

Supreme Court of Florida

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April 2, 2015

Honorable Rick Scott, Governor
The Capitol
Tallahassee, Florida 32399

EMAIL DELIVERY

Re: Certification Required Pursuant to "Timely Justice Act of 2013" January-March, 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 January 14, 2015:

Anderson, Fred Jr.
Lugo, Daniel
Mendoza, Marbel

Pope, Thomas Dewey
Rodriguez, Manuel Antonio

The recently enacted 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.

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

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

Gill, Ricardo I.

James, Edward T.

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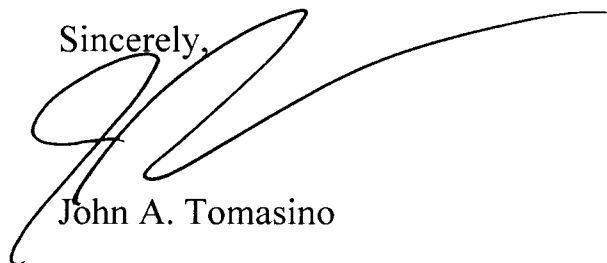
Jeffries, Sonny
Muehleman, Jeffrey

Rodgers, Jeremiah M

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,

A handwritten signature in black ink, appearing to read 'John A. Tomasino', with a long, sweeping horizontal line extending to the right.

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.

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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.