

Supreme Court of Florida

THURSDAY, JULY 1, 2004

CASE NO.: SC03-1423
Lower Tribunal No.: 91-8142CFA

RONNIE FERRELL

vs. STATE OF FLORIDA

Appellant(s)

Appellee(s)

This matter is before the Court under Florida Rule of Appellate Procedure 9.142(b), on a petition to review the trial court's nonfinal order replacing the former Capital Collateral Counsel-North (CCRC-North) attorney with different registry counsel. Ferrell, who is under a sentence of death, has his initial rule 3.850 motion before the trial court. Appointment of counsel at this stage of the proceedings was necessitated by the unique circumstance of the defunding of CCRC-North pursuant to a pilot program for the 2004 fiscal year.

Having considered the arguments of the parties, this Court remands the case to the trial court to comply with the requirements of section 27.710(5), Florida Statutes (2003), to wit:

The trial court must issue an order of appointment which contains specific findings that the appointed counsel meets the statutory requirements and has the high ethical standards necessary to represent a person sentenced to death.

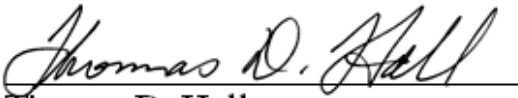
In all other respects, the petition is denied.

PARIENTE, C.J., and WELLS, ANSTEAD, LEWIS, QUINCE, CANTERO and BELL, JJ., concur.

PARIENTE, C.J., concurs with an opinion, in which ANSTEAD, J., concurs.

NO MOTION FOR REHEARING WILL BE ALLOWED.

A True Copy
Test:


Thomas D. Hall
Clerk, Supreme Court



jn
Served:

STEPHEN FREDERICK SIEGEL
GEORGE BATEH
LINDA MCDERMOTT
CURTIS M. FRENCH
HON. JIM FULLER, CLERK
HON. CHARLES W. ARNOLD, JR., JUDGE
FRANK J. TASSONE, JR.

PARIENTE, C.J., concurring.

I concur in the remand in this case. Strict adherence to the statutory requirement of findings supporting the appointment of registry counsel is even more important in a case such as this, in which the trial court appointed counsel other than Ferrell's former CCRC-North counsel, with whom Ferrell had an established and ongoing relationship.

ANSTEAD, J., concurs.