

**CASES FOR ORAL ARGUMENT**  
**MONDAY, NOVEMBER 5, 2007–9:00 A.M.**  
**EN BANC**

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

**RODNEY TYRONE LOWE v. STATE OF FLORIDA**  
**CASE NO. SC05-633**  
and  
**RODNEY TYRONE LOWE v. JAMES R. MCDONOUGH, ETC.**  
**CASE NO. SC05-2333**  
**INDIAN RIVER COUNTY**

Appearance for Appellant:

Rachel Day, Asst. CCRC, Fort Lauderdale, 954-713-1284

Appearance for Appellee:

Leslie Campbell, Asst. Atty. General, West Palm Beach, 561-837-5000

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

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

**THOMAS BEVEL v. STATE OF FLORIDA**  
**CASE NO. SC05-2213**  
**DUVAL COUNTY**

Appearance for Appellant:

Jefferson W. Morrow, Jacksonville, 904-399-5626

Appearance for Appellee:

Ronald A. Lathan, Jr., Asst. Atty. General, Tallahassee, 850-414-3300

(INITIAL APPEAL - MAXIMUM OF THIRTY 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, NOVEMBER 6, 2007–9:00 A.M.**  
**EN BANC**

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

**KENNETH HARTLEY v. STATE OF FLORIDA**  
**CASE NO. SC04-1387**  
**DUVAL COUNTY**

Appearance for Appellant:

Harry P. Brody and  
Jeffrey Hazen 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)

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

**GARY RAY BOWLES v. STATE OF FLORIDA**  
**CASE NO. SC05-2264**  
and  
**GARY RAY BOWLES v. JAMES R. MCDONOUGH, ETC.**  
**CASE NO. SC06-1666**  
**DUVAL COUNTY**

Appearance for Appellant/Petitioner:

Frank J. Tassone, Jr. and  
Rick Sichta of Frank J. Tassone, P.A., Jacksonville, 904-396-3344

Appearance for Appellee/Respondent:

Ronald A. Lathan, Jr., Asst. Atty. General, Tallahassee, 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**  
**TUESDAY, NOVEMBER 6, 2007–9:00 A.M.**  
**EN BANC**

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

<b>THE FLORIDA BAR v. HENRY I. SMYLER</b> <b>CASE NO. SC06-432</b>
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<u>Appearance for Respondent:</u>
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Brian R. Hersh of Law Office of Brian R. Hersh, Miami, 305-371-6294
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<u>Appearance for Complainant:</u>
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Barnaby L. Min, Bar Counsel, Miami, 305-377-4445
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(MAXIMUM OF FIFTEEN MINUTES TO THE SIDE)
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**\*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**  
**WEDNESDAY, NOVEMBER 7, 2007–9:00 A.M.**  
**EN BANC**

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

**ESSEX INSURANCE COMPANY v. MERCEDES ZOTA, ET AL.**  
**CASE NO. SC06-2031**

Appearance for Appellant:

Douglas M. McIntosh and  
Robert C. Weill of McIntosh, Sawran, Peltz, & Cartaya, P.A., Fort Lauderdale, 954-765-1001  
L. Michael Billmeier, Jr., Amicus Curiae: Florida Surplus Lines Service Office,  
Tallahassee 850-224-0141

Appearance for Appellees Mercedes and Miguel Zota:

Matthew D. Weissing of The Weissing Law Firm, Pompano Beach, 954-933-9400

Appearance for Appellees Lighthouse Intracostal, Inc., Broward Executive Builders, Inc., and  
Jack Farji:

Michael D. Kaplan of Lydecker, Diaz, Lee, Behar, Berga & deZayas, LLC,  
Miami, 305-416-3180

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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

**HARRY FRANKLIN PHILLIPS v. STATE OF FLORIDA**  
**CASE NO. SC06-2554**  
**DADE COUNTY**

Appearance for Appellant:

William M. Hennis, Asst. CCRC, Fort Lauderdale, 954-713-1284

Appearance for Appellee:

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

(3.203 APPEAL - MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**THURSDAY, NOVEMBER 8, 2007–9:00 A.M.**  
**EN BANC**

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

**GARY MASSEY v. CALVIN F. DAVID**  
**CASE NO. SC07-776**  
**ALACHUA COUNTY**

Appearance for Appellant:

Joseph W. Little, Gainesville, 352-273-0660

Appearance for Appellee:

John A. Devault, III. of Bedell, Dittmar, DeVault, Pilans & Coxe, Jacksonville, 904-353-0211

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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

**COREY SMITH v. STATE OF FLORIDA**  
**CASE NO. SC05-703**  
**DADE COUNTY**

Appearance for Appellant:

Teresa Pooler, Miami, 305-759-0830

Appearance for Appellee:

Carol Dittmar, Asst. Atty. General, Tampa, 813-287-7900

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

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**CASES FOR ORAL ARGUMENT**  
**THURSDAY, NOVEMBER 8, 2007–9:00 A.M.**  
**EN BANC**

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

<b>EDWARD T. JAMES v. STATE OF FLORIDA</b> <b>CASE NO. SC06-426</b>
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Appearance for Appellant:

Carol C. Rodriguez, Asst. CCRC, Tampa, 813-740-3544

Appearance for Appellee:

Barbara C. Davis, Asst. Atty. General, Daytona Beach, 386-238-4990

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

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**CASES FOR ORAL ARGUMENT**  
**FRIDAY, NOVEMBER 9, 2007–8:30 A.M**  
**EN BANC**

**NO CASES SCHEDULED**