

COPY

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA,

Plaintiff,

vs.

CASE NUMBER: 48-06-CF-15201-O

JOHN DOBBS,

DIVISION NUMBER: 16

Defendant.

Docketed By:
J. THOMPSON
FILED IN OFFICE
CRIM. DIV - APPEALS
2007 JUN -1 AM 11:59
LATA GRAND JURY
CLERK COUNTY COURT
ORANGE CO., FL.

MOTIONS

BEFORE

THE HONORABLE STAN STRICKLAND

Recorded by Digital Court Reporters
In the Orange County Courthouse
425 North Orange Avenue
Courtroom 6-D
Orlando, Florida 32801
Commencing at 11:00 a.m.
Friday, January 26, 2007
Transcribed by Diane S. Hebel

APPEARANCES:

KIMBERLY LASKOFF
Assistant State Attorney
415 North Orange Avenue
Orlando, Florida 32801
On behalf of the Plaintiff.

CATHERINE CHIEN
Assistant Public Defender
435 North Orange Avenue
Orlando, Florida 32801
On behalf of the Defendant.

PROCEEDINGS

1
2 THE COURT: All right. Let's call Mr. Dobbs' case.

3 THE CLERK: 2006-CF-15201, John Dobbs.

4 THE COURT: We're here, I guess, on a status, but the State has filed a
5 Motion to Continue. And Defense has just handed me a Motion to Suppress
6 Statements.

7 But, State, this was set on your motion. Go ahead.

8 MS. LASKOFF: Yes, sir. I had set this for status yesterday morning. I was
9 awaiting some phone calls to me to find out if, in fact, I needed to move to
10 continue. It turns out I am going to have to request a continuance. There are
11 multiple pieces of evidence -- there is outstanding forensic testing that needs to be
12 done.

13 I was able to get in touch with my blood analyst. She's telling me end of
14 February. The firearms folks, I've not yet been able to get ahold of. So I would
15 request to continue it. And I believe your next trial period begins February 26th; is
16 that correct?

17 THE COURT: Yes.

18 MS. LASKOFF: I might be getting it confused with my other division, but
19 -- and that's what I would move to do.

20 This motion is made in good faith. Speedy has not run. It is for -- April
21 17th, 2007 is the date of speedy. And so we would be asking that it be continued.

22 THE COURT: Defense?

23 MS. CHIEN: Yes, Judge. My client objects to this continuance.

24 THE COURT: Okay. Yeah. I know he wants his day in court. And
25 you've file a motion, which has not been heard, as well.

1 I understand he objects. Any -- it's within speedy trial time period.

2 Anything else -- any good reason to deny the State's motion as long as
3 we're still within the speedy trial time period? Again, understanding that your
4 client wants his day in court.

5 MS. CHIEN: Other than his constitutional right to a trial, no.

6 THE COURT: Okay. All right.

7 State, anything else?

8 MS. LASKOFF: No, sir.

9 THE COURT: All right. And you filed a Motion to Suppress Statements.
10 Obviously, this was just handed to the Court. No date has been given to argue that
11 motion.

12 Did you want to speak to your client? He just walked in. I don't know if
13 you had a chance to speak with him.

14 (Pause)

15 State, anything else on the motion?

16 MS. LASKOFF: On the Motion to Suppress?

17 THE COURT: Yeah. I mean, it was just handed to me and it hasn't been
18 set yet.

19 MS. LASKOFF: Yes, sir. I would just move to strike it. It was not filed in
20 a timely manner, and I know I've moved to continue the case, so it could be cured
21 in that sense.

22 (Pause)

23 THE COURT: All right. Lawyers, let's get back to the issue at hand here,
24 Ms. Vickers [sic] and Ms. Chien.

25 State, the one thing I forgot to ask you is...

1 MS. LASKOFF: Yes, sir.

2 THE COURT: And I haven't dealt with the defendant's Motion to
3 Suppress. I'll get to that momentarily.

4 You -- when can you be ready to try it?

5 MS. LASKOFF: As I stated, I spoke with my blood analyst and she's
6 telling me she should have the blood work done. She just got all the stuff --
7 evidence yesterday. And so by the end of February. So I'm saying the February
8 26th trial period, which I believe is the next one.

9 THE COURT: All right. Defense, anything else from you?

10 MS. CHIEN: Yes. We would just want to object. My client has family
11 that are coming out for this trial. They've already bought their tickets for the trial.
12 We were under the impression that this was a time certain trial on -- for next
13 Tuesday. His parents don't have a lot of money. They've already been here -- out
14 here once for the Adversary Preliminary Hearing when it was filed at the jail. And
15 we were under the assumption that it was going to be heard at the jail. And his
16 family members do want to be present for trial. They don't have enough money to
17 buy another ticket.

18 THE COURT: Okay. That is certainly a consideration. Part of the problem
19 is, your client seems to act on his own without going through the Court in a lot of
20 this stuff.

21 This is still within the speedy trial time frame. This -- this is an act that
22 occurred in October of '06. This will be a continuance that I'm going to grant,
23 chargeable to the State.

24 The case is going to be set for a February 14th, pre-trial, for a trial period
25 beginning February 26th. That is going to be a time certain. So everybody needs to

1 be ready to go. The case will go that week.

2 And now, you filed a Motion to Suppress. I will be happy to set that
3 sometime in the next couple of weeks, if you want to get some time to argue this.

4 MS. CHIEN: Okay.

5 THE COURT: Otherwise, I would be gone next week. The motion would
6 have been stricken as untimely.

7 Your motion can be heard. If you'll just go to my JA this afternoon and get
8 a time, we'll argue this and the Court will rule.

9 THE COURT: Okay. All right. Thank you. That's it.

10 THE DEFENDANT: Am I going to be able to be heard?

11 THE COURT: No, sir. You -- you read that prepared statement each time
12 you come in. You've got lawyers. And if you want to represent yourself, you can
13 do that. That would be a major mistake. But, no, sir, there -- this isn't a time to
14 hear a...

15 THE DEFENDANT: I just wanted to -- I'm sorry. I just wanted to help
16 represent myself.

17 THE COURT: I'm -- I'm sorry. Did he say he wanted to represent
18 himself?

19 MS. CHIEN: He wanted to help.

20 MS. LASKOFF: No. He wanted to help represent himself.

21 THE COURT: Okay. That's fine. Thank you.

22 WHEREUPON: These proceedings were concluded at 11:09 a.m.

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CERTIFICATE


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STATE OF FLORIDA:

COUNTY OF ORANGE:

I, DIANE S. HEBEL, being a Digital Court Reporter as authorized by Rule 2.070(c), Florida Rules of Court and Administrative Order of the Ninth Judicial Circuit numbered 07-98-43, certify that the foregoing transcription is true and correct.

Dated this 1st day of June, 2007, in the City of Orlando, County of Orange, State of Florida.


DIANE S. HEBEL
Digital Court Reporter