

Supreme Court of Florida

THURSDAY, MAY 7, 2009

CASE NO.: SC09-772

JIMMY R. SMITH, ETC., ET AL. vs. STATE OF FLORIDA

Petitioner(s)

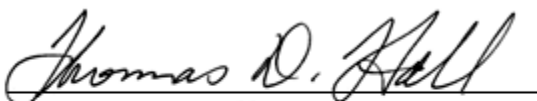
Respondent(s)

The Grass Roots Petition for All Writs Relief filed on April 30, 2009, by Jimmy R. Smith is hereby stricken as an unauthorized filing. See Sanchez-Velasco v. Sec'y of Dept. of Corrections, 287 F.3d 1015 (11th Cir. 2002) (finding attorney with no relationship to defendant did not have next-friend standing to file federal habeas petition on behalf of defendant without defendant's consent). Smith is not an attorney licensed to practice law in the State of Florida. Thus, pursuant to section 454.23, Florida Statutes (2008), Smith may not legally represent John Marek, David Eugene Johnston, or the other individuals sentenced to death in Florida.

QUINCE, C.J., and PARIENTE, LEWIS, CANADY, POLSTON, LABARGA, and PERRY, JJ., concur.

A True Copy

Test:



Thomas D. Hall
Clerk, Supreme Court



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Served:

JIMMY R. SMITH
MARTIN J. MCCLAIN
D. TODD DOSS
KENNETH S. NUNNELLEY
CAROLYN M. SNURKOWSKI