

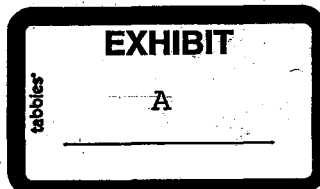
BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA  
CASE NO.: 04-239

SUPREME CT. CASE NO.: SC05-851  
INQUIRY CONCERNING JUDGE  
RICHARD H. ALBRITTON, JR.;

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IN RE: PREHEARING CONFERENCE  
BEFORE: HONORABLE JAMES R. WOLF  
DATE: April 4, 2006  
TIME: Commenced at 10:34 a.m.  
Concluded at 11:03 a.m.  
LOCATION: First District Court of  
Appeal  
Tallahassee, FL  
REPORTED BY: CHRISTI K. COLE  
Certified Professional  
Reporter

PREMIER REPORTING  
TALLAHASSEE, FL 32309  
(850) 894-0828



1 names, there's not dates, there's not who's  
2 present. And so it's exceedingly difficult to  
3 respond to that type of -- those types of vague  
4 allegations.

5 And clearly, as you know, Judge, as an  
6 appellate judge, in a criminal proceeding that  
7 wouldn't survive, I don't think, a motion to  
8 dismiss for failure to state with sufficient  
9 particularity what the charges are.

10 That's kind of the problem we're having. And  
11 it makes it difficult for Judge Albritton to give a  
12 meaningful deposition when it says, you said in  
13 open court to someone, blah, blah, blah, when he's  
14 been a judge for five years and he's presided over  
15 thousands of hearings.

16 So I think if he's compelled to give his depo  
17 at this point in time, here is what I see  
18 happening, I don't know, I don't know, I don't  
19 know. And if we later get information that  
20 refreshes his recollection, then he may give a  
21 meaningful deposition at that time.

22 THE COURT: This is going to be my ruling,  
23 because my understanding right now, he can't tell  
24 me what specifically you're looking for in these  
25 specific statements. So, therefore, I am not going

1 to conduct an in camera review since I don't know  
2 what I'm looking for.

3 John, I'm going to ask you to take possession,  
4 though, of the statements. And if we need to file  
5 them sealed with the Supreme Court, we will do  
6 that. If you're generally saying that you're  
7 entitled to these statements, there's several  
8 things that I -- number one, these statements were  
9 developed during the investigation and my  
10 understanding and my ruling is that they are  
11 confidential pursuant to the Constitution.

12 If the Supreme Court wishes to open them, so  
13 be it. If you feel that the charges are not  
14 specific enough, your remedy would be one of two  
15 things: Number one, a motion for a more definite  
16 statement, which I've already granted one and I'll  
17 be more than happy to look at another; or, two, to  
18 pose interrogatories directly related since we are  
19 governed by the Rules of Civil Procedure.

20 I think those are your remedies for the  
21 indefinite charges. And I don't see opening up,  
22 you know, the confidentiality of the Investigative  
23 Panel or the constitutional confidentiality. I  
24 don't think you've overridden that or shown a  
25 necessity for having these statements. John, I

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**CERTIFICATE OF REPORTER**

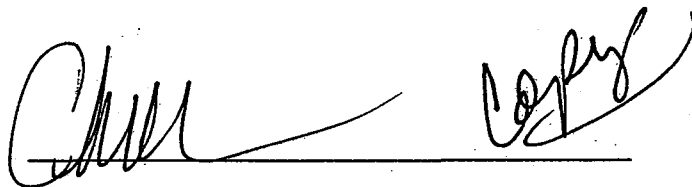
STATE OF FLORIDA )

COUNTY OF LEON )

I, CHRISTI K. COLE, professional reporter,  
certify that I was authorized to and did  
stenographically report the proceedings herein, and that  
the transcript is a true and complete record of my  
stenographic notes.

I further certify that I am not a relative,  
employee, attorney or counsel of any of the parties, nor  
am I a relative or employee of any of the parties'  
attorney or counsel connected with the action, nor am I  
financially interested in the action.

WITNESS my hand and official seal this 4th day  
of April, 2006.



CHRISTI K. COLE  
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