

IN THE SUPREME COURT OF FLORIDA

JOHNNY MACK SKETO CALHOUN

Appellant,

v.

No. SC18-340

STATE OF FLORIDA,

Appellee.

MOTION TO DIRECT THE CIRCUIT COURT TO STAY PROCEEDINGS

Appellant, JOHNNY MACK SKETO CALHOUN, files this motion asking this court to direct the Circuit Court of Holmes County to hold in abeyance the proceedings regarding the reinstatement of the death sentence in case 2011-CF-11A while this Court considers Mr. Calhoun's Motion to Enforce Mandate.

1. On February 13, 2020, the State filed a motion with the circuit court to reinstate his death sentence.
2. Mr. Calhoun filed his response on February 19, 2020.
3. A hearing is set for April 15, 2020, on the State's motion.
4. On February 28, 2020, this Court issued its mandate in Mr. Calhoun's postconviction appeal, affirming the circuit court's Order Granting Motion for Partial Summary Relief.

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5. The circuit court proceeding considering the State's motion to Mr. Calhoun's death sentence is contrary to the mandate issued by this Court.

6. On March 5th, 2020 Mr. Calhoun filed a Motion to Enforce Mandate with this Court. This Court should order the circuit court to stay the current proceedings initiated by the State's motion to enforce Mr. Calhoun's death sentence until this Court rules on Mr. Calhoun's Motion to Enforce Mandate.

WHEREFORE, Mr. Calhoun respectfully requests this Court to order the circuit court to stay the proceedings while the Florida Supreme Court considers Mr. Calhoun's Motion to Enforce Mandate.

Respectfully submitted,

/s/ Elizabeth Spiaggi

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been electronically served upon Brandon Young, Assistant State Attorney (brandon.young@sa14.fl.gov, holly.taylor@sa14.fl.gov); Lisa Hopkins, Assistant Attorney General, (lisa.hopkins@myfloridalegal.com) on the 5th day of March, 2020.

Respectfully submitted,

/s/ Elizabeth Spiaggi

ELIZABETH SPIAGGI