

COPY

ORIGINAL  
FILED  
SEP 11 2009  
CLERK

IN THE CIRCUIT COURT OF THE ELEVENTH  
JUDICIAL CIRCUIT OF FLORIDA IN AND FOR  
MIAMI-DADE COUNTY

CRIMINAL DIVISION

CASE NO.: F09019364  
SECTION: F015  
JUDGE: JOHN THORNTON

RECEIVED  
S.A.O. - MAIL ROOM  
2009 SEP 11 P 3:51

THE STATE OF FLORIDA,

Plaintiff,

v.

ANTOINE BOWENS,

Defendant.

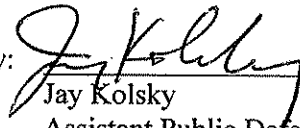
**NOTICE OF FILING**

Defendant , ANTOINE BOWENS, by and through the undersigned counsel, files the attached Affidavit of Antoine Bowens.

I CERTIFY that a copy of this Notice of Filing has been hand-delivered to the Office of the State Attorney, 1350 NW 12 AVE, Miami FL 33136 , on September 11, 2009.

Respectfully submitted,

Carlos J. Martinez  
Public Defender  
Eleventh Judicial Circuit of Florida  
1320 NW 14<sup>th</sup> Street  
Miami, Florida 33125  
305.545.1600

By:   
Jay Kolsky  
Assistant Public Defender  
Florida Bar No: 0763035

cc: State Attorney's Office  
Clerk's Office

**Chief Judge Joel H. Brown**  
Dade County Courthouse  
73 West Flagler Street  
Miami, Florida 33130  
*Via Hand Delivery*

**Administrative Judge Stanford Blake**

Richard E. Gerstein Justice Building  
1351 NW 12<sup>th</sup> Street  
Miami, Florida 33125  
*Via Hand Delivery*

**Linda Kelly Kearson**

General Counsel  
Eleventh Judicial Circuit of Florida  
Lawson E. Thomas Courthouse Center  
175 NW First Avenue, 30<sup>th</sup> Floor  
Miami, Florida 33128  
*Via Hand Delivery*

**Richard Polin**

**Office of the Attorney General**  
444 Brickell Avenue  
Suite 650  
Miami, Florida, 33131  
*Via Hand Delivery*

**Bill McCollum**

Attorney General of Florida  
Office of the Attorney General  
State of Florida  
The Capitol PL-01  
Tallahassee, Florida 32399-1050  
*Via U.S. Mail & Email*

**Scott D. Makar**

**Louis F. Hubener**

Office of the Attorney General  
The Capitol, PL-01  
Tallahassee, Florida 32399-1050  
*Via U.S. Mail & Email*

**Arthur J. Jacobs**

**Jacobs & Associates, P.A.**  
961687 Gateway Blvd.  
Suite 201-I  
Fernandina Beach, Florida 32034  
*Via U.S. Mail*

**Penny Brill**

**Don Horn**

**Office of the State Attorney**

E.R. Graham Building  
1350 N.W. 12<sup>th</sup> Avenue  
Miami, Florida 33136  
*Via Hand Delivery*

**Joseph P. George, Jr.**

**Nancy C. Wear**

Regional Civil and Criminal Conflict Counsel  
1501 N.W. N. River Drive  
Miami, FL 33125  
*Via Hand Delivery*

**Stephen Presnell**

General Counsel  
Justice Administrative Commission  
P.O. Box 1654  
Tallahassee, FL 32302  
*Via U.S. Mail*

**Antoine Bowens**

2225 W. 5<sup>th</sup> Avenue  
Hialeah, Florida 33010  
*Via U.S. Mail*

STATE OF FLORIDA            )  
  )SS  
COUNTY OF MIAMI-DADE    )

**AFFIDAVIT OF ANTOINE BOWENS**

BEFORE ME, the undersigned authority, personally appeared Antoine Bowens, who after being duly sworn, deposes and says:

1. My name is Antoine Bowens. I am of the age of majority and the following information is true and correct.

2. I am the defendant in Circuit Court Case No. F09-19364 and am charged with sale of cocaine within 1000 feet of a school. I was arraigned on July 1, 2009, and briefly spoke with Assistant Public Defender Jay Kolsky on that date. The short conversation with Mr. Kolsky took place in the courtroom, in the presence of other defendants, and concerned scheduling. We did not go into the facts of my case. Prior to my arraignment, I did not speak with a lawyer from the Public Defender's Office.

3. Since my arraignment, I have not met with Mr. Kolsky to discuss the facts of my case, any witnesses I might have, or my defense to the charge. I am not aware of any work that Mr. Kolsky has done on my case.

4. I was in court on my case on August 7, 2009. That day, I became aware that Mr. Kolsky has over 100 cases and is seeking to withdraw from my case. I heard that because Mr. Kolsky has so many cases, he does not have time to meet with me or to investigate or work on my case.

5. I spoke with Mr. Kolsky about his motion to withdraw after court on August 7. Although I was impressed and like Mr. Kolsky, I am asking the court to provide me with another lawyer solely because Mr. Kolsky has too many cases to represent me properly.

6. I believe I have significant defenses to the charge filed against me and I believe the truth of the statements from the prosecution's witnesses should be tested immediately if I am to have an adequate defense. In fact, I believe that they should have already been tested. I believe further delay will significantly prejudice my case.

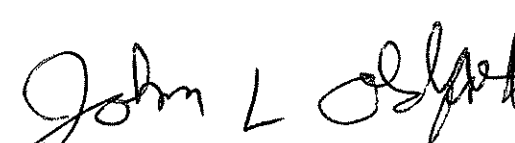
7. It is therefore my desire that the court provide another lawyer for me now, who has the time to pay attention to my case, meet with me and defend me properly.

FURTHER AFFIANT SAYETH NAUGHT

  
Antoine Bowens

The foregoing instrument was acknowledged before me this <sup>8th</sup> ~~August~~ <sup>September</sup> 2009, by Antoine Bowens, who produced BS20-013-82-1420 <sup>JLO</sup> as identification and who did take an oath.

F2 DL

  
NOTARY PUBLIC-STATE OF FLORIDA  
John L. Oldfield  
Commission # DD518157  
Expires: FEB. 27, 2010  
Bonded Thru Atlantic Bonding Co., Inc.