



Supreme Court of Florida

[Main Press Page](#)

[Broadcasts of Arguments Including Archives](#)

[Directions to the Supreme Court](#)

Oral Argument Press Summaries Week of Feb. 2-6, 2015

There are no arguments on Feb. 2 or Feb. 6

Tuesday, Feb. 3

Justice Polston recused

J.B., etc. v. Florida Department of Children and Families, [SC14-1990](#)

Leon County – starts about 9:00 a.m.

J.B. challenged her termination of parental rights, arguing her attorney was ineffective in representing her in the trial court. The First District Court of Appeal upheld the lower court's ruling to terminate J.B.'s parental rights. However, the 1st DCA also certified two questions of great public importance for this Court's review. The questions deal with the standard of proof and the procedure to be followed if parents argue they did not receive a fair hearing because of ineffective counsel.

Board of Trustees, Jacksonville, etc. v. Curtis Lee, [SC13-1315](#)
Duval County – starts about 9:40 a.m.

Mr. Lee sued the Board of Trustees, alleging it had violated Florida's public records law after he made a records request. The trial court found that violations did occur but that they were simple mistakes made in good faith. Citing that qualification, the court ruled against Mr. Lee's motion to recover attorney fees. The First District Court of Appeal overturned the trial court's denial of attorney fees, concluding good faith refusal by a public agency is still an unlawful refusal that triggers payment of attorney fees. The agency argues that the 1st DCA's decision conflicts with rulings from other District Courts of Appeal and this Court as well.

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Derral Hodgkins v. State, [SC13-1004](#)
Pasco County – starts about 10:30 a.m.

Mr. Hodgkins was convicted of the first-degree murder of Teresa Lodge, who died in 2006 after being strangled, stabbed and slashed. The jury voted 7-5 to recommend the death penalty and the trial court condemned Mr. Hodgkins to death. This is his direct appeal.

Ronnie Williams v. State, [SC13-1472](#)
Broward County – starts about 11:30 a.m.

Mr. Williams was convicted of the first-degree murder of Lisa Dyke, who was fatally stabbed in 1993. The trial court condemned him to death but this Court reversed his conviction and sentence on direct appeal. Mr. Williams was tried a second time. He was convicted, the jury voted 10-2 to recommend a death sentence and he was condemned. This Court upheld his second death sentence on direct appeal and Mr. Williams filed a postconviction challenge in trial court. It was denied and this appeal followed.

Wednesday, Feb. 4

Gary Debaun v. State, [SC13-2336](#)
Monroe County – starts about 9:00 a.m.

Mr. Debaun was charged with violating a state law that prohibits people with HIV from having sexual intercourse without informing their partners of their HIV status. He argued the term "sexual intercourse" was limited to sex between a man and a woman and did not include his interaction with a male partner. The trial court agreed and dismissed the charge against him. The Third District Court of Appeal reversed the trial court but certified conflict with a decision from another state appellate court.

Neil Salazar v. State & Neil Salazar v. Julie L. Jones, etc., [SC13-1233](#) & [SC14-887](#)
Okeechobee County – starts about 9:40 a.m.

Mr. Salazar was convicted of the first-degree murder of Evelyn Jean Nutter, who was fatally shot in 2000. The jury voted unanimously to recommend the death penalty and the trial court condemned Mr. Salazar to death. This Court upheld his sentence on direct appeal and Mr. Salazar filed a postconviction challenge in trial court. It was denied and this appeal followed.

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Patrick Evans v. State, [SC12-2160](#)
Pinellas County – starts about 10:30 a.m.

Mr. Evans was convicted of the first-degree murders of Elizabeth Evans, his estranged wife, and Gerald Taylor, who were fatally shot in 2008. The jury voted 9-3 to recommend the death penalty for the murder of Ms. Evans and 8-4 to recommend the death penalty for the murder of Mr. Taylor. The trial court condemned Mr. Evans to death for both murders. This is his direct appeal.

Robert Reynolds v. Leon County Energy Improvement District, etc., et al., [SC14-710](#)
Leon County – starts about 11:30 a.m.

Leon's Energy Improvement District proposed a \$200 million bond sale, backed by tax assessments on voluntary participants in a clean energy initiative. The trial court validated the bond sale. Mr. Reynolds is challenging that judgment. The District argues Mr. Reynolds does not have standing to appeal and that the terms of the bond sale are legal.

Thursday, Feb. 5

James Roughton v State, [SC12-1719](#)
Orange County – starts about 9:00 a.m.

Mr. Roughton was convicted of sexual battery and lewd or lascivious molestation and sentenced to life in prison. He appealed, arguing he was convicted of two crimes for one act in violation of his constitutional protection against double jeopardy. The Fifth District Court of Appeal upheld the convictions, ruling that the way the two crimes were defined in Florida law allowed both to be charged in this case. The Fifth District also certified conflict with decisions from two other Florida district courts.

Miguel Rodriguez v State, [SC14-160](#)
Dade County – starts about 9:40 a.m.

Mr. Rodriguez was sentenced to 18 months in prison for drug trafficking after police found marijuana plants growing in his home. On appeal, he argued evidence used against him should not have been allowed because police did not have a warrant to search his home. The Third District Court of Appeal upheld the trial court but certified conflict with decisions by other state appellate courts.

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Wayne Doty v. State, [SC13-1257](#)
Bradford County – starts about 10:30 a.m.

Mr. Doty was convicted of the first-degree murder of Xavier Rodriguez, a fellow inmate who was fatally strangled and stabbed in 2011. The jury voted 10-2 to recommend the death penalty and the trial court condemned Mr. Doty to death. This is his direct appeal.

Vicki Thomas, et al. v State of Florida, etc., [SC14-1282](#)
Leon County – starts about 11:30 a.m.

Ms. Thomas and others challenged a revenue bond validation proposed by Clean Energy Coastal Corridor to finance clean energy projects for volunteer property owners who agree to have non-ad valorem assessments imposed against their property to pay back financing provided for clean energy improvements. Ms. Thomas argued the trial court should not validate Clean Energy's bonds because the associated financing agreement authorized unlawful judicial foreclosures. The trial court disagreed and validated the bonds. This appeal followed.

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