

Supreme Court of Florida

Office of the Clerk
500 South Duval Street
Tallahassee, Florida 32399-1927

JOHN A. TOMASINO
CLERK
MARK CLAYTON
CHIEF DEPUTY CLERK
KRISTINA SAMUELS
STAFF ATTORNEY

PHONE NUMBER: (850) 488-0125
www.floridasupremecourt.org

October 6, 2015

Honorable Rick Scott, Governor
The Capitol
Tallahassee, Florida 32399

EMAIL DELIVERY

Re: Certification Required Pursuant to "Timely Justice Act of 2013" July -
September, 2015, Quarterly Report

Dear Governor Scott:

The following individuals now meet the criteria to be added to the certification list
previously submitted to your office on July 1, 2015:

Bradley, Donald
Downs, Ernest Charles
Hitchcock, James Ernest

The Death Penalty Reform Act specifies that as Clerk of Court of the Supreme
Court of Florida I am to certify in writing to you "that a person convicted and
sentenced to death before or after the effective date of the act," has:

1. Completed such person's direct appeal and initial postconviction
proceeding in state court and habeas corpus proceeding and appeal
there-from in federal court; or

2. Allowed the time permitted¹ for filing a habeas petition in federal court to expire.

Based on the records available to me,² listed below is the complete list of individuals³ under sentence of death⁴ including those added this quarter who have completed the direct appeal and initial postconviction proceeding in state court and the habeas proceeding and appeal there-from in federal court as defined in the statute.

Alston, Pressley	Dessaure, Kenneth	Harvey, Harold Lee Jr.
Anderson, Fred, Jr.	Dillbeck, Donald David	Heath, Ronald Palmer
Anderson, Richard Harold	Doorbal, Noel	Herring, Ted
Archer, Robin Lee	Downs, Ernest Charles	Hertz, Guerry Wayne
Asay, Mark James	Doyle, Daniel Lee	Hitchcock, James Ernest
Atwater, Jeffrey Lee	Duckett, James Aren	Hodges, George Michael
Beasley, Curtis W.	Evans, Paul H.	Hunter, James Eugene
Belcher, James	Evans, Steven Maurice	Hutchinson, Jeffrey Glenn
Bell, Michael Bernard	Evans, Wydell Jody	Israel, Connie Ray
Blanco, Omar	Fennie, Alfred Lewis	Jackson, Etheria Verdel
Bolin, Oscar Ray ⁵	Finney, Charles William	Jennings, Bryan Fredrick
Booker, Stephen Todd	Ford, James D.	Jimenez, Jose Antonio
Bowles, Gary Ray	Foster, Charles	Johnson, Ronnie
Branch, Eric Scott	Foster, Jermaine A.	Jones, David Wyatt
Bradley, Donald	Fotopoulos, Konstantios X.	Jones, Randall Scott
Brown, Paul Alfred	Franqui, Leonardo ⁶	Jones, Victor Tony
Burns, Daniel Jr.	Freeman, John D.	Kelley, William Harold
Card, James Armand	Gamble, Guy R.	Kokal, Gregory
Cave, Alphonso	Gaskin, Louis B.	Lamarca, Anthony
Cole, Loran	Gonzalez, Ricardo	Lambrix, Cary Michael
Connor, Seburt	Gordon, Robert	Lawrence, Gary
Consalvo, Robert A.	Griffin, Michael Allen	Lawrence, Jonathan Huey
Correll, Jerry William*	Grim, Norman	Lightbourne, Ian Deco
Cox, Allen Ward	Gudinas, Thomas Lee	Looney, Jason
Cumming-El, Frederick W.	Haliburton, Jerry Leon	Lott, Ken Eldon
Dailey, James Milton	Hamilton, Richard Eugene	Lucas, Harold
Darling, Dolan Carlton	Hannon, Patrick	Lugo, Daniel
Davis, Adam William		Mansfield, Scott

Marquard, John Christopher	Quince, Kenneth Darcell	Stewart, Kenneth Allen ⁷
Marshall, Matthew	Randolph, Richard Barry	Suggs, Ernest
McDonald, Meryl S.	Reed, Grover B.	Sweet, William Earl
Mendoza, Marbel	Reese, John Loveman	Taylor, Perry Alexander
Morris, Robert D.	Rhodes, Richard Wallace	Thompson, William Lee
Morton, Alvin Leroy	Robinson, Michael Lee	Trepal, George
Nelson, Micah	Rodriguez, Manuel Antonio	Trotter, Melvin
Oats, Sonny Boy, Jr.	Rogers, Glen Edward	Troy, John
Occhicone, Dominick A.	Rose, Milo A.	Turner, William Thaddeus
Owen, Duane Eugene	San Martin, Pablo	Wainwright, Anthony Floyd
Pace, Bruce Douglas	Scott, Paul William	Walls, Frank A.
Pagan, Alex	Shere, Richard Earl Jr.	Walton, Jason Dirk
Peterka, Daniel Jon	Sireci, Henry	White, William Melvin
Philmore, Lenard James	Sliney, Jack R.	Whitfield, Ernest
Pietri, Noberto	Smithers, Samuel L.	Windom, Curtis
Ponticelli, Anthony John	Sochor, Dennis	Wright, Joel Dale
Pooler, Leroy	Spann, Anthony A.	Zack, Michael Duane, III
Pope, Thomas Dewey	Spencer, Dusty Ray	Zakrzewski, Edward J., II
Puiatti, Carl	Stephens, Jason Demetrius	Zeigler, William Thomas, Jr.

*Existing death warrant

In addition to the individuals listed above, the following individuals under a sentence of death have completed the initial postconviction proceedings in state court but do not appear to have timely filed a federal habeas corpus petition within the time frame allowed.

Jones, Marvin Burnett
Krawczuk, Anton J.

Miller, David Jr.
Rose, James Franklin

Finally, the following individuals are without a complete first state postconviction process and a first federal habeas corpus but they have no current case activity in any court. Some listed in this section have filed pursuant to Rule 3.851(i) of the Florida Rules of Criminal Procedure and their postconviction proceedings were dismissed and collateral counsel was discharged. Others appear to have waived their right to further litigation.

Honorable Rick Scott, Governor

October 6, 2015

Page: 4

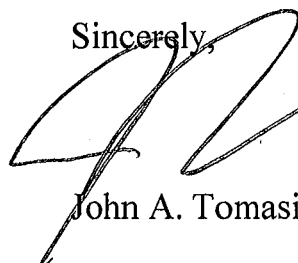
Gill, Ricardo I.
James, Edward T.
Jeffries, Sonny
Muehleman, Jeffrey
Rodgers, Jeremiah M

Russ, David Byron
Silvia, William Frances

Many of the individuals on these lists may have so called "successive" postconviction matters pending relating to their death sentence at some level in either state or federal court. Those individuals are not specifically identified here because it appears those pending matters are irrelevant to the determination of whether they should be included on the certification list.

If you have any questions, please do not hesitate to contact me.

Sincerely,



John A. Tomasino

JAT/TW/vbv

1. I am not sure what legal effect the words "allowed the time permitted" to expire has compared to "the time has expired." I have included on this list those persons where the time has, in my opinion, expired. I do not know if the individuals "allowed" it to expire.

2. The majority of this information comes from sources other than Florida Supreme Court case files. I believe the information is accurate but cannot say it is not subject to dispute. It also involved a number of judgments in which reasonable people could reach different results.

3. The list is in alphabetical order by last name.

4. The statute uses the phrase “convicted and sentenced to death.” I have not included individuals on this list who have been convicted and sentenced to death and who have also completed the initial rounds of review but who are not currently under a sentence of death because they have been granted a new trial or new sentencing hearing but that new proceeding has not yet been completed.

5. Mr. Bolin has two death cases: one from Hillsborough County and one from Pasco County. One sentence (Pasco County) meets the qualification for certification; the other does not.

6. Mr. Franqui has two death cases both from Miami-Dade County. One sentence meets the qualification for certification; the other does not.

7. Mr. Stewart has two death cases and both sentences meet the qualifications for certification.