

Supreme Court of Florida

THURSDAY, SEPTEMBER 20, 2018

CASE NO.: SC18-822

Lower Tribunal No(s).:

162013CF005781AXXXMA

DONALD JAMES SMITH

vs. STATE OF FLORIDA

Appellant(s)

Appellee(s)

The Motion to Withdraw as Appellate Counsel Based upon Conflict of Interest filed in the above cause by the Office of the Public Defender for the Second Judicial Circuit is granted. We therefore temporarily relinquish jurisdiction of the above cause to the circuit court of the Fourth Judicial Circuit in and for Duval County, Florida, and direct that the circuit court within thirty days from the date of this order appoint conflict-free counsel to represent appellant in the appeal in this Court.

The circuit court shall immediately notify this Court upon appointment of new counsel. Within ten days of the date of the circuit court order appointing counsel, appellant's appointed counsel shall file a notice of appearance with this Court. A briefing schedule will be issued allowing newly appointed counsel one hundred days from the filing of the notice of appearance to file the initial brief on the merits.

A True Copy

Test:



John A. Tomasino

Clerk, Supreme Court



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Served:

CHARMAINE M. MILLSAPS

GAIL ELIZABETH ANDERSON

HON. RONNIE FUSSELL, CLERK

HON. MALLORY DURDEN COOPER, JUDGE

MARK CALIEL