

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, STATE OF FLORIDA
CRIMINAL FELONY DIVISION

STATE OF FLORIDA,

Case No.: CRC14-00216CFAES

v.

Division: 1

CURTIS JUDSON REEVES,
Defendant.

SPN: 00683538 /

DEFENDANT'S RESPONSE TO COURT'S PRE-TRIAL CONFERENCE ORDER

Defendant by and through undersigned counsel, hereby files his response to the Court's Pre-Trial Conference Order of April 2nd 2015.

1. The Defendant will be present for Pre-Trial.

Defendant's Response:

Mr. Reeves will attend per the Court's Order.

2. The State will have an accounting of all outstanding discovery still to be disclosed by the State to the Defense and a proposed time line for completion.

Defendant's Response:

Undersigned counsel has to date received 1,563 pages of the state's discovery in addition to CD's and DVD's. The State's Answer to Discovery provided to the Defense on February 3rd 2014 has been supplemented on 2/12/14, 2/25/14, 3/5/14, 5/13/14, 6/2/14, 6/3/14, 6/27/14, 7/14/14, 8/6/14, 8/11/14, 8/15/14, 8/25/14, 9/17/14, 9/18/14, 10/14/14, 10/20/14, 11/19/14, 12/12/14, 2/9/15, 2/25/15, 4/2/15, 4/9/15(when an additional 218 page report and an additional witness list listing 22 witnesses was provided), 4/22/15 (40 pages) and 4/27/15 (58 pages). It is anticipated that any further items of discovery will be

made available to the Defense in a timely manner.

3. The Defense will have an accounting of all outstanding reciprocal discovery still to be disclosed by the Defense to the State and a proposed time line for completion.

Defendant's Response:

The Defense has retained a Forensic Audio/Visual/Image Specialist as well as a use of force expert and an expert to forensically examine phone data. The Defense has also retained a ballistic/firearms expert in matters of gunshot residue, distance determination, trajectory analysis, and shooting scene reconstruction. The Defense also has been consulting with a pathologist that may or may not be listed as a witness. That decision is dependent upon the state's pathologist's deposition. The Defense has also consulted and selected a few other experts that at this time we are not at liberty to divulge. As before, the Defense also anticipates listing as Defense witnesses many witnesses listed in the State's Notice of Discovery. This determination will be made once depositions are completed for each witness. Due to the ongoing nature of the state's discovery disclosures (detailed above), the Defense anticipates being able to provide the State with the majority of Defense witnesses by the end of August.

4. The number of depositions completed and the number still remaining to be completed. An accounting of the dates that depositions are set and if any depositions that need to taken are not yet set on a specific date.

Defendant's Response:

The Defense started taking deposition in this matter on July 18, 2014. In total, the Defense has issued 124 deposition subpoenas and actually deposed 84 witnesses. That

would leave 46 witnesses to be deposed (16 of which are from the original state's witness list dated February 2013). The Defense will be taking the deposition of an additional 27 witnesses scheduled for May 22, 2015 (all day), May 29, 2015 (9 a.m.- noon), June 5, 2015 (all day), June 8, 2015 (all day), June 12, 2015 (all day), June 15, 2015 (all day), June 19, 2015 (all day), June 22, 2015 (all day), June 26, 2015 (all day), June 29, 2015 (all day).

It is anticipated that the remaining 15 witnesses will be completed by the end of July 2015 assuming that the state has the necessary dates available.

To date 2,378 pages of depositions have been transcribed with another 3,304 pages yet to be transcribed.

5. The Court announced on January 29th 2015 that there will be an additional pre-trial held on May 28th at 4:00 p.m. to finalize discovery and set motions.

Defendant's Response:

Defense has no objections to a May 28th pre-trial conference, however, discovery depositions will not be completed until late July. Defense will not be prepared to discuss any motions until those depositions have been completed.

6. The Court announced that there will be 3 days blocked off for testimony and argument on August 3rd through August 5th 2015 if an immunity motion is filed.

Defendant's Response:

Defense will not be prepared by August 3rd to potentially go forward on an immunity motion as it is anticipated that discovery depositions will not be completed until the end of July.

7. The current trial date is August 24th 2015. The estimated time for trial is through September 11th 2015.

Defendant's Response:

Defense is certain that this court is well aware of the enormous volume and complexity of this criminal case. This homicide case is not your typical homicide case but instead involves 130 state witnesses, thousand of pages of discovery both by the state and the Defense, numerous experts by both the state and the Defense, not to mention the enormity of the time required to prepare this case for trial. The Defense has diligently and thoroughly exhausted every available means to prepare this case in a careful, prudent and timely manner.

Defense anticipates discovery depositions will be completed at the end of July. The Defense respectfully opines that an August 24th trial date in this matter is an impossibility. The Defense would suggest that a more realistic trial date would be in late October, early November 2015.


8. If either side is planning to call witnesses during the trial, they are to verify days of non-availability August 30th 2015 thru September 9th 2015.

Defendant's Response:

Undersigned counsel has been in constant communication with all anticipated expert witnesses to verify their availability.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery to the Office of the State Attorney, Dade City, Florida this April 29th 2015.



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