

IN THE SUPREME COURT  
STATE OF FLORIDA

Case No. SC08-1827

Lower Tribunal Case No.: 08-1

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THE STATE OF FLORIDA

*Appellant/Petitioner,*

v.

PUBLIC DEFENDER, ELEVENTH JUDICIAL CIRCUIT OF FLORIDA,

*Appellee/Respondent.*

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**APPENDIX TO PUBLIC DEFENDER'S UNOPPOSED MOTION TO  
EXPEDITE THE APPEAL OF THE ORDER GRANTING IN PART AND  
DENYING IN PART PUBLIC DEFENDER'S MOTION TO APPOINT  
OTHER COUNSEL IN UNAPPOINTED NONCAPITAL FELONY CASES**

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On Review From a Decision of the  
Third District Court of Appeal

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by the method indicated below to those indicated this 29th day of September 2008.

**Chief Judge Joseph P. Farina**

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Parker D. Thomson

**TAB A**

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JULY TERM, A.D. 2008  
SEPTEMBER 12, 2008

THE STATE OF FLORIDA,  
Appellant(s)/Petitioner(s),

CASE NO.: 3D08-2272

vs.

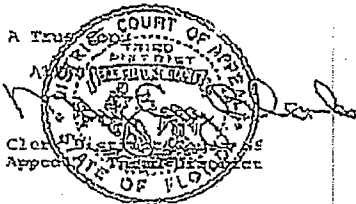
LOWER  
TRIBUNAL NO. 08-1

IN RE: REASIGN & CONSOL.  
/ P.D.MOTIONS, ETC.,  
Appellee(s)/Respondent(s).

Upon the court's own motion, this appeal is hereby expedited. Appellant(s) shall file the initial brief no later than October 1, 2008. Appellee(s) shall file the answer brief no later than October 20, 2008. Appellant(s) may file a reply brief no later than October 27, 2008.

This cause is set for oral argument on Monday, November 17, 2008 at 10:30 a.m. Twenty (20) minutes will be allowed each side to present oral argument.

SHEPHERD, CORTIÑAS and SALTER, JJ., concur.



CC:

Scott D. Makar  
Richard L. Folin  
Penny H. Brill  
Linda Kelly Kearson  
Arthur I. Jacobs

Parker D. Thomson  
Bennett H. Brummer  
Stephen Presnell  
Joseph P. George, Jr.  
Hon. Stanford Blake  
Hon. Joseph A. Farina  
Harvey Ruvlin

lp

**TAB B**

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JULY TERM, A.D. 2008  
SEPTEMBER 24, 2008

THE STATE OF FLORIDA,  
Appellant(s)/Petitioner(s),

CASE NO.: 3D08-2272

vs.

LOWER  
TRIBUNAL NO. 08-1

IN RE: REASSIGNMENT AND  
CONSOLIDATION OF PUBLIC  
DEFENDER'S MOTIONS TO  
APPOINT OTHER COUNSEL IN  
UNAPPOINTED NON-CAPITAL  
FELONY CASES,  
Appellee(s)/Respondent(s).

The Florida Public Defender Association, Inc.'s motion  
for leave to participate as amicus curiae is denied as moot.

This Court's order dated September 12, 2008 is  
vacated.

The stay entered on September 11, 2008 shall remain in  
effect until further order of the Supreme Court of Florida.

SHEPHERD, CORTINAS and SALTER, JJ., concur.



cc:  
Richard L. Polin  
Scott D. Makar  
Penny H. Brill  
Linda Kolly Kearson  
Arthur I. Jacobs  
Parker D. Thomson  
Stephen Presnell

Hon. Joseph P. Farina  
Hon. Stanford Blake  
Bill White  
Robert A. Young  
Harvey Ruvin  
Joseph P. George, Jr.

**TAB C**

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JULY TERM, A.D. 2008  
SEPTEMBER 24, 2008

THE STATE OF FLORIDA,  
Appellant(s)/Petitioner(s),

CASE NO.: 3D08-2272

vs.

TOWER  
TRIBUNAL NO. 08-1

IN RE: REASSIGNMENT AND  
CONSOLIDATION OF PUBLIC  
DEFENDER'S MOTIONS TO  
APPOINT OTHER COUNSEL IN  
UNAPPOINTED NON-CAPITAL  
FELONY CASES.  
Appellee(s)/Respondent(s).

To The Honorable, The Supreme Court of Florida:

We hereby certify to the Supreme Court of Florida, as provided for in article V, section 3(b)(5) of the Constitution of Florida, as a means of bringing this cause within the jurisdiction of the Supreme Court of Florida, that: the order of the Circuit Court of the Eleventh Judicial Circuit, which granted in part and denied in part the public defender's motion to appoint other counsel in unappointed noncapital felony cases dated September 3, 2008, review of which order is presently pending in this Court, passes upon a question of great public importance or will have a great effect on the administration of justice throughout the state, requiring immediate resolution by the Supreme Court of Florida.

Respectfully submitted,

/s/ ANGEL A. CORTIÑAS

Judge

/s/ VANCE E. SALTER

Judge

/s/ FRANK A. SHEPHERD

Judge



cc:  
Richard L. Polin  
Parker D. Thomson  
Scott D. Makar  
Penny H. Brill  
Linda Kelly Kearson  
Arthur I. Jacobs  
Stephen Prasnell  
Joseph P. George, Jr.  
Hon. Joseph P. Farina  
Hon. Stanford Blake  
Hon. Thomas D. Hall  
Harvey Ruvin

mc