

**BEFORE THE INVESTIGATIVE PANEL OF THE
FLORIDA JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA**

INQUIRY CONCERNING A
JUDGE, NO. 05-437

SC06-2119

RESPONSE FOR DISCOVERY/PRODUCTION

Comes now the Florida Judicial Qualifications Commission by and through undersigned counsel, and in response to respondent's discovery request made pursuant to Rule 12 of the Florida Judicial Qualification Commission Rules, provides the following:

1. The names and addresses of all witnesses whose testimony whose testimony counsel anticipates to offer at the hearing are:
 - a. Honorable William L. Roby, 100 S.E. Ocean Blvd, Suite A353, Stuart, Florida 34994
 - b. Honorable Thomas J. Walsh, 250 N.W. Country Club Dr., Port St. Lucie, Florida 34986-2599
 - c. Honorable Philip J. Yacucci, 222 Courthouse Addition, 218 South 2nd Street, Fort Pierce, Florida 34950
 - d. Honorable Wayne M. Miller, Courthouse Annex, 502 Whitehead St., 1st Floor, Key West, Florida 33040
 - e. Chief Assistant State Attorney Thomas Bakkdahl, 411 South 2nd Street, Fort Pierce, Florida 34850
 - f. Ken L. Mascara, St. Lucie County Sheriff, 4700 W. Midway Rd., Fort Pierce, Florida 34981

- g. Diamond R. Litty, Public Defender, 216 South 2nd Street, Fort Pierce, Florida 34950
 - h. Edwin Fry, Jr., Clerk of Court St. Lucie County, 218 South 2nd Street, Fort Pierce, Florida 34950
2. The documents that counsel may to introduce as evidence have been previously furnished to the respondent, and include the following:
- a. Petition for Writ of Mandamus, Case # 4D06-2717, Fourth District Court of Appeal, filed July 10, 2006.
 - b. August 6, 2006 Article from Fort Pierce Tribune
 - c. March 16, 2006 news article published in the Scripps Treasure Coast newspaper.
 - d. Administrative Order 06-01, Nineteenth Circuit, St. Lucie County
 - e. July 29 letter from Judge Barnes to Litty, Colton, Mascara, and Fry
 - e. St. Lucie County Court files:
 - i. State v. Hicks, 06-3925-MM
 - ii. State v. Smith, 06-3920-MM

Respectfully Submitted,

Michael L. Schneider
Associate General Counsel
Judicial Qualifications Commission
Florida Bar No. 525049
1110 Thomasville road
Tallahassee, Florida 32303

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U. S. Mail to the Honorable Cliff Barnes, St. Lucie County Court, 226 Courthouse Addition, 218 South 2nd Street, Fort Pierce, Florida 34950, The Honorable Thomas B. Freeman, Chair, Hearing Panel, Criminal Justice Center, 14250 49th Street, Clearwater, Florida 33762-2801, John R. Beranek, Esq. Counsel, Hearing Panel, Ausley & McMullen, P.O. Box 391, Tallahassee, Florida 32302, this 5th day of March, 2007.

Michael L. Schneider
Associate General Counsel