

IN THE SUPREME COURT OF FLORIDA

Case No. SC06-2391

IAN DECO LIGHTBOURNE, LLOYD CHASE ALLEN,  
CHARLES ANDERSON, GUILLERMO O. ARBELAEZ,  
KAYLE BATES, LUCIOUS BOYD, MCARTHUR  
BREEDLOVE, MICHAEL GEORGE BRUNO, BYRON  
B. BRYANT, MILFORD WAADE BYRD, LUIS CABALLERO,  
JOHN CHAMBERLAIN, JIM ERIC CHANDLER, DANIEL  
CONOHAN, DAVID COOK, LABRANT D. DENNIS, JOEL DIAZ,  
JAMES AREN DUCKETT, PAUL EVANS, KEVIN FOSTER,  
CARLTON FRANCIS, HENRY GARCIA, MICHAEL J.  
GRIFFIN, JERRY LEON HALIBURTON, PATRICK HANNON,  
ROBERT HENRY, JAMES EUGENE HUNTER, BRANDY  
BAIN JENNINGS, TERRELL M. JOHNSON, VICTOR TONY  
JONES, BILLY LEON KEARSE, DEAN KILGORE, RONALD KNIGHT,  
ANTON KRAWCZUK, CARY MICHAEL LAMBRIX, CLEO DOUGLAS  
LECROY, RODNEY LOWE, MATTHEW MARSHALL, MARBEL  
MENDOZA, SONNY BOY OATS, THOMAS OVERTON, BRUCE  
PACE, MANUEL PARDO, DWAYNE PARKER, NORMAN  
PARKER, ROBERT PATTON, ROBERT PEEDE, HARRY  
PHILLIPS, NORBERTO PIETRI, THOMAS DEWY POPE,  
ROBERT BEELER POWER, RICHARD RANDOLPH, WILLIAM  
REAVES, ROBERT RIMMER, MICHAEL RIVERA, RICKEY  
BERNARD ROBERTS, JUAN DAVID RODRIQUEZ, MANUEL  
RODRIGUEZ, MICHAEL SIEBERT, DENNIS SOCHOR, ROY  
CLIFTON SWAFFORD, DAVID THOMAS, WILLIAM THOMPSON,  
WAYNE L. THOMPSON, GEORGE JAMES TREPAL, MANUEL  
VALLE, JASON D. WALTON, KENNETH WATSON, JOEL  
DALE WRIGHT, AND THOMAS WYATT,

Petitioners,

v.

CHARLES J. CRIST, Attorney General for the State of Florida,  
And JAMES McDONOUGH, Secretary, Florida Department of  
Corrections,

Respondents.

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EMERGENCY MOTION TO PRESERVE EVIDENCE

COMES Now Respondents and request this Court immediately authorize the drawing of blood by the Medical Examiner for the Eighth District, to preserve evidence from the remains of Angel Diaz and would show:

The Respondents have represented to the Court that the autopsy of Angel Diaz was stopped prior to any internal examination. At the present time litigation is pending before the Court regarding requests made by Lightbourne, et al. In order to provide the most accurate result as to the toxicology results involved, it is important that no matter the outcome of the all writs pleading, blood be drawn to preserve the evidence for the autopsy as soon as possible. No additional internal examination will be conducted other than that necessary to perform the procedures necessary to secure the blood draw.

#### **CONCLUSION**

Respondents request for authorization to draw autopsy blood from Angel Diaz should be granted.

Respectfully submitted,

CHARLES J. CRIST  
ATTORNEY GENERAL

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Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by mail and facsimile to Suzanne M. Keffer, 101 NE 3<sup>rd</sup> Avenue, Suite 400, Ft. Lauderdale, FL 33301, and to Larry Bedore, Office of the Medical Examiner, Eighth Judicial Circuit, 606 SW 3<sup>rd</sup> Avenue, Gainesville, Florida 32601, this 14<sup>th</sup> day of December, 2006.

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CAROLYN M. SNURKOWSKI  
Assistant Deputy Attorney General