

**CASES FOR ORAL ARGUMENT**  
**MONDAY, SEPTEMBER 26, 2005 – 9:00 A.M.**  
**EN BANC**

**NO CASES SCHEDULED**

**CASES FOR ORAL ARGUMENT**  
**TUESDAY, SEPTEMBER 27, 2005 – 9:00 A.M.**  
**EN BANC**

----- Case #1 -----

<b>INQUIRY CONCERNING A JUDGE NO. 02-337</b> <b>RE: ANA MARIE PANDO</b> <b>CASE NO. SC04-1636</b> <b>MIAMI-DADE COUNTY</b>
Honorable Ana Marie Pando, County Court Judge, Hialeah, 305-520-4045
(PUBLIC REPRIMAND)

----- Case #2 -----

<b>INQUIRY CONCERNING A JUDGE, NO. 03-14</b> <b>RE: JAMES E. HENSON</b> <b>CASE NO. SC04-1</b> <b>ORANGE COUNTY</b>
<u>Appearance for the Honorable James E. Henson:</u> Kirk N. Kirkconnell of Kirkconnell, Lindsey, Snure and Yates, P.A., Winter Park, 407-644-7600
<u>Appearance for Judicial Qualifications Commission:</u> E. Lanny Russell of Smith, Hulsey & Busey, Jacksonville, 904-359-7700
(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

----- Case #3 -----

<b>CARNIVAL CORPORATION v. DARCE CARLISLE</b> <b>CASE NO. SC04-393</b> <b>MIAMI-DADE COUNTY</b>
<u>Appearance for Petitioner:</u> Rodolfo Sorondo, Jr. of Holland & Knight LLP, Miami, 305-374-8500;
<u>Appearance for Respondent:</u> David H. Pollack of Law Office of David H. Pollack, LLC, Miami, 305-372-5900; and Charles Lipcon of Lipcon, Margulies & Alsina, P.A., Miami, 305-373-3016
(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

**\*PLEASE NOTE THAT ONLY THE NAMES OF THE ATTORNEYS WHO HAVE INDICATED THEY WILL PARTICIPATE IN ORAL ARGUMENT APPEAR ON THE ORAL ARGUMENT CALENDAR.**

**CASES FOR ORAL ARGUMENT**  
**TUESDAY, SEPTEMBER 27, 2005 – 9:00 A.M.**  
**EN BANC**

----- **Case #4** -----

<b>COLBY MATERIALS, INC. v. CALDWELL CONSTRUCTION, INC.</b> <b>CASE NO. SC04-774</b> <b>CITRUS COUNTY</b>
---

Appearance for Petitioner:

D. Lance Langston, Tallahassee, 850-561-5050

Appearance for Respondent:

Robert P. Butts of Fisher, Butts, Sechrest & Warner, P.A., Gainesville, 352-373-5922

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

----- **Case #5** -----

<b>DERRICK TYRONE SMITH v. STATE OF FLORIDA</b> <b>CASE NO. SC03-454</b> and <b>DERRICK TYRONE SMITH v. JAMES V. CROSBY, JR., ETC.</b> <b>CASE NO. SC05-100</b> <b>PINELLAS COUNTY</b>
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Appearance for Appellant/Petitioner:

Martin J. McClain of McClain & McDermott, P.A., Wilton Manors, 305-984-8344

Appearance for Appellee/Respondent:

Katherine V. Blanco, Asst. Atty. General, Tampa, 813-287-7910

(3.851 APPEAL AND A PETITION FOR WRIT OF HABEAS CORPUS –  
MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**WEDNESDAY, SEPTEMBER 28, 2005 – 9:00 A.M.**  
**EN BANC**

----- Case #1 -----

<b>DADELAND DEPOT, INC., ET AL. v.</b> <b>ST. PAUL FIRE AND MARINE INSURANCE CO., ET AL.</b> <b>CASE NO. SC04-1828</b> <b>PALM BEACH COUNTY</b>
--

Appearance for Appellants:

Philip M. Burlington of Philip M. Burlington, P.A., West Palm Beach, 561-253-0400;

Appearance for Appellees:

Lee Craig of Butler Pappas Weihmuller Katz Craig LLP, Tampa, 813-281-1900

Appearance for Amicus Curiae Surety Association of America:

E. A. "Seth" Mills, Jr. of Mills, Paskert, Divers, P.A., Tampa, 813-229-3500

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

----- Case #2 -----

<b>MICHAEL SEIBERT v. STATE OF FLORIDA</b> <b>CASE NO. SC03-800</b> <b>MIAMI-DADE COUNTY</b>
--

Appearance for Appellant:

Scott W. Sakin, Miami, 305-545-0007

Appearance for Appellee:

Sandra S. Jaggard, Asst. Atty. General, Miami, 305-377-5441

(INITIAL APPEAL – MAXIMUM OF THIRTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**WEDNESDAY, SEPTEMBER 28, 2005 – 9:00 A.M.**  
**EN BANC**

----- **Case #3** -----

**FLORIDA DEPARTMENT OF REVENUE, ET AL. v.**  
**JAMES (WILLIE) CUMMINGS, ET AL.**  
**CASE NO. SC04-1045**  
**PINELLAS COUNTY**

Appearance for Petitioners:

William H. Branch, Asst. Atty. General, Tallahassee, 850-414-3400

Appearance for Respondents:

Louis K. Rosenbloum of Louis K. Rosenbloum, P.A., Pensacola, 850-475-1211

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

----- **Case #4** -----

**JULIO ARAVENA, ETC. v. MIAMI-DADE COUNTY**  
**CASE NO. SC04-2349**  
**MIAMI-DADE COUNTY**

Appearance for Petitioner:

Martin E. Leach of Feiler, Leach & McCarron, P.L., Coral Gables, 305-441-8818

Appearance for Respondent:

Jeffrey P. Ehrlich, Asst. County Atty., Miami, 305-375-5744

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**THURSDAY, SEPTEMBER 29, 2005 – 9:00 A.M.**  
**EN BANC**

----- **Case #1** -----

<b>STATE OF FLORIDA, ETC. v. PRESIDENTIAL WOMEN'S CENTER, ET AL.</b> <b>CASE NO. SC04-2186</b> <b>PALM BEACH COUNTY</b>
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Appearance for Appellant:

Louis F. Hubener, Chief Deputy Solicitor General, Tallahassee, 850-414-3300

Appearance for Appellees:

Marshall J. Osofsky of Moyle, Flanigan, Katz, Raymond and Sheehan, P.A., West Palm Beach, 561-659-7500

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

----- **Case #2** -----

<b>JOHN ROBERT BALLARD v. STATE OF FLORIDA</b> <b>CASE NO. SC03-1012</b> <b>COLLIER COUNTY</b>
--

Appearance for Appellant:

Paul C. Helm, Asst. Public Defender, Bartow, 863-534-4200

Appearance for Appellee:

Scott A. Browne, Asst. Atty. General, Tampa, 813-287-7910

(INITIAL APPEAL – MAXIMUM OF THIRTY MINUTES TO THE SIDE)

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**THURSDAY, SEPTEMBER 29, 2005 – 9:00 A.M.**

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**----- Case #3 -----**

**VICTOR K. BORDEN, ET AL. v.**  
**EAST-EUROPEAN INSURANCE COMPANY, ET AL..**  
**CASE NO. SC04-1737**  
**HILLSBOROUGH COUNTY**

Appearance for Petitioner Victor K. Borden:

Nathan G. W. Pieper of Lau, Lane, Pieper, Conley & McCreadie, P.A., Tampa, 813-229-2121

Appearance for Petitioner Barnhardt Marine Insurance:

David W. Henry of Allen, Dyer, Doppelt, Milbrath & Gilchrist, Orlando, 407-841-2330

Appearance for Petitioner Ocean Insurance Management, Inc.:

Rebecca A. Brownell of Atkinson & Brownell, Miami, 305-376-8840

Appearance for Respondent East-European Insurance Company, etc.:

Steven L. Brannock of Holland & Knight LLP, Tampa, 813-227-6611

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

**----- Case #4 -----**

**NORRIS RIGGS, JR. v. STATE OF FLORIDA**  
**CASE NO. SC05-133**  
**POLK COUNTY**

Appearance for Petitioner:

Bruce P. Taylor, Asst. Public Defender, Bartow, 863-534-4200

Appearance for Respondent:

Marilyn Muir Beccue, Asst. Atty. General, Tampa, 813-287-7900

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**FRIDAY, SEPTEMBER 30, 2005 – 8:30 A.M.**  
**EN BANC**

----- **Case #1** -----

<b>IN RE: AMENDMENTS TO THE FLORIDA SMALL CLAIMS RULES (TWO YEAR CYCLE) CASE NO. SC05-146</b>
<u>Appearance for Small Claims Rules Committee:</u> Honorable Pauline M. Drayton, Jacksonville, 904-630-2581
<u>Appearance for Supreme Court Committee on Alternative Dispute Resolution Rules and Policy:</u> Honorable Shawn Lee Briese, Daytona Beach, 386-257-6090
(MAXIMUM OF THIRTY MINUTES ALLOCATED FOR ORAL ARGUMENT)

----- **Case #2** -----

<b>BOBBY RALEIGH v. STATE OF FLORIDA CASE NO. SC03-710 and BOBBY RALEIGH v. JAMES V. CROSBY, JR., ETC. CASE NO. SC03-2282 VOLUSIA COUNTY</b>
<u>Appearance for Appellant/Petitioner:</u> Ryan Thomas Truskowski of Ryan Thomas Truskoski, P.A., Orlando, 407-841-7676
<u>Appearance for Appellee/Respondent:</u> Kenneth S. Nunnelley, Sr. Asst. Atty. General, Daytona Beach, 386-238-4990
(3.851 APPEAL AND A PETITION FOR WRIT OF HABEAS CORPUS – MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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----- Case #3 -----

<b>FLORIDA DIVISION OF WORKERS' COMPENSATION v.</b> <b>RICARDO CAGNOLI, ET AL.</b> <b>CASE NO. SC05-220</b> <b>DADE COUNTY</b>
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Appearance for Appellant:

Daniel Y. Sumner, Tallahassee, 850-413-1606

Appearance for Appellees:

Andrea Cox of Law Offices of Mark L. Zientz, P.A., Miami, 305-670-6275

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

----- Case #4 -----

<b>MICHAEL JOHN SIMMONS v. STATE OF FLORIDA</b> <b>CASE NO. SC04-2375</b> <b>COLUMBIA COUNTY</b>
--

Appearance for Petitioner:

William J. Sheppard of Sheppard, White and Thomas, P.A., Jacksonville, 904-356-9661

Appearance for Respondent:

Charlie McCoy, Senior Asst. Atty. General, Tallahassee, 850-414-3300

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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----- Case #5 -----

<b>MCKENZIE CHECK ADVANCE OF FLORIDA, LLC, ETC., ET AL. v.</b> <b>WENDY BETTS, ETC.</b> <b>CASE NO. SC04-1825</b> <b>PALM BEACH COUNTY</b>
---

Appearance for Petitioners:

Virginia B. Townes of Akerman, Senterfitt, Orlando, 407-843-7860

Appearance for Respondent:

Christopher C. Casper of James, Hoyer, Newcomer & Smiljanich, P.A., Tampa, 813-286-4100

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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