



Supreme Court of Florida

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Oral Argument Press Summaries

Oct. 3-Oct. 7, 2016 no arguments on Oct. 3, 4 or 7

Wednesday, Oct. 5

Venice HMA, LLC d/b/a Venice Regional Medical Center v. Sarasota County et al., & Sarasota Doctors Hospital, Inc. et al., v. Sarasota County, et al., [SC15-2289](#) & [SC15-2292](#)

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

In these consolidated cases, private hospitals in Sarasota County challenged the county's refusal to reimburse them for care provided to indigent residents under a special state law that deals with indigent health care in Sarasota County only. The county argued that the provision of the statute relating to private hospitals is unconstitutional. The trial court agreed with the county, ruling that provision of the challenged state law unconstitutional. The Second District Court of Appeal upheld the trial court. This appeal followed.

Jose Martinez v. State, [SC15-1620](#)
St. Lucie County – starts about 9:40 a.m.

Mr. Martinez was sentenced to 25 years in prison for armed robbery. He challenged the legality of a 10-year minimum mandatory provision of his sentence, arguing the charges against him did not mention Florida's 10-20-Life law, which mandates longer prison sentences when guns are used in crimes. The Fourth District Court of Appeal upheld the 10-year provision. The 4th DCA also said it disagreed with the First District Court of Appeal, which issued a conflicting decision in a separate case. The state argues the decisions by the two DCAs are not in conflict because key details in the cases differ.

--10 minute break--

Zachary Wood v. State, [SC15-954](#)
Washington County – stars about 10:30 a.m.

Mr. Wood was convicted of the first-degree murder of James Shores, who was beaten and fatally shot in 2014. The jury voted unanimously to recommend a death sentence and the trial court condemned Mr. Wood to death. This is his direct appeal.

Jean Charles Jr., etc., et al., v. Southern Baptist Hospital of Florida, Inc., etc., et al., [SC15-2180](#)
Duval County – starts about 11:30 a.m.

Mr. Charles and other family members filed a medical malpractice lawsuit, alleging Southern Baptist Hospital injured his sister, leaving her in need of around-the-clock care. Citing a provision of the state constitution approved by voters in 2004, the family sought hospital records documenting "adverse medical incidents." The hospital would not release all the records requested, citing a 2005 federal law making some hospital records documenting mistakes confidential. The trial court ordered the hospital to provide the records; the First District Court of Appeal overturned the trial court and ruled the documents were confidential under federal law.

Thursday, Oct. 6

Simon Dockswell, et al., v. Bethesda Memorial Hospital, Inc., etc., [SC15-2294](#)
Palm Beach County – starts about 9:00 a.m.

Mr. Dockswell and his wife sued Bethesda Memorial Hospital, alleging medical malpractice after discovering part of a drainage tube remained in Mr. Dockswell's body four months after surgery. They lost the trial and appealed, arguing the judge wrongly denied the application of a foreign body instructions, thus lessening the burden of proof on the hospital. The Fourth District Court of Appeal rejected his argument, upholding the ruling of the trial court.

Rafael Yee v. State, SC15-1925
Dade County – starts about 9:40 a.m.

Mr. Yee was arrested on drug charges after police searched his house. He argued the search violated his constitutional rights because it was conducted without a warrant. The trial court agreed, suppressing the state's evidence against Mr. Yee. The Third District Court of Appeal overturned the trial court, ruling the fact that a window in Mr. Yee's house was broken justified the police search. Mr. Yee asked this Court to review, arguing the decision of the 3rd DCA conflicted with decisions by the Second District Court of Appeal.

--10 minute break--

Richard Robards v. State, SC15-1364
Pinellas County – starts about 10:30 a.m.

Mr. Robards was convicted of the first-degree murders of Linda and Frank Deluca, who were fatally stabbed in 2006. The jury voted 7-5 to recommend a death sentence for each murder and the trial court condemned him to death for each murder. This Court upheld his sentences on direct appeal and Mr. Robards filed a post-conviction challenge in the trial court. It was denied and this appeal followed.

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