

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR HARDEE, HIGHLANDS AND POLK COUNTIES, FLORIDA

**SPECIAL ORDER**

**AMENDING SPECIAL ORDER ENTITLED "IN RE: CREATION OF NEW FELONY DIVISIONS AND REASSIGNMENT OF FIRST-DEGREE HOMICIDE AND JIMMYRYCE CASES" ENTERED SEPTEMBER 26, 2005 AND FIRST AMENDMENT TO THAT ORDER DATED OCTOBER 26, 2005**

WHEREAS, the Court has determined that the assignment and management of first-degree murder cases in the Tenth Judicial Circuit, as addressed in two previous special orders, needs further clarification; it is hereby ORDERED as follows:

All "Murder" cases, of whatever degree, shall first be assigned as set forth in [Administrative Order No. 2-33.0](#), entitled "Providing System For Random Assignment of First Degree Murder Cases" and in [Administrative Order No. 2-5.5](#), entitled "Providing System for Random Assignment of Felony Cases." If an indictment has already been filed for first degree murder or when an indictment is filed for first degree murder, the case shall immediately be re-assigned to Felony Division F9 (F9); and

F9 shall manage all First Degree Murder cases; and

If the Office of the State Attorney for the Tenth Circuit announces that the death penalty will not be sought in the case, F9 shall continue to manage that case, which shall be referred to as a "non-death case"; and

Any First Degree Murder cases, wherein the death penalty is not being sought (non-death case), which are set for a jury trial of five days or less shall be coordinated as to the date of the trial by F9 with the originally assigned Felony Division; and

In the event F9 cannot try a non-death case because the judge assigned to F9 is conducting another trial, then the non-death case will be temporarily assigned to the originally assigned Felony Division for purposes of trial and sentencing. If for any reason the case cannot be concluded in that trial cycle, further proceedings are to be managed by F9.

DONE AND ORDERED on this 20<sup>TH</sup> day of December 2005.

RONALDA A. HERRING

Chief Judge