

CASES FOR ORAL ARGUMENT
MONDAY, FEBRUARY 12, 2007 – 9:00 A.M.
EN BANC

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

JESSE GUARDADO v. STATE OF FLORIDA CASE NO. SC05-2035 WALTON COUNTY
<u>Appearance for Appellant:</u> W. C. McLain, Asst. Public Defender, Tallahassee, 850-606-1000
<u>Appearance for Appellee:</u> Charmaine Millsaps, Asst. Atty. General, Tallahassee, 850-414-3300
(INITIAL APPEAL – MAXIMUM OF THIRTY MINUTES TO THE SIDE)

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

ROBERT ANTHONY PRESTON, JR. v. STATE OF FLORIDA CASE NO. SC05-781 and ROBERT ANTHONY PRESTON, JR. v. JAMES R. MCDONOUGH, ETC. CASE NO. SC06-351 SEMINOLE COUNTY
<u>Appearance for Appellant:</u> Robert T. Strain, Asst. CCRCs, Tampa, 813-740-3544
<u>Appearance for Appellee:</u> Barbara C. Davis, 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)

***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, FEBRUARY 13, 2007 – 9:00 A.M.
EN BANC

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

JUAN RAUL CUERVO v. STATE OF FLORIDA CASE NO. SC06-1156 OSCEOLA COUNTY
<u>Appearance for Petitioner:</u> Leonard R. Ross, Asst. Public Defender, Daytona Beach, 386-252-3367
<u>Appearance for Respondent:</u> Kristen L. Davenport, Asst. Atty. Generals, Daytona Beach, 386-238-4990
(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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

JAMES M. DAILEY v. STATE OF FLORIDA CASE NO. SC05-1512 and JAMES MILTON DAILEY v. JAMES R. MCDONOUGH, ETC. CASE NO. SC06-576 PINELLAS COUNTY
<u>Appearance for Appellant:</u> Eric C. Pinkard, Asst. CCRC, Tampa, 813-740-3544
<u>Appearance for Appellee:</u> 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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----- Case #3 -----

JOHNNY WILLIAMSON v. STATE OF FLORIDA CASE NO. SC05-1527 DIXIE COUNTY
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Appearance for Appellant:

Harry P. Brody of Brody & Hazen, P.A., Tallahassee, 850-942-0005

Appearance for Appellee:

Meredith Charbula, Asst. Atty. General, Tallahassee, 850-414-3300

(3.851 APPEAL – MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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CASES FOR ORAL ARGUMENT
WEDNESDAY, FEBRUARY 14, 2007 – 9:00 A.M.
EN BANC

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

**IN RE: AMENDMENTS TO THE FLORIDA RULES OF CIVIL PROCEDURE, THE
FLORIDA RULES OF CRIMINAL PROCEDURE, THE STANDARD JURY
INSTRUCTIONS IN CIVIL CASES AND THE STANDARD JURY INSTRUCTIONS IN
CRIMINAL CASES – IMPLEMENTATION OF JURY INNOVATIONS COMMITTEE
RECOMMENDATIONS
(RECOMMENDATIONS 7, 16, 18, 23, 38)
CASE NO. SC05-1091**

Appearance for Florida Rules of Civil Procedure Committee:

Keith H. Park, Chair, West Palm Beach, 561-686-7711

Appearance for Florida Rules of Criminal Procedure Committee:

Honorable Thomas H. Bateman, Tallahassee, 850-577-4315

Appearance for Supreme Court Committee on Standard Jury Instructions in Civil Cases:

Scott D. Makar, Chair, Jacksonville, 904-630-1700

Appearance for Supreme Court Committee on Standard Jury Instructions in Criminal Cases:

Bill Cervone, State Attorney, Eighth Judicial Circuit, Gainesville, 352-374-3686

Appearance for Criminal Court Steering Committee:

Honorable O.H. Eaton, Jr., Sanford, 407-665-4939

Appearance for Florida Prosecuting Attorneys Association, Inc.

Arthur I. Jacobs of Jacobs & Associates, P.A., Fernandina Beach, 904-261-3693

Appearance for Florida Association of Criminal Defense Lawyers:

Paula S. Saunders, Asst. Public Defender, Tallahassee, 850-488-2458; and
Michael Ufferman of Michael Ufferman Law Firm, P.A., Tallahassee, 850-386-2345

Appearance Pro Se:

Daniel S. Ciener, Merritt Island, 321-452-2433

(MAXIMUM OF THIRTY MINUTES ALLOCATED FOR ORAL ARGUMENT)

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CASES FOR ORAL ARGUMENT
WEDNESDAY, FEBRUARY 14, 2007 – 9:00 A.M.
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----- Case #2 -----

**IN RE: AMENDMENTS TO THE FLORIDA RULES OF CIVIL PROCEDURE, THE
FLORIDA RULES OF CRIMINAL PROCEDURE, THE STANDARD JURY
INSTRUCTIONS IN CIVIL CASES AND THE STANDARD JURY INSTRUCTIONS IN
CRIMINAL CASES – IMPLEMENTATION OF JURY INNOVATIONS COMMITTEE
RECOMMENDATIONS
(RECOMMENDATIONS 26, 31, 32, 33, 34, 41)
CASE NO. SC05-1091**

Appearance for Florida Rules of Civil Procedure Committee:

Keith H. Park, Chair, West Palm Beach, 561-686-7711

Appearance for Florida Rules of Criminal Procedure Committee:

Honorable Thomas H. Bateman, Tallahassee, 850-577-4315

Appearance for Supreme Court Committee on Standard Jury Instructions in Civil Cases:

Scott D. Makar, Chair, Jacksonville, 904-630-1700

Appearance for Supreme Court Committee on Standard Jury Instructions in Criminal Cases:

Bill Cervone, State Attorney, Eighth Judicial Circuit, Gainesville, 352-374-3686

Appearance for Criminal Court Steering Committee:

Honorable O.H. Eaton, Jr., Sanford, 407-665-4939

Appearance for Florida Prosecuting Attorneys Association, Inc.

Arthur I. Jacobs of Jacobs & Associates, P.A., Fernandina Beach, 904-261-3693

Appearance for Florida Association of Criminal Defense Lawyers:

Paula S. Saunders, Asst. Public Defender, Tallahassee, 850-488-2458; and
Michael Ufferman of Michael Ufferman Law Firm, P.A., Tallahassee, 850-386-2345

Appearance Pro Se:

Daniel S. Ciener, Merritt Island, 321-452-2433

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

SPEEDWAY SUPERAMERICA, LLC v. ERMA DUPONT
CASE NO. SC06-1617
BREVARD COUNTY

Appearance for Petitioner:

Susan Potter of Allen, Norton & Blue, P.A., Coral Gables, 305-445-7801

Appearance for Respondent:

Wayne Allen and
Adrienne E. Trent of Wayne Allen & Associates, Melbourne, 321-254-7550

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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

JAMES BELCHER v. STATE OF FLORIDA
CASE NO. SC05-1732
and
JAMES BELCHER v. JAMES R. MCDONOUGH, ETC.
CASE NO. SC06-866
DUVAL COUNTY

Appearance for Appellant/Petitioner:

Christopher J. Anderson, Atlantic Beach, 904-246-4448

Appearance for Appellee/Respondent:

Charmaine Millsaps, Asst. Atty. General, Tampa, 850-414-3300

(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
THURSDAY, FEBRUARY 15, 2007 – 9:00 A.M.
EN BANC

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

IN RE: AMENDMENTS TO THE FLORIDA RULES OF CRIMINAL PROCEDURE – FINAL ARGUMENTS CASE NO. SC06-2065
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<u>Appearance for Florida Rules of Criminal Procedure Committee:</u> William C. Vose, Chair, Orlando, 407-836-2426

<u>Appearance for the Florida Prosecuting Attorneys Association:</u> Arthur I. Jacobs, Fernandina Beach, 904-261-3693
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<u>Appearance for Florida Association of Criminal Defense Lawyers, Florida Public Defender Association, the American Civil Liberties Union, the Wilkie D. Ferguson, Jr., Bar Association, the Florida Innocence Initiative, the Miami Chapter of the Florida Association of Criminal Defense Lawyers, the National Association of Criminal Defense Lawyers, and Gerald Kogan.:</u> H. Scott Fingerhut, Miami, 305-285-0500

(MAXIMUM OF THIRTY MINUTES ALLOCATED FOR ORAL ARGUMENT)

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

JILL MARSH v. ROBERT EARL VALYOU, JR., ET AL. CASE NO. SC06-118 ORANGE COUNTY
--

Appearance for Petitioner:

John T. Stemberger of the Law Offices of John Stemberger, P.A., Orlando, 407-251-1957

Appearance for Respondent:

Joseph Currier Brock and
Steven W. Igou, Orlando, 407-839-5008

Appearance for Respondent PV Holding d/b/a Avis Rent-A-Car:

Robert W. Mixson of Cameron, Hodges, Coleman, LaPointe & Wright, P.A., Orlando,
407-839-5008

Appearance for Respondents Thomas J. Burke and Donna E. Burke:

Elizabeth C. Wheeler of Elizabeth C. Wheeler, P.A., Orlando, 407-650-9008

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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

MICHAEL B. BELL v. STATE OF FLORIDA
CASE NO. SC02-1765
and
MICHAEL BERNARD BELL v. JAMES R. MCDONOUGH, ETC.
CASE NO. SC05-610
DUVAL COUNTY

Appearance for Appellant:

Christopher J. Anderson, Atlantic Beach, 904-246-4448

Appearance for Appellee:

Meredith Charbula, Asst. Atty. General, Tallahassee, 850-414-3300

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

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

JUAN E. CEBALLO, ET AL. v. CITIZENS PROPERTY INSURANCE CORPORATION
CASE NO. SC06-1088
DADE COUNTY

Appearance for Petitioner:

Lauri Waldman Ross of Lauri Waldman Ross, P.A., Miami, 305-670-8010

Appearance for Respondent:

James M. Fishman of James M. Fishman, P.A., Miami, 305-661-1680

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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