

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

STATE OF FLORIDA,
Plaintiff,

Case No: CRC1400216CFAES

vs.

CURTIS JUDSON REEVES,
Defendant.

Division: 1

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 Pre-Trial Conference Order of July 9th, 2014.

1. An accounting of all outstanding discovery still to be disclosed by the State to the Defense and proposed time line for completion.

Defendant's Response:

Undersigned counsel has been periodically receiving voluminous discovery from the State of Florida. Most recently, on May 12, 2014, photos and analysis of Mr. Reeves' shoe; on June 2, 2014, recording of 911 call; on June 16, 2014, DNA Lab Report on Mr. Oulson's phone; on June 25, 2014 FDLE Ballistic Lab Report.

Undersigned counsel anticipates receiving the FDLE gun shot residue analysis report in the near future as well as a report outlining the cell phone text message content of Mr. Oulson's cell phone. It is also anticipated that throughout the deposition process further items of discovery will be discovered and made available to the defense.

2. 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 selected and intends to use a Forensic Audio/Video/Image Specialist as well as a firearms expert in matters of gunshot residue, distance determination, trajectory analysis, and shooting scene reconstruction. Defense also may need to employ a pathologist depending upon the deposition of the State's pathologist, Jon R. Thogmartin, M.D. The defense also anticipates listing as defense witnesses many witnesses that are 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 all defense witnesses by November or December 2014.

3. A list of discovery depositions still to be completed by both sides.

Defendant's Response:

The State has listed one-hundred (100) Category A witnesses. *Attached, exhibit 1.* Depositions are currently scheduled for July 18, 2014, August 8, 2014, August 15, 2014, August 18, 2014, August 22, 2014, September 5, 2014, September 15, 2014 and September 19, 2014. Undersigned counsel's assistant is in the process of scheduling depositions for the month of October. Undersigned counsel anticipates needing the months of October and November to complete discovery depositions.

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

Defendant's Response: N/A

5. If either side is planning to call witnesses, they are to verify says of non-availability October 8th 2014 thru December 18th 2014 including Saturdays.

Defendant's Response:

Undersigned counsel is in the process of discussing with experts their availability for the months of October 2014 through February 2015. Undersigned counsel has also spoken to Assistant State Attorney Manuel Garcia concerning a reasonable date for a trial date in the above styled matter. A trial date in late January or February 2015 would allow both the State and the Defense to complete and be prepared for trial in this matter.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to the Office of the State Attorney, Pasco County, 38053 Live Oak Avenue, Dade City, FL 33523 this 8th day of July, 2014.

/s/ Richard Escobar
RICHARD ESCOBAR, Esquire
Escobar & Associates, P.A.
2917 West Kennedy Boulevard, Suite 100
Tampa, Florida 33609
Tel: (813) 875-5100
Fax: (813) 877-6590
Florida Bar No: 375179
Attorney for Defendant