

Florida Third District Court of Appeal Docket

Case Docket

Case Number: 3D08-2272

Final Criminal Other Notice from Dade County

THE STATE OF FLORIDA, et al., vs. PUBLIC DEFENDER, ELEVENTH JUDICIAL CIRCUIT

Lower Tribunal Case(s):08-1

3/17/2020 6:02:27 PM

Date Docketed	Description	Filed By	Notes
09/05/2008	Notice of Appeal Filed	Penny H. Brill 305073	
09/11/2008	Appendix	Scott D. Makar	faxed
09/11/2008	Motion To Stay	Richard L. Polin 230987	FAXED
09/11/2008	Notice of Appearance	Richard L. Polin 230987	FAXED
09/11/2008	Stay Granted (OG26)		Upon consideration, the State of Florida's emergency motion for stay pending review is granted, and the trial court's "Administrative Order No. 08-14" is hereby stayed pending further order of this Court. Appellees are ordered to file a response to the emergency motion for stay within ten (10) days from the date of this order. SHEPHERD, CORTIÑAS and SALTER, JJ., concur.
09/12/2008	MISCELLANEOUS ORDER (OR999)		pon the court's own motion, this appeal is hereby expedited. Appellant(s) shall file the initial brief no later than October 1, 2008. Appellee(s) shall file the answer brief no later than October 20, 2008. Appellant(s) may file a reply brief no later than October 27, 2008. This cause is set for oral argument on Monday, November 17, 2008 at 10:30 a.m. Twenty (20) minutes will be allowed each side to present oral argument. SHEPHERD, CORTIÑAS and SALTER, JJ., concur.
09/12/2008	Appendix	Richard L. Polin 230987	supplemental appendix to emergency motion to stay FAXED
09/15/2008	Appendix	Parker D. Thomson 81225	to the suggestion for certification
09/15/2008	Notice of Oral Argument	Scott D. Makar	
09/15/2008	Appendix	Scott D. Makar	supplemental appendix to State's emergency motion for stay
09/15/2008	RESPONSE	Parker D. Thomson	PD's response to State's emergency motion for stay

		81225	
09/15/2008	Appendix	Parker D. Thomson 81225	to the response
09/15/2008	Miscellaneous Docket Entry		SUGGESTION OF CERTIFICATION
09/16/2008	Appendix	Parker D. Thomson 81225	supplemental appx. to PD's response to State's emergency motion for stay
09/16/2008	Notice of Oral Argument		
09/16/2008	Order Response: Motion (OR23)		Appellant is ordered to file a response by 10:00 A.M., Friday, September 19, 2008 to Bennett H. Brummer, Public Defender's, suggestion for certification.
09/19/2008	RESPONSE	Scott D. Makar	to the motion for certification FAXED
09/19/2008	Miscellaneous Motion		FAXED Florida Public Defender Association's motion for leave to participate as amicus curiae and memorandum in support of suggestion for certification
09/19/2008	Record on Appeal		19 volumes.
09/22/2008	RESPONSE	Scott D. Makar	to suggestion for certification
09/24/2008	MISCELLANEOUS ORDER (OR999)		To the Honorable, The Supreme Court of Florida: We hereby certify to the Supreme Court of Florida, as provided for in article V, section 3(b)(5) of the Constitution of Florida, as a means of bringing this cause within the jurisdiction of the Supreme Court of Florida, that: the order of the Circuit Court of the Eleventh Judicial Circuit, which granted in part and denied in part the public defender's motion to appoint other counsel in unappointed noncapital felony cases dated September 3, 2008, review of which order is presently pending in this Court, passes upon a question of great public importance or will have a great effect on the administration of justice throughout the state, requiring immediate resolution by the Supreme Court of Florida.
09/24/2008	MISCELLANEOUS ORDER (OR999)		he Florida Public Defender Association, Inc.'s motion for leave to participate as amicus curiae is denied as moot. This Court's order dated September 12, 2008 is vacated. The stay entered on September 11, 2008 shall remain in effect until further order of the Supreme Court of Florida. SHEPHERD, CORTIÑAS and SALTER, JJ., concur.
09/26/2008	NOTICE OF APPEAL	NOTICE OF APPEAL	
10/06/2008	Supreme Court Disposition	NOTICE OF APPEAL	pet. shall show cause on or before oct 13, 2008, rs shall reply by on or before oct 20, 2008
10/16/2008	Supreme Court Disposition	NOTICE OF APPEAL	objection to dissolving the stay has been docketed and placed with the above style case without consideration by the court.
11/07/2008	Supreme Court Disposition	NOTICE OF APPEAL	DISMISSED FOR LACK OF JURISDICTION

11/10/2008	MISCELLANEOUS ORDER (OR999)		Following the dismissal of this cause in the Supreme Court of Florida on November 7, 2008, this Court retains jurisdiction. The appeal is hereby expedited. Appellant shall file the initial brief no later than December 18, 2008. Appellee shall file the answer brief no later than January 30, 2009. Appellant's reply brief, if any, shall be filed no later than February 20, 2009. This cause is set for oral argument on Monday, March 30, 2009 at 9:30 A.M. Twenty (20) minutes will be allowed each side to present oral argument. The stay entered on September 11, 2008 shall remain in effect. SHEPHERD, CORTIÑAS and SALTER, JJ., concur.
11/14/2008	Miscellaneous Motion	Parker D. Thomson 81225	Public Defender's motion to dissolve stay and further expedite the appeal
11/18/2008	Miscellaneous Motion Denied (OD999)		Upon consideration, appellee's motion to dissolve stay and further expedite the appeal is hereby denied. SHEPHERD, SALTER and CORTIÑAS, JJ., concur.
11/21/2008	Motion To File Amicus Curi. Brief	Robert A. Young 144826	FLORIDA PUBLIC DEFENDER ASSOCIATION
11/24/2008	RESPONSE	Scott D. Makar	S.O.F.'s response to amicus motion of FPDA
12/03/2008	Motion to appear as amicus curiae granted (OG45A)		
12/03/2008	MISCELLANEOUS ORDER (OR999)		
12/12/2008	Motion To File Amicus Curi. Brief	Arthur I. Jacobs 108249	Florida Prosecuting Attorneys Association
12/12/2008	Motion to appear as amicus curiae granted (OG45A)		
12/18/2008	Initial Brief on Merits	Scott D. Makar	
01/01/2009	West Publishing		
01/20/2009	Amicus Curiae Brief	Arthur I. Jacobs 108249	
01/26/2009	Letter		
01/30/2009	RESPONSE	Parker D. Thomson 81225	
02/19/2009	Motion for Extension of Time		to file amicus brief
02/20/2009	MISCELLANEOUS ORDER (OR999)		
02/23/2009	Appellant's Reply Brief	Scott D. Makar	
02/26/2009	Amicus Curiae Brief	Robert A. Young 144826	
03/12/2009	MISCELLANEOUS ORDER (OR999)		
03/16/2009	RESPONSE		to request for information in court's feb 26, 2009

			order
03/16/2009	RESPONSE	Scott D. Makar	to court's request for burdget
03/16/2009	Notice of Oral Argument	Nancy C. Wear 181500	
03/17/2009	Miscellaneous Docket Entry		supplemental memorandum of criminal cinflictNE Joseph P. George, Jr. JU Hon. Joseph P. Farina JU Hon. Stanford Blake GC Stephen Presnell CC Harvey Ruvin AT Nancy C. Wear 181500 AT Mercedes Busto AE Robert A. Young 144826 AE Carlos J. Martinez AE Arthur I. Jacobs 108249 AE Linda Kelly Kearson 516309 AE Parker D. Thompson 081225 AA Timothy D. Osterhaus AA Charles B. Upton, I I AA Louis F. Hubener 0140084 AA Scott D. Makar AA Cynthia M. Guerra AA Patricia Conners AA Richard L. Polin 0230987 AA Katherine Fernandez Rundle AA Penny H. Brill 305073
03/17/2009	Notice of Oral Argument	Joseph P. George, Jr. 999921	
03/17/2009	Notice of Oral Argument	Parker D. Thomson 81225	
03/19/2009	Notice of Oral Argument	Scott D. Makar	
03/24/2009	Miscellaneous Docket Entry		supplement to response to requests for information in court's Feb 26, 2009 order
03/26/2009	Notice of Supplemental Authority		
03/26/2009	Miscellaneous Docket Entry		supplement to response to requests information in court's feb 26, 2009 order AA Penny H. Brill 305073
03/30/2009	Oral Argument Date Set		3rd DCA
03/30/2009	Oral Argument Date Set		3rd DCA
05/13/2009	Reversed - Per Curiam Opinion		
05/19/2009	Motion SUGGEST T/CERT. CAUSE T/SC	Parker D. Thomson 81225	MOTION TO CERTIFY QUESTION
05/26/2009	RESPONSE		to motion to certify
05/28/2009	Motion For Clarification	Joseph P. George, Jr. 999921	
06/01/2009	West Publishing		
06/01/2009	Miscellaneous Motion Denied (OD999)		
06/16/2009	Clarification denied (OD57D)		
07/02/2009	Mandate		
05/24/2010	Record due to Supreme Court	NOTICE OF APPEAL	on or before July 20, 2010

12/29/2011	Supreme Court Disposition	NOTICE OF APPEAL	pet. unopposed motion for eot to file initial brief filed dec 14, 2011, is hereby denied.
06/25/2013	Record returned from Supreme Court	NOTICE OF APPEAL	
06/25/2013	Supreme Court Mandate	NOTICE OF APPEAL	
07/09/2013	DCA Mandate Pursuant to S.Ct. (SC05)		ORDERED upon mandate of the Supreme Court of Florida in Public Defender, Eleventh Judicial Circuit of Florida v. State of Florida, et al., issued June 21, 2013, which quashes the decision of this court filed May 13, 2009, the above styled case is remanded to the Circuit Court for Miami-Dade County, Florida, with directions in accordance with the Supreme Court opinion filed May 23, 2013.
07/11/2013	Returned Records		19 volumes.