

**IN THE DISTRICT COURT OF APPEAL OF FLORIDA
FOURTH DISTRICT**

**CASE NO. 4D23-2025
L.T. CASE NO. CACE-22-003094**

HILLSBORO MILE PROPERTY
OWNER, LLC; ERIC FORDIN; and
TOWN OF HILLSBORO BEACH,

Petitioners,

vs.

RICHARD CRUSCO; CHARLES
DOHERTY; and FRANK J. KOLB, JR.,

Respondents.

_____/

**TOWN OF HILLSBORO BEACH'S NOTICE OF ADOPTION
OF REPLY TO RESPONSE TO PETITION FOR WRIT OF CERTIORARI**

NOTICE IS GIVEN that Petitioner, Town of Hillsboro Beach (the "Town"), hereby adopts in its entirety the Reply to Response to Petition for Writ of Certiorari filed by Petitioners Hillsboro Mile Property Owner, LLC and Eric Fordin (collectively, "Hillsboro Mile") on November 20, 2023, and further states:

1. On August 21, 2023, Hillsboro Mile filed a Petition for Writ of Certiorari (the "Petition") in the above-captioned case ("*Hillsboro II*") seeking second-tier certiorari review of the Circuit Court Appellate Division's reversal of a Site Plan Approval granted by the Town Commission. The Petition is the

second of two petitions for second-tier certiorari review filed by Hillsboro Mile with this Court arising from two separate but related opinions rendered by the circuit court in its appellate capacity.¹

2. On August 31, 2023, the Town filed a Notice of Joinder and elected to realign as a petitioner in *Hillsboro II* in accordance with Florida Rule of Appellate Procedure 9.360(a). Within its Notice of Joinder, the Town also adopted in its entirety the Petition filed by Hillsboro Mile.

3. On November 8, 2023, Respondents Richard Crusco, Charles Doherty, and Frank J. Kolb, Jr. (collectively, the “Objectors”) filed their Corrected Response to Hillsboro Mile’s Petition in *Hillsboro II*.²

4. On November 20, 2023, Hillsboro Mile filed its Reply to Response to Petition for Writ of Certiorari (“Hillsboro Mile’s Reply”) in *Hillsboro II*.³

5. The Town hereby adopts in its entirety Hillsboro Mile’s Reply.

¹ Hillsboro Mile filed its first petition for second-tier certiorari review on July 20, 2023 (“*Hillsboro I*”). See *Hillsboro Mile Property Owner, LLC, et al. v. Richard Crusco, et al.*, Case No. 4D23-1752 (Fla. 4th DCA July 20, 2023).

² The Objectors filed a response on November 6, 2023 and, thereafter, filed a “corrected” response on November 8, 2023 (the “Corrected Response”).

³ Hillsboro Mile’s Reply addresses the Corrected Response.

Respectfully submitted,

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Town of Hillsboro Beach

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via e-mail this 21st day of November 2023 on:

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