

IN THE SUPREME COURT OF FLORIDA

IN RE: AMENDMENTS TO
FLORIDA RULES OF CRIMINAL
PROCEDURE 3.851 AND
FLORIDA RULE OF APPELLATE
PROCEDURE 9.142

CASE NO.: SC21-537

**COMMENT OF THE FLORIDA ASSOCIATION OF CRIMINAL DEFENSE
LAWYERS**

The Florida Association of Criminal Defense Lawyers (FACDL) opposes the proposed changes to Fla. R. Crim. P. 3.851 and Fla. R. App. P. 9.142. FACDL agrees with the issues and concerns raised in the comments filed in this case by the Capital Collateral Regional Counsel-South, the Criminal Procedure Rules Committee, and the Office of the Federal Public Defender for the Northern District of Florida – Capital Habeas Unit. FACDL respectfully urges this Court not to adopt the proposed rule.

/s/ Jason Cromeey, Esq.
JASON CROMEY, ESQ.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Comment of the Florida Association of Criminal Defense Lawyers has been provided by electronic service to the Criminal Procedure Rules Committee Chair, Judge Angela Cote Dempsey, Second Judicial Circuit, Leon County Courthouse, 301 S. Monroe Street, Room 301E, Tallahassee, Florida 32301-1861, dempsey@leoncountyfl.gov, the Appellate Court Rules Committee Chair, Judge Stephanie Williams Ray, First District Court of Appeal, 2000 Drayton Drive, Tallahassee, Florida 32399-0001, rays@1dcal.org, the Bar Liaison to the Rules Committees, Krys Godwin, 651 E. Jefferson St., Tallahassee, Florida 32399-2300, kgodwin@floridabar.org, the Criminal Court Steering Committee Chair, Judge Debra J. Riva, Twelfth Judicial Circuit, P.O.Box 48927, Sarasota, Florida 34230-5927, driva@jud12.flcourts.org, OSCA Staff Liaison to the Committee, Bart Schneider, 500 S. Duval Street, Tallahassee, Florida 32399, schneid@flcourts.org, Neal A. Dupree, Capital Collateral Regional Counsel-South, 110 S.E. 6th Street, Suite 701, Florida Lauderdale, Florida 33301, dupreen@ccsr.state.fl.us, and Linda McDermott, Office of the Federal Defender for the Northern District of Florida, 227 N. Bronough Street, Tallahassee, Florida 32301-1300, linda_mcdermott@fd.org, on this 2nd day of August, 2021.

/s/ Jason Cromeey, Esq.
JASON CROMEY, ESQ.

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that the foregoing Comment of the Florida Association of Criminal Defense Lawyers, has been prepared using Arial 14-point font.

/s/ Jason Cromeey, Esq.
JASON CROMEY, ESQ.

STRIKED