

**SUPREME COURT OF FLORIDA**

RECEIVED  
10/30/2018  
FLORIDA SUPREME COURT

SYLVESTER HOOKS

Appellant

vs.

STATE OF FLORIDA

Appellee  
-----

\*

\*

\*

\*

\*

\*

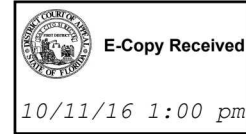
\*

\*

CASE NO. SC18-1106

DOCKET NO. 1D16-0368

**SUPPLEMENTAL RECORD**  
**Volume I**  
**(FILED OCTOBER 11, 2016)**



**IN THE DISTRICT COURT OF  
APPEAL OF FLORIDA  
FIRST DISTRICT**

**CASE NO: 2012 CF 2477**

**DCA NO: 1D16-368**

**SPIN: 955**

**SYLVESTER HOOKS,**

**APPELLANT,**

**VS**

**FILED FTP ON:**

**STATE OF FLORIDA,**

**APPELLEE,**

**RECORD ON  
APPEAL**

**FROM THE CIRCUIT  
COURT OF LEON COUNTY, FLORIDA  
HONORABLE TERRY LEWIS**

**NANCY DANIELS  
PUBLIC DEFENDER  
LEON COUNTY COURTHOUSE  
301. S. MONROE ST  
TALLAHASSEE, FL 32301**

**ATTORNEY FOR APPELLANT**

**PAM BONDI  
ATTORNEY GENERAL  
THE CAPITOL, PL-01  
TALLAHASSEE, FL 32399**

**ATTORNEY FOR APPELLEE**

IN THE CIRCUIT COURT OF  
THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY FLORIDA

CASE NO: 2012 CF 2477

DCA NO: 1D16-368

SYLVESTER HOOKS,

PLAINTIFF/APPELLANT,

V.

STATE OF FLORIDA,

DEFENDANT/APPELLEE,

SECOND SUPPLEMENTAL

<u>DATE FILED</u>	<u>INDEX INSTRUMENT</u>	<u>PAGE NO.</u>
SEP 23, 2016	SUPPLEMENTAL DESIGNATION TO COURT REPORTER AND DIRECTIONS TO THE CLERK	142-144
SEP 29, 2016	TRANSCRIPT OF EXCERPT – JURY SELECTION (JAN 11, 2016)	145-151
OCT 11, 2016	CERTIFICATE OF CLERK	

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA

**SYLVESTER HOOKS,**

Defendant/Appellant,

v.

Circuit Case No. **2012-CF-2477**

1<sup>st</sup> DCA Case No. **1D16-368**

**STATE OF FLORIDA,**

Appellee.

---

**SUPPLEMENTAL DESIGNATION TO COURT REPORTER  
AND DIRECTIONS TO THE CLERK**

The Appellant, pursuant to the, order of the First District Court of Appeal (attached), First District Administrative Order 09-1, and Section 27.51(1)(f), Florida Statutes (2008), hereby designates Judy Hussey, **(or assigned reporter)**, Official Court Reporter, to transcribe the proceedings; and file one electronic copy with the First District Court of Appeal and two copies of said proceedings with the Clerk of the Circuit Court, Leon County, Florida.

1. The transcript of the proceedings occurring on the morning of January 11, 2016, in lower tribunal case number 2015-CF-913, during which the issue of self-representation was initially raised and discussed.

Pursuant to the First District Court of Appeal's order, the Appellant directs the Circuit Clerk to prepare an original and two copies of a Supplemental Record on Appeal to include the following:

1. The transcript of the proceedings occurring on the morning of January 11, 2016, in lower tribunal case number 2015-CF-913, during which the issue of self-representation was initially raised and discussed, and,

2. A copy of these directions.

Please prepare and forward the original Supplemental Record on Appeal to Hon. Jon S. Wheeler, Clerk, First District Court of Appeal, 2400 Drayton Drive, Tallahassee, FL 32399-0950; and copies to Hon. Pam Bondi, Attorney General, The Capitol, Tallahassee, FL 32399-1050, and Hon. Nancy A. Daniels, Public Defender, Second Judicial Circuit, Leon County Courthouse, 301 South Monroe Street, Suite 401, Tallahassee, FL 32301, on or before **October 24, 2016**, in accord with the order of the First District Court of Appeal.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the original of this document was provided by electronic transmission to Bob Inzer, Clerk of the Court, Judy Hussey, Official Court Reporter, at: judyh@leoncountyfl.gov; and Trisha Meggs Pate, Assistant Attorney General, counsel for the State of Florida, at crimappth@myfloridalegal.com; on this date, September 23, 2016.

Respectfully submitted,

NANCY A. DANIELS  
PUBLIC DEFENDER  
SECOND JUDICIAL CIRCUIT

/s/ Danielle Jorden  
**DANIELLE JORDEN**  
Assistant Public Defender  
Florida Bar No. **0946834**  
Leon County Courthouse  
301 South Monroe Street, Suite 401  
Tallahassee, FL 32301  
(850) 606-8544  
danielle.jorden@flpd2.com  
COUNSEL FOR APPELLANT

DISTRICT COURT OF APPEAL, FIRST DISTRICT  
2000 Drayton Drive  
Tallahassee, Florida 32399-0950  
Telephone No. (850)488-6151

September 23, 2016

CASE NO.: 1D16-0368  
L.T. No.: 37-2012-CF-2477

Sylvester Hooks

v.

State of Florida

Appellant / Petitioner(s),

Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

Appellant's motion filed September 21, 2016, seeking to supplement the record on appeal with a transcript of the proceedings occurring on the morning of January 11, 2016, in lower tribunal case number 2015-CF-913, during which the issue of self-representation was initially raised and discussed, is granted. Counsel for movant shall ensure preparation and transmittal of the supplemental record by the clerk of the lower tribunal on or before October 24, 2016, and time for service of the consolidated initial brief is extended to 30 days following transmittal of the supplemental record.

**I HEREBY CERTIFY** that the foregoing is (a true copy of) the original court order.

Served:

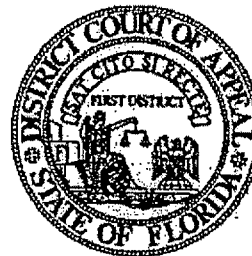
Hon. Pamela Jo Bondi, A. G.  
Danielle Jorden, A. P. D.  
Hon. Bob Inzer, Clerk

Hon. Nancy A. Daniels, P.D.  
Kasey Helms

Steven L. Seliger, A. P. D.

am

  
JOY S. WHEELER, CLERK



IN THE CIRCUIT COURT OF THE  
SECOND JUDICIAL CIRCUIT, IN  
AND FOR LEON COUNTY, FLORIDA

CASE NO.: 2015-CF-913

STATE OF FLORIDA

VS.

SYLVESTER HOOKS,

Defendant.

PROCEEDINGS: EXCERPT - JURY SELECTION

BEFORE: THE HONORABLE TERRY P. LEWIS

DATE: January 11, 2016

TIME: Commencing at 9:10 a.m.  
Concluding at 11:12 a.m.

LOCATION: Leon County Courthouse  
Tallahassee, Florida

REPORTED BY: VERONICA G. MCCLELLAN, RPR  
Official Court Reporter  
Notary Public in and for the  
State of Florida at Large

VERONICA G. MCCLELLAN, RPR  
Official Court Reporter  
Leon County Courthouse, Room 341  
Tallahassee, FL 32301

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## APPEARANCES

## REPRESENTING THE STATE:

ELIZABETH W. DESLOGE, ASSISTANT STATE ATTORNEY  
OFFICE OF THE STATE ATTORNEY  
LEON COUNTY COURTHOUSE  
TALLAHASSEE, FLORIDA 32301

## REPRESENTING THE DEFENDANT:

SYLVESTER HOOKS, PRO SE  
  
KASEY HELMS, ASSISTANT PUBLIC DEFENDER  
OFFICE OF THE PUBLIC DEFENDER  
LEON COUNTY COURTHOUSE  
TALLAHASSEE, FLORIDA 32301

## INDEX

## WITNESSES:

PAGE:

Certificate of Reporter

7

VERONICA G. MCCLELLAN, RPR, OFFICIAL COURT REPORTER

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PROCEEDINGS

MS. DESLOGE: Judge, Sylvester Hooks, I only have four witnesses, three law enforcement and one FDLE analyst. I would anticipate it would only take about a half a day. So we could easily slip that one in on Friday if we had some available time.

THE COURT: Do you want to try it?

MS. HELMS: That's fine. Mr. Hooks would like to be heard this morning. He's indicated that he would like to represent himself.

THE COURT: Okay. Well, that may take a while. So why don't we leave, leave that tentatively set on Friday. And we'll just pick all three this morning, and when I get through with the other two, we'll see how you do and -- where's, where's Mr. Hooks?

MS. HELMS: Mr. Hooks is right over here, Judge.

THE COURT: Yeah. I'll talk to Mr. Hooks then.

MS. HELMS: Yes, sir.

(Other proceedings were held on other matters, and the following takes place in the interest of Sylvester Hooks.)

THE COURT: Okay.

MS. DUGAN: Judge, are we -- did you -- are we going to do Hooks on Friday then?

THE COURT: That's the plan.

MS. DUGAN: Okay. And are we going to pick Hooks

VERONICA G. MCCLELLAN, RPR, OFFICIAL COURT REPORTER

1           this afternoon and . . .

2           THE COURT: Right after this. I, I got a dental  
3           appointment I had to make. I didn't know I was going to  
4           pick in the afternoon, so I made it at 2:30.

5           MS. DUGAN: Okay.

6           THE COURT: So I could do it in the afternoon, but  
7           I'd be running really, really tight. So I might as well  
8           just keep going.

9           MS. DUGAN: Okay.

10          THE COURT: We'll have everybody here for that. Is  
11          Ms. Helms -- did she, she -- she's going to hang around,  
12          I hope.

13          MS. DUGAN: I can send her a message, too.

14          THE COURT: Okay. And --

15          MS. DUGAN: Also, the bailiff said that Donald  
16          Allen, it would be best for them if we picked him first  
17          since he's in custody.

18          THE COURT: Okay.

19          MS. DUGAN: Is that okay?

20          THE COURT: Oh, Mr. Thompson is not in custody?

21          MS. DESLOGE: No.

22          MS. DUGAN: No, sir. He's out. So we'll do Allen,  
23          Thompson, and then Hooks. Okay.

24          THE COURT: Okay. And, Ms. Helms, would you help me  
25          just give Mr. Hooks that? That's that

VERONICA G. MCCLELLAN, RPR, OFFICIAL COURT REPORTER

1 self-representation thing for him to look over --

2 MS. HELMS: Yes, sir.

3 THE COURT: -- and by the time we get to yours, I'll  
4 inquire of him. If he still wants to represent himself,  
5 we'll go on with it.

6 MS. HELMS: Yes, sir. So, Mr. Hooks, are we picking  
7 at 1:30? We'll just --

8 THE COURT: I'm going to do all three this morning.

9 MS. HELMS: Okay.

10 (Off-the-record discussion.)

11 THE COURT: So the plan is to start Mr. Allen's case  
12 Wednesday afternoon?

13 MS. DUGAN: Yes, sir. And I think we'll be able to  
14 do openings and victim's testimony, possibly, maybe two  
15 short witnesses. That will definitely put us on track  
16 to -- it could be done on Thursday.

17 THE COURT: And then are we going to wait until  
18 Friday to start Hooks then?

19 MS. DUGAN: Yes, sir.

20 THE COURT: Okay.

21 (Other proceedings were held on other matters, and  
22 the following takes place in the Interest of Sylvester Hooks.)

23 THE COURT: So I know that, Mr. Hooks, you're over  
24 there contemplating representing yourself. I gave you  
25 that thing over there. But for the time being for -- I

VERONICA G. MCCLELLAN, RPR, OFFICIAL COURT REPORTER

1           guess you and your attorney, because I would always want  
2           you to consult with your attorney anyway.

3           Y'all have any problems with that third one, too,  
4           with those people? You probably -- the ones they're  
5           talking about is the ones that said I'm really -- have a  
6           hardship, I can't be there. It's not quite as much if  
7           it's a one-day trial, but I'll see what y'all think.  
8           Otherwise, I will keep him around for the third trial.

9           (Off-the-record discussion.)

10          MS. HELMS: Judge, Mr. Hooks has indicated he does  
11          not want those people if they're going to have a  
12          hardship. He doesn't want them --

13          THE COURT: Okay. Well --

14          MS. DUGAN: -- during the trial either.

15          THE COURT: -- we'll just excuse them from the whole  
16          thing then.

17          (Excerpt of proceedings conclude.)

18

19

20

21

22

23

24

25

## CERTIFICATE

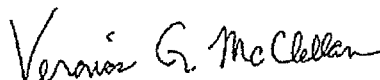
STATE OF FLORIDA:

COUNTY OF LEON:

I, VERONICA G. MCCLELLAN, RPR, Official Court Reporter, do hereby certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages are a true and correct record of the aforesaid proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED this 27th day of September, 2016.



VERONICA G. MCCLELLAN, RPR  
OFFICIAL COURT REPORTER  
LEON COUNTY COURTHOUSE  
TALLAHASSEE, FLORIDA 32301

VERONICA G. MCCLELLAN, RPR, OFFICIAL COURT REPORTER

**CERTIFICATE OF CLERK**

STATE OF FLORIDA

COUNTY OF LEON

I, Bob Inzer, Clerk and Comptroller Leon County, Florida, do hereby certify that the foregoing page(s) of the inclusive contain the record of the SYLVESTER HOOKS V. STATE OF FLORIDA and is a true and correct recital of all such papers and proceedings in said cause as appears in the records and files in my office that have been directed to be included in said record pursuant to the Florida Rules of Appellate Procedure.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said 11TH OCTOBER 2016.

BOB INZER  
CLERK AND COMPTROLLER  
LEON COUNTY, FLORIDA

BY: DAVID L. HUBERT  
David L. Hubert, Deputy Clerk