

IN THE SUPREME COURT OF FLORIDA

IN RE: STANDARD JURY  
INSTRUCTIONS IN CRIMINAL  
CASES – REPORT 2016-07

CASE NO.: SC16-1430

MOTION TO LIFT STAY AND WITHDRAW PROPOSALS #1–#13

The Standard Jury Instructions in Criminal Cases Committee (“Committee”), by and through its Chair, respectfully requests the Court to lift its stay and withdraw the proposals numbered 1-13 in the above-styled case and as grounds states:

1. As part of SC16-1430, the Committee filed 13 proposals that dealt with Unnatural and Lascivious Act as a lesser-included offense of certain sex-related crimes.
2. In September 2016, the Court stayed this case pending disposition of *Wong v. State* (SC15-2192) and *Knighton v. State* (SC16-1426).
3. Opinions have now been issued in both *Wong* and *Knighton*, which will require the Committee to revise those 13 proposals. However, proposals #14 and #15, both of which pertain to Human Trafficking, are unaffected by the *Wong* and *Knighton* opinions.

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4. Accordingly, the Committee requests the Court to lift its stay and to withdraw the first 13 proposals in this case. The Committee also asks the Court to consider only the two Human Trafficking proposals (#14 and #15) within SC16-1430.

Respectfully submitted this 19<sup>th</sup> day of  
February, 2018.

s/ Judge F. Rand Wallis  
The Honorable F. Rand Wallis  
Chair, Supreme Court Committee on  
Standard Jury Instructions in Criminal Cases  
Fifth District Court of Appeal  
300 South Beach Street  
Daytona Beach, Florida 32114  
Florida Bar Number: 980821  
WallisR@flcourts.org

**CERTIFICATE OF SERVICE AND FONT**

I HEREBY CERTIFY that a copy of this Motion to Withdraw has been typed using Times New Roman 14 and has been sent by email to the Honorable Julianne Holt, ex-President of the Florida Public Defender's Association, at [jholt@pd13.state.fl.us](mailto:jholt@pd13.state.fl.us), this 19th day of February, 2018.

s/ Judge F. Rand Wallis  
The Honorable F. Rand Wallis  
Chair, Supreme Court Committee on  
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