



Supreme Court of Florida

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Oral Argument Press Summaries Week of Feb. 1-5, 2016, and Feb. 10, 2016

There are no arguments on Feb. 1 or Feb. 5

Tuesday, Feb. 2

Justice Quince recused

Cary Lambrix v. Julie L. Jones, etc., [SC16-56](#)

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

Mr. Lambrix is scheduled for execution on Feb. 11 for the 1983 murders of Aleisha Bryant, who was strangled, and Clarence Moore, who was fatally beaten. The jury voted 10-2 and 8-4 to recommend death sentences at his penalty hearing. He seeks a stay of execution on a variety of bases, including the recent U.S. Supreme Court decision finding Florida's death penalty laws unconstitutional for not giving juries the power to decide sentences.

Richard Knight v. State & Richard Knight v. Julie L. Jones, etc., [SC14-1775](#) & [SC15-1233](#)

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

Mr. Knight was convicted of the first-degree murders of Odessia Stephens and her 4-year-old daughter, Hanessia Mullings, who were killed in 2000. Ms. Stephens was beaten and stabbed. Hanessia was stabbed and strangled. The jury voted unanimously to recommend death sentences for each murder and the trial court condemned Mr. Knight to death. This Court upheld the death sentences and Mr. Knight filed a post-conviction challenge in trial court. It was denied and this appeal followed.

--10 minute break--

State v. Raymond Bright, [SC14-1701](#)

Duval County – starts about 10:30 a.m.

Mr. Bright was convicted of the first-degree murders of Derrick King and Randall Brown, who were fatally beaten in 2008. The jury voted 8-4 to recommend a death sentence for each murder and the trial court condemned Mr. Bright to death. This Court upheld the death sentence and Mr. Bright filed a post-conviction challenge in trial court. He was granted a new penalty phase and this appeal followed.

O.I.C.L., a child, v. Florida Department of Children & Families, [SC15-1570](#)

Palm Beach County – starts about 11:10 a.m.

A Guatemalan teen-ager who entered the United States in early 2014 was released by immigration officials to his uncle in Palm Beach County. The boy filed a petition, alleging he had been abandoned by his mother in his home country and asking to be ruled a dependent child. The trial court denied the petition and the Fourth District Court of Appeal upheld that ruling. The boy asked this Court to review, citing conflicts with other District Courts of Appeal.

The Florida Bar v. Jose Marrero, [SC11-1780](#)

Miami-Dade County - starts about 11:50 a.m.

This Court found Mr. Marrero guilty of violations of the rules regulating Florida lawyers, including three violations involving dishonesty, fraud, deceit or misrepresentation and one involving misuse of money held in trust for a client. The case was sent back to the trial judge appointed to act as referee to recommend an appropriate sanction. The Florida Bar argued the sanction should be disbarment. Mr. Marrero argued it should be a public reprimand or a 90-day suspension. The referee has recommended that this Court suspend Mr. Marrero from the practice of law for 90 days and place him on probation for the next three years.

Wednesday, Feb. 3

Brian Robinson v. State, [SC15-233](#)

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

Mr. Robinson pleaded no contest to possession of child pornography and was sentenced to three and a half years in prison. On appeal, he argued that the charges should have been dismissed because the state had failed to file them before the three-year statute of limitations ran out. The First District Court of Appeal upheld his conviction, ruling that Mr. Robinson had left Florida and that while he was continuously out of the state his absence stopped the tolling of the statute of limitations. Mr. Robinson has appealed that decision to this Court, arguing it conflicts with rulings by another District Court of Appeal.

Dontae Morris v. State, [SC14-1317](#)

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

Mr. Morris was convicted of the first-degree murders of Tampa Police Officers Davis Curtis and Jeffrey Kocab, who were fatally shot in 2010. The jury voted unanimously to recommend a death sentence for each murder and Mr. Morris was condemned to death. This is his direct appeal.

--10 minute break--

State v Jacob Dougan Jr., [SC13-1826](#)

Duval County – starts about 10:50 a.m.

Mr. Dougan was convicted of the first-degree murder of Stephen Orlando, who was stabbed and fatally shot in 1974. After his two first death sentences were vacated, Mr. Dougan was sentenced to death in 1987 after a jury voted 9-3 to recommend a death sentence. This Court upheld the death sentence and Mr. Dougan filed a post-conviction challenge in trial court. The trial court overturned his conviction and sentence. This appeal followed.

Thursday, Feb. 4

Dan Sowell, etc., et al., v Panama Commons L.P., [SC15-774](#)

Bay County – starts about 9:00 a.m.

Mr. Sowell, property appraiser in Bay County, denied an affordable housing tax exemption to Panama Commons, finding the 92-unit complex did not qualify for the tax break under a change in state law. Panama Commons contested that denial in court, arguing the change in law could not retroactively eliminate a tax break it had earlier received. The trial court ruled for Panama Commons. Mr. Sowell appealed and the First District Court of Appeal ruled the state could not retroactively repeal the tax exemption.

Michael King v. State, [SC14-1949](#)

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

Mr. King was convicted of the first-degree murder of Denise Amber Lee, who was kidnapped, sexually battered and fatally shot in 2008. The jury voted unanimously to recommend a death sentence for the murder of Ms. Lee and the trial court condemned Mr. King to death. This Court upheld the death sentence and Mr. King filed a post-conviction challenge in trial court. It was denied and this appeal followed.

--10 minute break--

Eric Simmons v. State, [SC14-2314](#)

Lake County – starts about 10:30 a.m.

Mr. Simmons was convicted of the first-degree murder of Deborah Tressler, who was kidnapped, sexually assaulted, beaten and stabbed in 2001. The jury voted unanimously to recommend a death sentence and the trial court condemned him to death. This Court affirmed that sentence on direct appeal but later, on a post-conviction challenge, vacated the death sentence and ordered a new penalty hearing. The second jury voted 8-4 to recommend a death sentence and the trial court condemned Mr. Simmons. This is his direct appeal of his second death sentence.

Wednesday, Feb. 10

State v. Christopher Markus, [SC15-801](#)

Duval County – starts about 10:00 a.m.

Mr. Markus was convicted of possession of a firearm by a felon. He appealed, arguing the officers who arrested him had obtained the evidence after entering his garage without a warrant, in violation of his constitutional protection against unreasonable search and seizure. The First District Court of Appeal agreed and reversed his conviction. The state asked this Court to review the case, arguing it conflicted with decisions by another District Court of Appeal and with rulings by the U.S. Supreme Court.