog.myflorida.com David.Axelmann@eog.myflorida.com

*Counsel for Governor Ron DeSantis*

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## **ARGUMENT**

Petitioner confidently asserts that the Governor “has refused to perform his duty to fill a vacancy on the Eighth Judicial Circuit Court” by the constitutionally mandated deadline of August 3, 2025. Petition at 4–5. This is false. In fact, the Governor filled the vacancy by appointing Judge Kristine Van Vorst on August 1, 2025. **See Appendix** (redacted letter of appointment). Accordingly, Petitioner cannot demonstrate grounds for issuance of the writ. *See, e.g., State ex rel. Dixie Inn v. City of Miami*, 24 So. 2d 705, 706 (Fla. 1946) (explaining availability of the writ “to coerce the performance of official duties where officials charged by law with the performance of a duty refuse or fail to perform the same.”).

Given the timely appointment, moreover, this unnecessary mandamus proceeding is moot. *See, e.g., Sneed v. Inch*, No. SC20-1603, 2020 WL 6797418, at \*1 (Fla. Nov. 19, 2020) (“It appearing that the First District Court of Appeal has issued a ruling . . . , Petitioner’s ‘Emergency Petition for Writ of Mandamus’ is hereby dismissed as moot.”); *Jackson v. State*, 2 So. 3d 981 (Fla. 2009) (table decision) (“It appearing that the Fifth District Court of Appeal

has ruled on the various motions identified by Petitioner and has ruled on Petitioner's appeals . . . , the petition for writ of mandamus is hereby dismissed as moot.”).

**CONCLUSION**

Governor DeSantis respectfully requests that the Court dismiss the petition.

Respectfully submitted,

/s/ David Axelman

Ryan D. Newman (FBN 1031451) <i>General Counsel</i>	Executive Office of the Governor 209 The Capitol Tallahassee, Florida 32399-0001 (850) 717-9310 Ryan.Newman@eog.myflorida.com David.Axelman@eog.myflorida.com
David Axelman (FBN 90872) <i>Senior Deputy General Counsel</i>	

*Counsel for Governor Ron DeSantis*

**CERTIFICATE OF SERVICE AND COMPLIANCE**

I hereby certify that this computer-generated Response is prepared in Bookman Old Style 14-point font and complies with the font requirement of Florida Rule of Appellate Procedure 9.045(b) and the word-limit requirement of Rule 9.100(j). I further certify that a true and correct copy of this Response has been served on all counsel of record through the Florida Courts E-Filing Portal this 8th day of August, 2025.

/s/ David Axelman