

IN THE SUPREME COURT OF FLORIDA

CASE NO. SC13-2105

LOWER TRIBUNAL No. 80-341 CFA

CLERK, SUPREME COURT

2010 DEC 12 PM 2:12

FILED
JOHN A. TOMASINO

ASKARI ABDULLAH MUHAMMAD,
FKA THOMAS KNIGHT,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

SUPPLEMENTAL REPLY BRIEF OF APPELLANT

LINDA MCDERMOTT
Fla. Bar No. 0102857

MARTIN J. MCCLAIN
Fla. Bar No. 0754773

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COUNSEL FOR APPELLANT

INDEX TO APPENDIX TO
SUPPLEMENTAL REPLY BRIEF OF APPELLANT

Appendix

- A November 27, 2013, Order On Demands For Public Records Directed To Office Of The Florida Department Of Corrections (DOC), in State v. Lightbourne, Marion County Case No. 81-170-CF-A-01

- B November 27, 2013, Order On Demands For Public Records Directed To Florida Department Of Law Enforcement (FDLE), in State v. Lightbourne, Marion County Case No. 81-170-CF-A-01

- C November 27, 2013, Order On Demands For Public Records Directed To Office Of The Medical Examiner For The Eighth Judicial Circuit, in State v. Lightbourne, Marion County Case No. 81-170-CF-A-01

APPENDIX A

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

CASE NO. 81-170-CF-A-01

v.

IAN DECO LIGHTBOURNE,
Defendant.

RECEIVED BY
DEC - 2 2013
CCRC-SOUTH

ORDER ON DEMANDS FOR PUBLIC RECORDS DIRECTED TO OFFICE OF
THE FLORIDA DEPARTMENT OF CORRECTIONS (DOC)

This matter came before this Court upon the Defendant's September 17, 2013 and November 18, 2013 demands for public records directed to the pursuant to Florida Rule of Criminal Procedure 3.852(i). Having considered the written objections filed by DOC, the requirements under the rule, and arguments of the parties, it is:

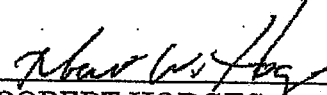
ORDERED and ADJUDGED that the DOC shall produce copies of the following public records in accordance with Rule 3.852(i): (1) list of witnesses to the executions of William Happ and Darius Kimbrough; (2) the written logs and notes that were produced by the FDLE monitors prior to, during, and following the executions of William Happ and Darius Kimbrough pursuant to the Department of Corrections' September 9, 2013 "Execution by Lethal Injection Procedures"; (3) documents or correspondence from the makers of Midazolam directed to DOC; and (4) Mr. Lightbourne's medical, psychiatric and classification records.

The medical, psychiatric and classification records shall be transmitted to the State Repository within 90 (ninety) days of the date of this ORDER; the remainder

of the documents ordered to be produced shall be transmitted to the State Repository within 30 (thirty) days.

All other documents requested in the demands directed to the DOC are DENIED.

DONE and ORDERED on this 27 day of November 2013 in Chambers,
Marion County Courthouse, Ocala, FL.


ROBERT HODGES
Circuit Court Judge

Copies to:

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APPENDIX B

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

CASE NO. 81-170-CF-A-01

v.

IAN DECO LIGHTBOURNE,
Defendant.

RECEIVED BY
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CCRC-SOUTH

ORDER ON DEMANDS FOR PUBLIC RECORDS DIRECTED TO FLORIDA
DEPARTMENT OF LAW ENFORCEMENT (FDLE)

This matter came before this Court upon the Defendant's September 17, 2013 and November 18, 2013 demands for public records directed to the FDLE pursuant to Florida Rule of Criminal Procedure 3.852(i). Having considered the written objections filed by FDLE, the requirements under the rule, and arguments of the parties, it is:


ORDERED and ADJUDGED that the FDLE shall produce the following public records in accordance with Rule 3.852(i): the written logs and notes that were produced by the FDLE monitors prior to, during, and following the executions of William Happ and Darius Kimbrough pursuant to the Department of Corrections' September 9, 2013 "Execution by Lethal Injection Procedures."

The above-referenced documents shall be transmitted to the State Repository within 30 (thirty) days of the date of this Order.

All other documents requested in the demands directed to the FDLE are denied.

DONE and ORDERED on this 27 day of November 2013 in Chambers,

Marion County Courthouse, Ocala, FL.


ROBERT HODGES
Circuit Court Judge

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APPENDIX C

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

CASE NO. 81-170-CF-A-01

v.

IAN DECO LIGHTBOURNE,
Defendant.

ORDER ON DEMANDS FOR PUBLIC RECORDS DIRECTED TO OFFICE OF
THE MEDICAL EXAMINER FOR THE EIGHTH DISTRICT

This matter came before this Court upon the Defendant's October 17, 2013 demand for public records directed to the Office of the Medical Examiner for the Eighth District pursuant to Florida Rule of Criminal Procedure 3.852(i). Having considered the written objection, the requirements under the rule, and arguments of the parties, it is:

ORDERED and ADJUDGED that the Medical Examiner shall produce copies of the following public records in accordance with Rule 3.852(i): the autopsy report including notes, diagrams, and photographs, and toxicology records produced in connection with the execution of William Happ.

The above-referenced documents shall be transmitted to the State Repository within 30 (thirty) days of the date of this ORDER.

All other documents requested in the demand directed to the medical examiner are DENIED.


RECEIVED BY

DEC - 2 2013

CCRC-SOUTH

DONE and ORDERED on this 27 day of November 2013 in Chambers,

Marion County Courthouse, Ocala, FL.


ROBERT HODGES
Circuit Court Judge

Copies to:

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing appendix has been furnished by electronic transmission to all counsel of record on December 12, 2013.

/s/. Linda McDermott
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