

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,  
spn 00683538 Defendant.

**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 September 3<sup>rd</sup>, 2014.

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 anticipates receiving an FDLE report on gunshot residue found on Mr. Oulson's clothing, a report outlining the cell phone text message content of Mr. Oulson's cell phone, and an analysis of firearm stippling distance. These items were mentioned in the July 9<sup>th</sup> Pre-Trial Conference and it is undersigned's understanding that they have not yet been completed. Furthermore, it is anticipated that throughout the deposition process further items of discovery will be made available to the defense.

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:**

Undersigned counsel is in a similar position as reported at the July 9<sup>th</sup>, 2014 Pre-Trial Conference. The Defense has retained a Forensic Audio/Visual/Image Specialist as well as an use of force expert. The Defense has also selected a ballistic/firearms expert in matters of gunshot residue, distance determination, trajectory analysis, and shooting scene reconstruction but is awaiting the government results before formally retaining this expert. Defense also anticipates the possibility of retaining a pathologist once we complete the deposition of the state's pathologist. There are two additional possible experts the defense is currently exploring. 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. The Defense anticipates being able to provide the State with the majority of Defense witnesses by December 2014.

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. An accounting of what specific dates have been made available for depositions, how many have been completed and how many have been cancelled.

**Defendant's Response:**

To date the Defense has deposed nineteen (19) witnesses. That would leave eighty-one witnesses to be deposed. On June 11, 2014 undersigned counsel's office reserved

depositions dates of July 18<sup>th</sup> (1p.m.-5p.m.), August 1<sup>st</sup> (9am.-5p.m.), August 8<sup>th</sup> (9a.m.-5p.m.), August 15<sup>th</sup> (9a.m.-5p.m.), August 18<sup>th</sup> (9a.m.-5p.m.), August 22<sup>nd</sup> (9a.m.-5p.m.), September 5<sup>th</sup> (9a.m.-5p.m.), September 15<sup>th</sup> (9a.m.-5p.m.), September 19<sup>th</sup> (9a.m.-5p.m.), October 10<sup>th</sup> (9 a.m.-5p.m.), October 13<sup>th</sup> (9a.m.-5p.m.), October 17<sup>th</sup> (9a.m.-5p.m.), October 20<sup>th</sup> (9a.m.-5p.m), October 27<sup>th</sup> (9a.m.-5p.m.), and October 31<sup>st</sup> (9a.m.-5p.m.).

These dates and times were scheduled in anticipation that the Defense would be provided all of the Discovery (or at the very least a complete police report—including all supplements) before depositions began.

During the depositions of Deputies Sikes and Smith on July 18<sup>th</sup> it was discovered that their supplements had not been provided to the Defense or the State. Since their roles were relatively minor, undersigned counsel pressed on (taking time to get a copy of the deputies' supplements, reviewing them and going forward with their deposition).

On August 1<sup>st</sup>, Crime Scene Tech Susan Miller appeared for her deposition with a second supplement not provided to the State or the Defense. Undersigned counsel received a copy of this second supplement, took time to review it and pressed on with the deposition.

On August 8<sup>th</sup>, crime Scene Tech SanJuanita Gonzalez appeared for her deposition with not only a supplement previously undisclosed to Defense or the State but also some photographs of Mr. Oulson's clothing in the hospital also previously undisclosed.

Undersigned cancelled Ms. Gonzalez' deposition.

It was because of this alarming pattern that undersigned's office cancelled depositions for August 15<sup>th</sup>, August 18<sup>th</sup>, August 22<sup>nd</sup> and September 5<sup>th</sup> in order to have the state supply undersigned with the supplements for all investigative officers. The State agreed to

address the problem and provided undersigned with a complete police report on August 25<sup>th</sup>, 2014. The dates previously reserved (September 15<sup>th</sup> and 19<sup>th</sup> and October 10, 13, 17, 20, 27 and 31) have been confirmed and we are prepared to go forward. It is anticipated that the Defense will require additional deposition dates in November and December.

5. A proposed timeline from the State with an estimated number of days necessary for jury selection and prosecution witness testimony.

**Defendant's Response:** N/A

6. If either side is planning to call witnesses during the trial they are to verify days of non-availability February 5<sup>th</sup> 2015 through March 27<sup>th</sup> 2015.

**Defendant's Response:**

Undersigned counsel is in the process of verifying availability of experts for the months February, March and April of 2015.

**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 9<sup>th</sup> day of September, 2014

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