

IN THE SUPREME COURT OF FLORIDA

CASE NO. SC18-42
Lower Tribunal No.:
412010CF000479CFAXMA

DELMER SMITH,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

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STATUS REPORT

COMES NOW, the Appellant, Delmer Smith, by and through the undersigned counsel, pursuant to this Court's order dated April 25, 2019, in which this Court granted the Appellee's Emergency Motion to Supplement the Record by Relinquishing Jurisdiction to the Circuit Court for an Evidentiary Hearing, and files this status report regarding the progress of the relinquishment proceedings. The Order directed counsel for the parties to file status reports every fifteen days as to the progress of the relinquishment proceedings. This report for counsel for the Appellant follows:

1. The circuit court set an evidentiary hearing to be held on June 5, 2019 at 8:30 a.m. at Silvertooth Judicial Center, 2002 Ringling Boulevard, Courtroom 5B, Sarasota, Florida 34237.
2. Depositions of Detective Michael Dumer, Detective Jerome Diamond, and Detective Ralph Ortiz were conducted on May 20, 2019. Deposition of Crime Scene Technician Jessica Jarecki is scheduled for May 30, 2019. Defendant's Motion to Depose former Assistant State Attorney Brian Iten was denied without prejudice. The circuit court granted the parties' stipulation to orally make closing arguments at the conclusion of the evidentiary hearing.

RECEIVED, 05/24/2019 08:43:29 AM, Clerk, Supreme Court

Respectfully submitted,

/s/ Eric C. Pinkard
Eric C. Pinkard
Florida Bar No.651443
Capital Collateral Regional Counsel
CAPITAL COLLATERAL REGIONAL
COUNSEL-MIDDLE REGION
12973 N Telecom Parkway
Temple Terrace, FL 33637
813-558-1600
PINKARD@ccmr.state.fl.us
Support@ccmr.state.fl.us

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 23, 2019, I electronically filed the foregoing Status Report with the Clerk of the Court through the Florida Court's E-Filing system, which will send a notice of electronic filing to: Christina Pacheco, Assistant Attorney General, christina.pacheco@myfloridalegal.com and capapp@myfloridalegal.com, and by USPS to Delmer Smith, 2C, P.O. Box 49588, Sarasota, Florida 34230.

/s/ Eric C. Pinkard
Eric C. Pinkard
Florida Bar No.651443
Capital Collateral Regional Counsel
CAPITAL COLLATERAL REGIONAL
COUNSEL-MIDDLE REGION
12973 N Telecom Parkway
Temple Terrace, FL 33637
813-558-1600
PINKARD@ccmr.state.fl.us
Support@ccmr.state.fl.us

Counsel for Appellant