

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA**

STATE OF FLORIDA,

Plaintiff,

v.

Case No.: 2010 CF 479

DELMER SMITH,

Defendant.

REPORT ON STATUS OF PREPARATION OF THE RECORD

THIS MATTER is before the Court pursuant to the Florida Supreme Court's January 10, 2018, Order, directing the Court to hold a status conference to ensure that a complete record on appeal is properly prepared and filed in case number SC18-0042. On February 7, 2018, at the Manatee County Judicial Center, the Court held a status conference regarding the status of the record on appeal. Defendant was not present, but he was represented by Eric Pinkard, Capital Collateral Regional Counsel. The State was represented by Christine Z. Pacheco, Assistant Attorney General, and Suzanne M. O'Donnell, Assistant State Attorney. Also present were representatives from the Twelfth Circuit Court Reporter's Office and the Manatee County Clerk's Office.

At the status conference, Ms. Sarah Martin, the designee for the Official Court Reporter for the Twelfth Judicial Circuit of Florida, acknowledged that the transcripts of the evidentiary hearing proceedings in the above-styled case were previously prepared and filed on October 12, 2017. Mr. Matt Whyte, Esq., designee for the Manatee County Clerk of Court, brought to the status conference the entire record on appeal, which consists of six volumes, totaling 1,132 pages, and advised that the Manatee County Clerk's Office will send the record in the above-

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JOHN A. TOMASINO

FEB 14 2018

CLERK, SUPREME COURT

styled case, including documents, exhibits, and transcripts of the evidentiary hearing conducted during the pendency of this matter, to the Florida Supreme Court in a timely fashion. The parties otherwise agreed that if any supplements to the record become necessary, the parties will stipulate to same.

Thus, the Court has complied with the Florida Supreme Court's Order by ensuring that the record on appeal will be timely filed.

DONE AND ORDERED in Chambers in Bradenton, Manatee County, Florida, on this 8 day of February 2018.



Diana L. Moreland, Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this Order has been furnished by U.S. Mail, hand delivery, facsimile, and/or electronic mail to:

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

- Delmer Smith, DOC No. 135769
c/o Florida State Prison
7819 N.W. 228th Street
Raiford, Florida 32026-1000

- Christine Z. Pacheco, Esq.
Florida Attorney General's Office
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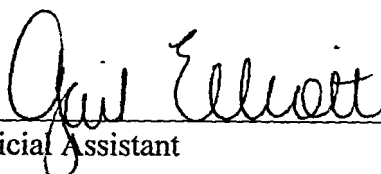
- Suzanne M. O'Donnell, Esq.
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- Matt Whyte, Esquire, Office of Manatee County Clerk of Court,
matt.whyte@manateeclerk.com; connie.lucas@manateeclerk.com

- Sarah Martin, Official Court Reporter, smartin@jud12.flcourts.org

on this 9 day of February 2018.



Judicial Assistant