

**IN THE SUPREME COURT OF FLORIDA**

FILED  
THOMAS D. HALL

2006 MAR 13 P 1:15

CLERK, SUPREME COURT

BY \_\_\_\_\_

The Wiccan Religious Cooperative  
of Florida, Inc.,

Appellant,

v.

Case No. SC05-873

Lower Tribunal No.: 1D03-3325

Jim Zingale and the Florida Department  
of Revenue,

Appellees.

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**MOTION FOR LEAVE TO FILE AMICUS BRIEF ON BEHALF OF  
LIBERTY COUNSEL IN SUPPORT OF APPELLEES**

Erik W. Stanley  
FL Bar No. 0183504  
LIBERTY COUNSEL  
100 Mountain View Rd.  
Suite 2775  
Lynchburg, VA 24502  
(434) 592-3369 - Telephone  
(434) 582-7019 - Facsimile  
Attorney for Amicus Liberty Counsel

Mathew D. Staver  
FL Bar No. 0701092  
(Lead Counsel)  
LIBERTY COUNSEL  
Second Floor  
1055 Maitland Center Commons  
Maitland, FL 32751  
(800) 671-1776 - Telephone  
(407) 875-0770 - Facsimile  
Attorney for Amicus Liberty Counsel

COMES NOW Liberty Counsel, by and through its undersigned counsel, pursuant to Florida Rule of Appellate Procedure 9.370, and files this Motion for Leave to File an Amicus Brief on behalf of Liberty Counsel in the above-captioned action, and states as follows:

1. Liberty Counsel is a national organization headquartered in Orlando, Florida. Liberty Counsel represents numerous constituents, such as churches and religious organizations who purchase books, publications and other items and who also produce religious publications for sale that are subject to the sales tax exemption contained in Florida Statute §212.06(9). These organizations would suffer direct injury should the sales tax exemption be stricken as Appellant requests.

2. Liberty Counsel filed a Motion to Intervene in the above-captioned case which was denied by this Court on March 6, 2006. In the Motion, Liberty Counsel set forth its interests in the above case and filed a Proposed Answer Brief should the Court grant intervention. This Court struck the Proposed Answer Brief on March 6, 2006.

3. The Amicus Brief Liberty Counsel wishes to file is identical in substance to the Proposed Answer Brief filed by Liberty Counsel at the time of the filing of its Motion to Intervene. Each of the parties to this case was served with a copy of the Proposed Answer Brief.

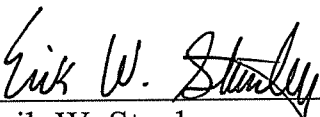
4. Liberty Counsel's amicus brief will assist the Court in the determination

of the issues in this case. The Brief presents a point of view not contained in the parties' Briefs.

5. Counsel for Liberty Counsel has contacted Counsel for the Appellee who has no objection to the filing of the Amicus Brief and Counsel for Appellant who does object to the filing of the Amicus Brief.

WHEREFORE, Liberty Counsel respectfully requests that this Court grant the Motion for Leave to File an Amicus Brief on behalf of Liberty Counsel and that the Court file the Amicus Brief of Liberty Counsel submitted herewith.

Dated this 8th day of March, 2006.

  
\_\_\_\_\_  
Erik W. Stanley  
FL Bar No. 0183504  
LIBERTY COUNSEL  
100 Mountain View Rd.  
Suite 2775  
Lynchburg, VA 24502  
(434) 592-3369 - Telephone  
(434) 582-7019 - Facsimile  
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1055 Maitland Center Commons  
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(800) 671-1776 - Telephone  
(407) 875-0770 - Facsimile  
Attorney for Amicus Liberty Counsel

## CERTIFICATE OF SERVICE

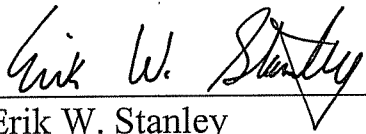
I hereby Certify that on this 8th day of March, 2006, a true and correct copy of the foregoing was sent, via Regular U.S. mail delivery to the following:

Heather Morcroft  
5278 Fayann St  
Orlando, FL 32812  
Attorney for Plaintiff-Appellant

James A. McKee  
Office of the Attorney General, PL-01  
The Capitol  
Tallahassee, FL 32399-1050

Nicholas Bykowsky  
Office of the Attorney General  
The Capitol, Tax Section  
Tallahassee, FL 32399-1050

George Hamm  
Florida Department of Revenue  
PO Box 6668  
Tallahassee, FL 32314-6668  
Attorneys for Defendants-Appellees



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Erik W. Stanley  
FL Bar No. 0183504  
LIBERTY COUNSEL  
100 Mountain View Rd.  
Suite 2775  
Lynchburg, VA 24502  
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