

Supreme Court of Florida

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July 1, 2015

Honorable Rick Scott, Governor
The Capitol
Tallahassee, Florida 32399

EMAIL DELIVERY

Re: Certification Required Pursuant to “Timely Justice Act of 2013” April-June, 2015, Quarterly Report

Dear Governor Scott:

The following individuals now meet the criteria to be added to the certification list previously submitted to your office on April 2, 2015:

Taylor, Perry Alexander Troy, John
Wright, Joel Dale

The Death Penalty Reform Act specifies that as Clerk of Court of the Supreme Court of Florida I am to certify in writing to you “that a person convicted and sentenced to death before or after the effective date of the act,” has:

1. Completed such person’s direct appeal and initial postconviction proceeding in state court and habeas corpus proceeding and appeal there-from in federal court; or
2. Allowed the time permitted¹ for filing a habeas petition in federal court to expire.

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Based on the records available to me,² listed below is the complete list of individuals³ under sentence of death⁴ including those added this quarter who have completed the direct appeal and initial postconviction proceeding in state court and the habeas proceeding and appeal there-from in federal court as defined in the statute.

Allen, Lloyd Chase	Doorbal, Noel	Hutchinson, Jeffrey Glenn
Alston, Pressley	Doyle, Daniel Lee	Israel, Connie Ray
Anderson, Fred, Jr.	Duckett, James Aren	Jackson, Etheria Verdel
Anderson, Richard Harold	Evans, Paul H.	Jennings, Bryan Fredrick
Archer, Robin Lee	Evans, Steven Maurice	Jimenez, Jose Antonio
Asay, Mark James	Evans, Wydell Jody	Johnson, Ronnie
Atwater, Jeffrey Lee	Fennie, Alfred Lewis	Jones, David Wyatt
Beasley, Curtis W.	Finney, Charles William	Jones, Randall Scott
Belcher, James	Ford, James D.	Jones, Victor Tony
Bell, Michael Bernard	Foster, Charles	Kelley, William Harold
Blanco, Omar	Foster, Jermaine A.	Kokal, Gregory
Bolin, Oscar Ray ⁵	Fotopoulos, Konstantios X.	Lamarca, Anthony
Booker, Stephen Todd	Franqui, Leonardo ⁶	Lambrix, Cary Michael
Bowles, Gary Ray	Freeman, John D.	Lawrence, Gary
Branch, Eric Scott	Gamble, Guy R.	Lawrence, Jonathan Huey
Brown, Paul Alfred	Gaskin, Louis B.	Lightbourne, Ian Deco
Burns, Daniel Jr.	Gonzalez, Ricardo	Looney, Jason
Card, James Armand	Gordon, Robert	Lott, Ken Eldon
Cave, Alphonso	Griffin, Michael Allen	Lucas, Harold
Cole, Loran	Grim, Norman	Lugo, Daniel
Connor, Seburt	Gudinas, Thomas Lee	Mansfield, Scott
Consalvo, Robert A.	Haliburton, Jerry Leon	Marquard, John Christopher
Correll, Jerry William*	Hamilton, Richard Eugene	Marshall, Matthew
Cox, Allen Ward	Hannon, Patrick	McDonald, Meryl S.
Cumming-El, Frederick W.	Harvey, Harold Lee Jr.	Mendoza, Marbel
Dailey, James Milton	Heath, Ronald Palmer	Morris, Robert D.
Darling, Dolan Carlton	Herring, Ted	Morton, Alvin Leroy
Davis, Adam William	Hertz, Guerry Wayne	Nelson, Micah
Dessaure, Kenneth	Hodges, George Michael	Oats, Sonny Boy, Jr.
Dillbeck, Donald David	Hunter, James Eugene	Occhicone, Dominick A.

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Owen, Duane Eugene	Rodriguez, Manuel Antonio	Taylor, Perry Alexander
Pace, Bruce Douglas	Rogers, Glen Edward	Thompson, William Lee
Pagan, Alex	Rose, Milo A.	Trepal, George
Peterka, Daniel Jon	San Martin, Pablo	Trotter, Melvin
Philmore, Lenard James	Scott, Paul William	Troy, John
Pietri, Noberto	Shere, Richard Earl Jr.	Turner, William Thaddeus
Ponticelli, Anthony John	Sireci, Henry	Wainwright, Anthony Floyd
Pooler, Leroy	Sliney, Jack R.	Walls, Frank A.
Pope, Thomas Dewey	Smithers, Samuel L.	Walton, Jason Dirk
Puiatti, Carl	Sochor, Dennis	White, William Melvin
Quince, Kenneth Darcell	Spann, Anthony A.	Whitfield, Ernest
Randolph, Richard Barry	Spencer, Dusty Ray	Windom, Curtis
Reed, Grover B.	Stephens, Jason Demetrius	Wright, Joel Dale
Reese, John Loveman	Stewart, Kenneth Allen	Zack, Michael Duane, III
Rhodes, Richard Wallace	Suggs, Ernest	Zakrzewski, Edward J., II
Robinson, Michael Lee	Sweet, William Earl	Zeigler, William Thomas, Jr.

*Existing death warrant

In addition to the individuals listed above, the following individuals under a sentence of death have completed the initial postconviction proceedings in state court but do not appear to have timely filed a federal habeas corpus petition within the time frame allowed.

Jones, Marvin Burnett
Krawczuk, Anton J.

Miller, David Jr.
Rose, James Franklin

Finally, the following individuals are without a complete first state postconviction process and a first federal habeas corpus but they have no current case activity in any court. Some listed in this section have filed pursuant to Rule 3.851(i) of the Florida Rules of Criminal Procedure and their postconviction proceedings were dismissed and collateral counsel was discharged. Others appear to have waived their right to further litigation.

Gill, Ricardo I.
James, Edward T.
Jeffries, Sonny

Muehleman, Jeffrey
Rodgers, Jeremiah M

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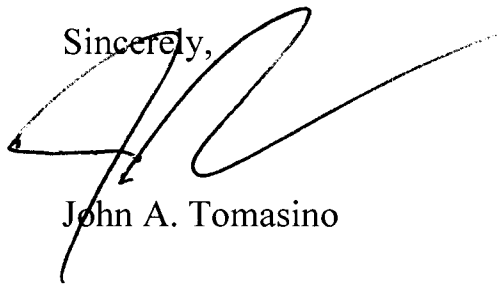
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Many of the individuals on these lists may have so called “successive” postconviction matters pending relating to their death sentence at some level in either state or federal court. Those individuals are not specifically identified here because it appears those pending matters are irrelevant to the determination of whether they should be included on the certification list.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'John A. Tomasino', written over the word 'Sincerely,'.

John A. Tomasino

JAT/TW/vbv

1. I am not sure what legal effect the words “allowed the time permitted” to expire has compared to “the time has expired.” I have included on this list those persons where the time has, in my opinion, expired. I do not know if the individuals “allowed” it to expire.

2. The majority of this information comes from sources other than Florida Supreme Court case files. I believe the information is accurate but cannot say it is not subject to dispute. It also involved a number of judgments in which reasonable people could reach different results.

3. The list is in alphabetical order by last name.

4. The statute uses the phrase “convicted and sentenced to death.” I have not included individuals on this list who have been convicted and sentenced to death and who have also completed the initial rounds of review but who are not currently under a sentence of death because they have been granted a new trial or new sentencing hearing but that new proceeding has not yet been completed.

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5. Mr. Bolin has two death cases one from Hillsborough County and one from Pasco County. One sentence (Pasco County) meets the qualification for certification; the other does not.

6. Mr. Franqui has two death cases both from Miami-Dade County. One sentence meets the qualification for certification; the other does not.