



Supreme Court of Florida

Oral Argument Press Summaries

April 3-7 no arguments on April 3 or April 7

[Main Press Page](#)

[Broadcasts of Arguments Including Archives](#)

[Directions to the Supreme Court](#)

Tuesday April 4

Terry Ellerbee Jr. v. State & Terry Ellerbee Jr. v. Julie L. Jones, etc., [SC15-2010](#) & [SC16-922](#)

Okeechobee County – starts about 9:00 a.m.

Mr. Ellerbee was convicted of the first-degree murder of Thomas Dellarco, who was fatally shot in 2006. The jury voted 11-1 to recommend a death sentence and the trial court condemned Mr. Ellerbee to death. This Court upheld his sentence on direct appeal and he filed a post-conviction challenge in the trial court. It was denied and this appeal followed.

Ralph Wright Jr. v. State, [SC14-2410](#)

Pinellas County – starts about 9:40 a.m.

Mr. Wright was convicted of the first-degree murders of Paula O'Conner and her young son, Alijah O'Conner, which took place in 2007. Ms. O'Conner was strangled and the baby smothered. The jury voted 7-5 to recommend a death sentence for each murder and the trial court condemned Mr. Wright to death. This is his direct appeal.

Wednesday, April 5

In Re: Amendments to the Rules Regulating The Florida Bar – Subchapter 4-7 (Lawyer Referral Services), [SC16-1470](#)
statewide – starts about 9:00 a.m.

The Florida Bar proposes changes to existing rules that apply to lawyers participating in for-profit lawyer referral services. One of the changes recommended to this Court would replace the phrase “lawyer referral service” with “qualifying provider.” This Court had earlier directed the Bar to propose a rule that would require that lawyers participate in only for-profit lawyer referral services owned or operated by a Florida Bar member. The Bar committees discussed that issue but ultimately did not include it in the recommendations to this Court.

Treasure Coast Marina, LC, etc., et al. v. the City of Fort Pierce, etc., et al., [SC16-1107](#)
St. Lucie County – starts about 9:30 a.m.

Treasure Coast Marina, a private marina, sued the city of Fort Pierce, the Fort Pierce Redevelopment Agency and the St. Lucie County Property Appraiser to challenge the granting of tax-exempt status for two municipally owned and operated marinas. The exemption was granted pursuant to a state constitutional provision exempting from taxation property being used for public purposes. The trial court ruled that the tax exemption did not apply but the Fourth District Court of Appeal overturned that decision. The 4th DCA also certified the issue as one of “great public importance” for this Court’s review.

--10 minute break--

Joel Lebron v. State, [SC13-442](#)
Dade County – starts about 10:20 a.m.

Mr. Lebron was convicted of the first-degree murder of Ana Maria Angel, who was fatally shot in 2002. The jury voted 9-3 to recommend a death sentence and the trial court condemned Mr. Lebron to death. This is his direct appeal.

William Gregory v. State & William Gregory v. Julie L. Jones, etc., SC15-1663 & SC16-183

Flagler County – starts about 11:20 a.m.

Mr. Gregory was convicted of the first-degree murders of Skyler Meekins and Daniel Dyer, who were fatally shot in 2007. The jury voted 7-5 to recommend death sentences for each murder and the trial court condemned Mr. Gregory to death. This Court upheld his sentences on direct appeal and he filed a post-conviction challenge in the trial court. It was denied and this appeal followed.

Thursday, April 6

Vernon Stevens v. State, [SC16-1357](#)

Hendry County – starts about 9:00 a.m.

Mr. Stevens was convicted of the first-degree murder of Tony Beltran, who was beaten and strangled, and first-degree arson of Mr. Beltran's trailer. Mr. Stevens was sentenced to life in prison for the murder and 30 years in prison for the arson. At trial, he asked to have the jury instructed that it could consider the lesser charge of second-degree arson of a structure but the judge denied his request. The Second District Court of Appeal upheld that ruling.

Flo & Eddie, Inc., etc., v. Sirius XM Radio, Inc., etc., [SC16-1161](#)

statewide – starts about 9:40 a.m.

The 11th U.S. Circuit Court of Appeals has asked this Court several questions regarding Florida law, including whether Florida common law copyright protection extends to sound recordings made before 1972. The questions arose as part of a federal class-action lawsuit over the use of songs recorded by The Turtles in the 1960s. In the suit, Flo & Eddie accuses Sirius XM Radio of various violations of Florida law. The federal trial court ruled in Sirius XM's favor, finding that Florida common law copyright protection does not include an exclusive right of public performance for recordings made before 1972. Flo & Eddie appealed and the 11th U.S. Circuit concluded it needed this Court's determination of the scope of Florida law to rule on the appeal.

--10 minute break--

Altman Contractors, Inc., v. Crum & Forster Specialty Insurance Co., [SC16-1420](#)
Broward County – starts about 10:30 a.m.

The owner of a condominium building notified Altman Contractors, the general contractor, of alleged defects in the building. State law requires property owners to complete a notice and repair process before suing over construction defects. When Altman asked its insurer, Crum & Forster, to defend Altman, the insurer said the notice was not a “suit” under the terms of Crum & Forster’s insurance policies. Altman sued Crum & Forster in federal court for declaratory judgment and breach of contract. The federal court granted Crum & Forster summary judgment. Altman appealed to the 11th U.S. Circuit Court of Appeals, which has asked this Court if the notice required under Florida law triggers the insurer’s duty to defend.