

# Supreme Court of Florida

THURSDAY, JANUARY 17, 2008

**CASE NO.:** SC08-2

Lower Tribunal No(s): 2007-CA-2898,  
1D07-6544

HON. CHARLES J. CRIST, JR.,  
ET AL.

vs. FLORIDA ASSOCIATION OF  
CRIMINAL DEFENSE  
LAWYERS, INC.

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Appellant(s)

Appellee(s)

The Court has considered the Appellants' emergency motion to reinstate the automatic stay provided to them under Florida Rule of Appellate Procedure 9.310(b)(2) in appeals taken by the State of Florida and by public officials acting in their official capacity; and the Court has further considered the trial court's order, the responses filed by the parties in the trial court and in this Court, the record in this cause, and the criteria for vacating automatic stays, and hereby concludes that Appellee, Florida Association of Criminal Defense Lawyers, Inc., has not demonstrated the compelling circumstances required for vacating Appellants' automatic stay that is provided under rule 9.310(b)(2). Accordingly, it is ordered that the motion to reinstate the automatic stay filed pursuant to rule 9.310(b)(2) is granted and the trial court's order dated January 11, 2008, which in part vacated the

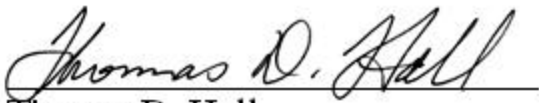
automatic stay, is hereby vacated. The automatic stay of proceedings in favor of Appellants, who are public officials acting in their official capacity, is reinstated.

LEWIS, C.J., and WELLS, PARIENTE, QUINCE, CANTERO, and BELL, JJ., concur.

ANSTEAD, J., did not participate.

A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



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Served:

HON. JON S. WHEELER, CLERK

LOUIS F. HUBENER

HON. P. KEVIN DAVEY, JUDGE

D. TODD DOSS

HON. BOB INZER, CLERK

SONYA RUDENSTINE

SCOTT D. MAKAR