

IN THE SUPREME COURT OF FLORIDA

TINA LASONYA BROWN

APPELLANT

VS.

THE STATE OF FLORIDA,

APPELLEE

ON APPEAL FROM THE CIRCUIT
COURT, ESCAMBIA COUNTY, FLORIDA

JUDGE GARY L. BERGOSH

DIVISION N PRESIDING

SUPPLEMENTAL
RECORD ON
APPEAL

CIRCUIT COURT CASE NO. 2010 CF 001608 A

SUPREME COURT DKT NO. 2019 SC 704

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IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

STATE OF FLORIDA,

vs.

CASE NO: 2010 CF 001608

TINA LASONYA BROWN,

Defendant

_____/

Proceedings held in the above-styled cause before the
Honorable Gary L. Bergosh, Circuit Judge, on the 13th day of
October, 2014, at the M.C. Blanchard Judicial Building, 190
Governmental Center, Pensacola, Florida 32502.

MARIA ANNA BOWERS, RPR, RMR
OFFICIAL CIRCUIT COURT REPORTER

1 APPEARANCES:

2 FOR THE STATE: BRIDGETTE JENSEN, ESQUIRE
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9 FOR THE DEFENDANT: ROBERT S. FRIEDMAN, ESQUIRE
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13 ALSO PRESENT: KASEY WATSON, ESQUIRE
14 Staff Attorney
15 190 Governmental Center
Pensacola, Florida 32502

16 TONYA THIBODEAUX
17 ROBERT SMITH
Escambia County Clerk of Court
18 Appeals Division
19 190 Governmental Center
Pensacola, Florida 32502
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P R O C E E D I N G S

THE COURT: This is Judge Bergosh.

All right. I've got everybody here. We'll just go ahead and go on the record. And this is the Tina Brown death penalty murder case.

I've got Ms. Jensen here. Why don't we just go around the room.

MS. JENSEN: Bridgette Jensen for State.

THE CLERK: Robert Smith from the Clerk's Office.

THE CLERK: Tonya Thibodeaux of the Clerk's Office.

MS. WATSON: Kasey Watson, Staff Attorney.

THE COURT: And I've got on-line, Mr. Friedman.

MR. FRIEDMAN: Yeah. Robert Friedman on behalf of Ms. Brown, Capital Collateral Regional Counsel, North.

THE COURT: And then is that Ms. Snurkowski? Did I --

MS. SNURKOWSKI: Correct, yes, Carolyn Snurkowski. I'm with the Attorney General's Office. I represent the State in this case.

THE COURT: Okay. Great. I think every 90 days I have to have a status conference. I guess this

1 is the first of them.

2 Is there any issues with any public records?
3 Anything I need to help get records to folks that they
4 might need?

5 MR. FRIEDMAN: Judge, the only thing I have to
6 report right now, just start from the beginning, is
7 that our one-year clock has not started to tick yet.

8 MS. SNURKOWSKI: Right.

9 MR. FRIEDMAN: A petition for writ of
10 certiorari was filed on October 3rd, 2014. The State's
11 response is due November 7th. So the U.S. Supreme
12 Court has not ruled on the cert. -- on a cert. petition
13 yet.

14 With respect to public records, my calculation
15 is the State has until November 6th, 2014, to provide
16 the necessary records to the repository. As of this
17 date, the only records we have received from the
18 repository were those of the First Circuit State
19 Attorney's Office, so we've received them. We have not
20 received any police agency records yet, nor have we
21 received Department of Corrections records yet either
22 to the repository in a redacted form, or medical,
23 psychological, substance abuse, psychiatric records in
24 an unredacted form provided to myself.

25 But, as I indicated, the records are not due,

1 if my math is correct, until November 6th, 2014.

2 THE COURT: Okay. And who's responsible for
3 coordinating it? Is it the A.G.'s Office?

4 Or, Ms. Jensen, is that you?

5 MS. JENSEN: I sent the letters out to the
6 agencies.

7 THE COURT: You sent the letters to the
8 agencies --

9 MS. JENSEN: I did.

10 THE COURT: -- informing them they need to do
11 this?

12 MS. JENSEN: Correct.

13 THE COURT: Who tracks it, or who holds the
14 feet to the fire? Is that me if they don't do it?

15 MS. JENSEN: I honestly don't know that
16 answer.

17 MS. SNURKOWSKI: Well, to some -- again, this
18 is Carolyn Snurkowski.

19 To some extent, our office is tasked, based on
20 the recent issues by the Court, to help facilitate
21 making sure that the records will come in. So I will
22 contact the agencies that Mr. Friedman has indicated
23 has not filed within the -- yet, and make sure that
24 they are planning on filing by the November 6th
25 deadline.

1 And to echo what he also said, our time has
2 not run. There was a timing -- petition for writ of
3 certiorari filed in the United State Supreme Court, and
4 my response is due November 7th of this year.

5 THE COURT: Okay. Well, it seems like things
6 are tracking the way they need to, but I guess I'll
7 continue to have status conferences every 90 days.

8 MS. SNURKOWSKI: Yes.

9 THE COURT: Or within 90 days, I guess, is the
10 requirement.

11 Anything else I need to touch upon?

12 MR. FRIEDMAN: No, sir.

13 THE COURT: All right, guys. Well, very nice
14 to meet you. And if there's anything that we need to
15 address, I guess we'll put it on the next 90 day
16 calendar.

17 That's not been set or has that been set
18 already?

19 MR. FRIEDMAN: It has not been set. For this
20 hearing, either the Clerk's Office and/or the Judicial
21 Assistant got in touch with myself and Ms. Snurkowski
22 and the State Attorney to determine whether or not the
23 date was agreeable to everyone. So I guess it comes
24 from your end.

25 THE COURT: So I'll do that again. I'll get

1 her to coordinate with everybody.

2 All right, folks. Well, I appreciate your
3 time. Thank you very much.

4 MR. FRIEDMAN: All right.

5 MS. SNURKOWSKI: Thank you.

6 THE COURT: Y'all have a great day. Bye-bye.

7 MS. SNURKOWSKI: Bye-bye.

8 (Proceedings concluded)

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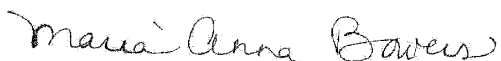
CERTIFICATE OF REPORTER

STATE OF FLORIDA

COUNTY OF ESCAMBIA

I, MARIA ANNA BOWERS, RMR, RPR, Official Court Reporter, do hereby certify that the foregoing, being pages numbered 1 through 7, inclusive, is a true and correct transcript of the proceedings held in the case of STATE OF FLORIDA vs. TINA LASONYA BROWN, Case No. 2010 CF 001608, on the 13th day of October, 2014, before the Honorable Gary L. Bergosh, Circuit Judge, at 190 Governmental Center, Pensacola, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand, this the 14th day of May, 2019.



MARIA ANNA BOWERS, RMR, RPR
Official Circuit Court Reporter

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IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

STATE OF FLORIDA,

vs.

CASE NO: 2010-CF-001608A

TINA LASONYA BROWN,

Defendant

_____/

Proceedings held in the above-styled cause before the
Honorable Gary Bergosh, Circuit Judge, on the 25th day of
March, 2015, at the M.C. Blanchard Judicial Building, 190
Governmental Center, Pensacola, Florida 32502.

ANGELA KRAUSE, RPR
CIRCUIT COURT REPORTER

APPEARANCES:

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(participating via telephone)

P R O C E E D I N G S

MS. EMPLIT: Good morning. This is Carine.

THE COURT: Hey. Judge Bergosh. How are you?

MS. EMPLIT: I'm good. How are you?

THE COURT: Good.

And I have the other party on the line. I'm
sorry, it's Ms. --

MS. JENSEN: Macready.

THE COURT: -- Macready.

Okay. Great.

And I think there's a request for me to view
some information in camera.

MS. MACREADY: Yes, Judge. We filed a motion
for in camera review of the record.

THE COURT: Do you know exactly what it is
that you want out of that record? I mean, it's pretty
broad, obviously.

MS. MACREADY: Judge, I'm actually not sure
what's in there. The description was pretty vague.

THE COURT: Let me do this: To the extent
that I might grant it, I would need that narrowed down
just so I know what it is you're wanting, and that way
the other side might have -- if they have an objection,
they'll let me know. If they don't, if you'll narrow
it, then I'll sign an order to, you know -- doing that,

1 and I'll look at, you know --

2 MS. MACREADY: Judge, since we don't know
3 what -- I guess what's in that -- the record, I mean, I
4 don't know that I could narrow it down any further than
5 the box number.

6 STAFF ATTORNEY: If they could just do a
7 proposed order --

8 THE COURT: Okay.

9 STAFF ATTORNEY: -- as to what boxes need to
10 be sent.

11 THE COURT: Okay. I'm working with the staff
12 attorney here, and they're doing the heavy lifting on
13 this, obviously. I'm going to do a proposed order, or
14 do you want them to do a proposed order --

15 STAFF ATTORNEY: Right.

16 THE COURT: -- with the box numbers?

17 STAFF ATTORNEY: Right. Which records you
18 would like the Court to review, a proposed order
19 granting the motion for in camera review and having
20 those sent to the Court.

21 MS. MACREADY: Okay. Your Honor, you want me
22 to do the -- prepare the order?

23 THE COURT: Why don't you do that, share it
24 with the other side, I'll look at it with the staff
25 attorney here, and then we'll -- I'll enter some sort

1 of order.

2 Is there anything else I need to handle on
3 that --

4 MS. MACREADY: On that, I don't believe so,
5 Judge.

6 THE COURT: All right. Anything else this
7 morning I need to handle?

8 MS. MACREADY: Judge, just to update you, last
9 time we were on the call, I believe we were missing the
10 FDLE records from the repository. We've since received
11 those, so I believe we have everything from the
12 repository at this point, other than the exempted
13 records.

14 And just for the record, Your Honor granted
15 our motion for extension of time to file the G demand,
16 so the new deadline is April 20th.

17 And I believe that's all I have, Your Honor.

18 THE COURT: Okay. Anything else from anyone?

19 MS. JENSEN: No.

20 MS. EMPLIT: No, Your Honor.

21 THE COURT: All right, guys. Thank you very
22 much.

23 And how long is it going to take for you to
24 get me that order? Can you do that within a week?

25 MS. MACREADY: Judge, I'll do that today.

1 THE COURT: Okay. Great. All right. Thank
2 you, ma'am.

3 Y'all have a great day.

4 MS. MACREADY: Thank you.

5 MS. EMPLIT: You too. Thank you. Bye-bye.

6 (Proceedings adjourned)

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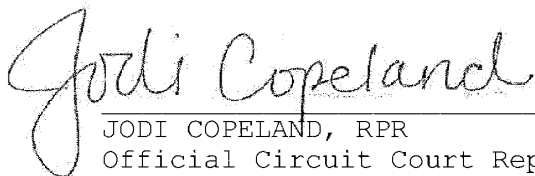
CERTIFICATE OF REPORTER

STATE OF FLORIDA

COUNTY OF ESCAMBIA

I, JODI COPELAND, RPR, Official Court Reporter, do hereby certify that the foregoing, being pages numbered 1 through 6, inclusive, is a true and correct transcript of the proceedings reported by Angela Krause, RPR, and held in the case of STATE OF FLORIDA vs. TINA LASONYA BROWN, Case No. 2010-CF-001608A, on the 25th day of March, 2015, before the Honorable Gary Bergosh, Circuit Judge, at 190 Governmental Center, Pensacola, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand, this the 14th day of May, 2019.



JODI COPELAND, RPR
Official Circuit Court Reporter

CERTIFICATE OF THE CLERK

STATE OF FLORIDA)
)
COUNTY OF ESCAMBIA)

CASE NO.(S) 2010 CF 001608 A

I, Pam Childers, Clerk of the Circuit Court of Escambia County,
State of Florida, do hereby certify that TINA LASONYA BROWN, Appellant, versus the
STATE OF FLORIDA, Appellee, and a true and correct recital and copy of all such papers and
proceedings in said cause as appear from the records and files of my office that have been
directed to be included in said record by the directions furnished me.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
official seal of said court this 14TH day of May, 2019.

PAM CHILDERS
Clerk, Circuit Court and County Court
Escambia County, Florida

BY: 
Deputy Clerk

