

IN THE SUPREME COURT OF FLORIDA

65,277

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IN RE: )  
 )  
AMENDMENT TO RULE 3.850, )  
RULES OF CRIMINAL PROCEDURE. )

**FILED**

SID J. WHITE

MAY 10 1984

CLERK, SUPREME COURT

By pl  
Chief Deputy, Clerk

PETITION OF THE FLORIDA BAR  
CRIMINAL PROCEDURE RULES COMMITTEE  
SUBMITTING PROPOSED CHANGES TO  
RULES OF CRIMINAL PROCEDURE

The Criminal Procedure Rules Committee of The Florida Bar, pursuant to the procedures established by Rules of Judicial Administration 2.130(c), submits as a separate petition pursuant to request by the Supreme Court the following proposed changes to Rule 3.850, Rules of Criminal Procedure.

Pursuant to a request contained in the case of McCrae v. State, Supreme Court No. 63,797, September 15, 1983, and pursuant to a letter request by Chief Justice Alderman, this committee has extensively considered the same and on April 13, 1984, approved by a vote of 20 for and 8 against the attached proposed changes to Rule 3.850, Rules of Criminal Procedure. Attached also are minutes of the meetings containing discussions of this rule change. This committee considers this request to fall under Rule 2.130(f), Rule of Judicial Administration. It is for that reason this Petition is being filed separately from the petition filed with rule changes under the quadrennial report of proposed changes.

This rule has been submitted to The Florida Bar Board of Governors as of the date of this Petition. There has been no action taken by the Board of Governors.

The committee adopted a committee note which is cited in the committee note column which the committee is requesting that the Court publish along with the proposed rule change. There are additional reasons given for this proposed rule change which are contained in the reasons column but the committee has not adopted the reasons nor is it requesting that those reasons be published along with this rule.

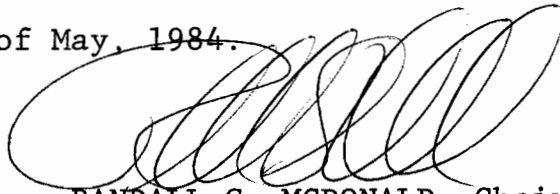
REQUEST FOR ORAL ARGUMENT

This committee requests oral argument on the proposed rule change at any time convenient to the Court.

NOTICE TO THE BAR

The proposed rule changes or a summary will be published in the Florida Bar News before oral argument. The notice will request that any comments be in writing and submitted to the Court. The committee requests that Mr. Sid White assist the committee in requesting The Florida Bar News to publish and coordinate the publication of this Petition with The Florida Bar News.

Dated this 1st day of May, 1984.



RANDALL G. MCDONALD, Chairman  
Criminal Procedure Rules Committee  
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