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IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT, IN AND FOR ORANGE COUNTY, FLORIDA

STATE OF FLORIDA
Plaintiff,

v.

WILLIAM THOMAS ZEIGLER
Defendant.
_____/

CASE NO.: 1976-CR-1076
1976-CR-1082
1988-CR-5355
1988-CR-5356

STATE'S RESPONSE TO MOTION FOR POST CONVICTION DNA TESTING

COMES NOW, the State of Florida and files its response to the Defendant's Motion for DNA Testing Pursuant to Fla. Stat. § 925.11(1)(a). For the reasons set out below, that motion should be denied.

THE FACTS OF THE CASE

Zeigler was convicted of the murder of four people in Winter Garden on Christmas Eve, December 24, 1975 -- two of those convictions were for first-degree murder and resulted in death sentences. Since that time, Zeigler has filed numerous post conviction motions, including multiple prior motions seeking DNA testing. The procedural history of the case is summarized in the most recent Florida Supreme Court opinion on the issue of DNA testing:

> In 1976, Zeigler was convicted of the first-degree murders of Eunice Zeigler, his wife, and Charlie Mays, a friend, and the second-degree

murders of his in-laws, Perry and Virginia Edwards." *Zeigler v. State*, 654 So. 2d 1162, 1163 (Fla. 1995). The facts are set forth in the Court's opinion on direct appeal. *See Zeigler v. State*, 402 So. 2d 365, 367–68 (Fla. 1981), *cert. denied*, 455 U.S. 1035, 102 S.Ct. 1739, 72 L.Ed.2d 153 (1982). Zeigler pursued postconviction relief in numerous state court proceedings, and we ordered resentencing in *Zeigler v. Dugger*, 524 So. 2d 419 (Fla. 1988). Zeigler's resentencing occurred in 1989, and we affirmed Zeigler's two death sentences on appeal. *Zeigler v. State*, 580 So. 2d 127 (Fla. 1991), *cert. denied*, 502 U.S. 946, 112 S.Ct. 390, 116 L.Ed.2d 340 (1991).

Subsequently, Zeigler filed another postconviction motion and a motion requesting the re-examination and DNA testing of certain evidence. *See Zeigler*, 654 So. 2d at 1163. We affirmed the trial court's denial of Zeigler's postconviction motion and the trial court's decision that Zeigler's DNA claim was procedurally barred. *Id*. at 1164. We then stated the following regarding Zeigler's DNA claim:

> Even if there were no procedural bar, we do not believe that Zeigler has presented a scenario under which new evidence resulting from DNA typing would have affected the outcome of the case. Zeigler admitted that he was at the scene of the crime, and there is no dispute that his blood as well as the blood of the four victims was present at the crime scene. The State's case was not entirely circumstantial, and in order to accept Zeigler's theory of the case, the jury would have had to disbelieve at least three witnesses who testified at the trial. Zeigler's request for DNA typing is based on mere speculation and he has failed to present a reasonable hypothesis for how the new evidence would have probably resulted in a finding of innocence. *See Jones v. State*, 591 So. 2d 911, 915 (Fla. 1991) (The standard for a new trial based on newly discovered evidence is whether the evidence "would probably produce an acquittal on retrial."). Acknowledging that the issue before us is whether Zeigler should be allowed to subject the evidence to DNA testing rather than whether he should be granted a new trial based on newly discovered DNA evidence, we

> find that even if the DNA results comported with the scenario most favorable to Zeigler, he still would not have been able to show that the evidence would have probably produced an acquittal.

Id. (second emphasis added).

Subsequently in 2001, Zeigler filed a motion for DNA testing for the purposes of clemency proceedings and argued that: (1) identifying the source of the blood on Mays' clothing as the blood of Eunice or Perry could show that Mays was the perpetrator; (2) testing could reveal Zeigler's blood throughout the store, which would discredit the State's claim that he was not shot in the store; (3) identifying the source of the blood on Zeigler's clothes could cast doubt on the State's claim that he had the blood of the victims on his clothing and was therefore involved in the murders; and (4) identifying the source of several hairs found in the store might reveal whether Felton Thomas was in the store on the night of the murders, contradicting his testimony at trial. This time Zeigler's motion for DNA testing was granted.

After testing was completed, Zeigler filed a motion to vacate his sentences based on the newly discovered evidence and a motion to authorize (nunc pro tunc) DNA testing under rule 3.853. Zeigler argued that the DNA results demonstrated that Perry's blood was not on Zeigler's shirt, which allegedly contradicted the State's theory that Zeigler murdered Perry, and that whoever murdered Perry murdered the others. Furthermore, he argued that the DNA results revealed Perry's blood was on Mays' pants, which corroborated Zeigler's trial testimony that Mays was a perpetrator rather than a victim. The trial court denied the motion, and we affirmed. *See Zeigler v. State*, 967 So. 2d 125 (Fla. 2007).

Specifically, in 2007, we agreed with the trial court's findings that the presence of Perry's blood on Mays' clothing did not conclusively establish that Mays was the perpetrator and Zeigler was the victim because Mays and Perry were found near each other and, "if Mays were involved in a struggle with [Zeigler] while in close proximity with Perry's bloodied body, it would not be surprising that Perry's blood ended up on Mays' shoes and pants during the altercation." *Id*.

> at 130. Additionally, we agreed with the trial court's finding that "the presence of Mays' blood, and the absence of Perry's, on [Zeigler's] t-shirt does not conclusively show that [Zeigler] did not hold Perry in a headlock and beat him." *Id*. Furthermore, we noted that "in 1995 this Court came to the same conclusion as the trial court while assuming that the DNA evidence would prove more favorable to Zeigler than it actually did." *Id*. at 131.
>
> Then, in 2009, Zeigler filed a motion for DNA testing under Florida Rule of Criminal Procedure 3.853, requesting to test his shirts; Mays' shirts and shoes; Perry's shirt, pants, tie, tie clip, and fingernails; and Eunice Zeigler's clothing. Zeigler argued that DNA testing of these items will show (1) that Perry's blood is not on his clothing, which will demonstrate that he did not kill Perry; (2) that Perry's blood is on Mays' clothing, which demonstrates that Mays was the perpetrator and renders the trial testimony of Felton Thomas unreliable; and (3) that the blood spatter on his shirt is not attributable to the beating of Mays. Following the evidentiary hearing, the circuit court denied Zeigler's motion.

Zeigler v. State, 116 So. 3d 255, 256-57 (Fla. 2013). The Florida Supreme Court affirmed the trial court's denial of Zeigler's motion for postconviction DNA testing. *Id*. at 260.

THE PRIOR DNA TESTING

Zeigler's latest motion is his **fifth** request for DNA testing. This motion includes a request to test the inner and outer shirts that he wore on the night of the murders, **even though both shirts have already been tested for DNA**. In addition, Zeigler repeats requests for DNA testing that this Court has previously denied (and which the Florida Supreme Court upheld), including the testing of the clothing of Eunice Zeigler and Perry Edwards, as well as Edwards' fingernails.

Zeigler has not shown how he is entitled to any additional DNA testing. To illustrate how Zeigler is restating arguments that he has previously made, it is necessary to review his prior court filings on this issue.

The First DNA Request.

In 1994, Zeigler filed a motion requesting the release of evidence and the appointment of an expert so that bloodstained evidence could be re-examined using modern DNA testing procedures. *Zeigler v. State*, 654 So. 2d 1162, 1163 (Fla. 1995). Zeigler argued that DNA testing may rebut the State's hypothesis that the type "A" bloodstains found on Zeigler's clothing originated from a struggle with Mays or Edwards. *Id*. at 1163-4. The Florida Supreme Court affirmed the trial court's denial of DNA testing, saying:

> We agree with the trial court that Zeigler's DNA claim is procedurally barred. Assuming for the sake of argument that the more sophisticated PCR method was not in use when *Andrews* was decided, Zeigler concedes that the method was available in 1991. Therefore, he should have raised the claim in his pending motion for postconviction relief in order to avoid the procedural bar of successive motions. Instead, he waited in excess of two years before first raising the claim in 1994. *See Adams v. State*, 543 So. 2d 1244 (Fla. 1989) (motions for postconviction relief based on newly discovered evidence must be raised within two years of such discovery).
>
> Even if there were no procedural bar, **we do not believe that Zeigler has presented a scenario under which new evidence resulting from DNA typing would have affected the outcome of the case. Zeigler admitted that he was at the scene of the crime, and there is no dispute that his blood as well as the blood of the four victims was present at the crime scene. The State's case was not entirely**

> **circumstantial, and in order to accept Zeigler's theory of the case, the jury would have had to disbelieve at least three witnesses who testified at the trial. Zeigler's request for DNA typing is based on mere speculation and he has failed to present a reasonable hypothesis for how the new evidence would have probably resulted in a finding of innocence.** *See Jones v. State,* 591 So .2d 911, 915 (Fla. 1991) (The standard for a new trial based on newly discovered evidence is whether the evidence "would *probably* produce an acquittal on retrial."). Acknowledging that the issue before us is whether Zeigler should be allowed to subject the evidence to DNA testing rather than whether he should be granted a new trial based on newly discovered DNA evidence, we find that even if the DNA results comported with the scenario most favorable to Zeigler, he still would not have been able to show that the evidence would have probably produced an acquittal.

Zeigler v. State, 654 So. 2d 1162, 1164 (Fla. 1995). (emphasis added).

The Second DNA Request.

In 2001, Zeigler filed a motion asking to test evidence for DNA for clemency proceeding purposes. In the Defendant's Motion for Release of Certain Evidence for DNA Testing, Zeigler argued that "identifying the source of blood on Zeigler's clothing could cast doubt upon the State's suggestion that Zeigler had the blood of victims on his shirt and thus was somewhat involved in committing the murders." *Defendant's Motion for Release of Certain Evidence for DNA Testing* at 3, 4.

The motion was granted and several pieces of evidence, including both of Zeigler's shirts identified as Exhibit 16-1 and Exhibit 16-4, were ordered released for testing. *Order Releasing Evidence for Testing*. The test results showed that a

cutting taken from the left pocket area of Zeigler's red shirt excluded Perry but did not exclude Mays as the source. A cutting from the left armpit of Zeigler's t-shirt revealed only one genetic marker which was consistent with Mays and excluded Perry.

The Third DNA Request.

In 2003, Zeigler filed a Motion to Vacate Convictions based upon Newly Available Evidence and a Motion to Authorize (*Nunc Pro Tunc*) DNA Testing Under Rule 3.853. An evidentiary hearing was held and the trial court subsequently denied Zeigler's motion, finding that "even if the alleged newly discovered evidence resulting from the DNA testing had been admitted at trial, there is no reasonable probability that Defendant would have been acquitted." *Order Denying "Motion to Vacate Convictions Based Upon Newly Available Evidence" After Evidentiary Hearing* at 13. The court noted that Zeigler admitted to being at the crime scene, that there was no dispute that his blood and the blood of the four victims were present at the scene, and that "[a]lthough the DNA testing identified, in some cases, *whose* blood was on the clothing of both Defendant and Mays, it did not conclusively eliminate Defendant as the perpetrator of the crimes." *Id*. The court also noted that even though all the stains on the shirt were not tested, **testimony was adduced that if the spatters on Defendant's shirt came from Mays, Defendant was the one who beat Mays to death and that no findings**

were introduced which contradicted that testimony. *Id*. at 14. The trial court's ruling was affirmed by the Florida Supreme Court. *Zeigler v. State*, 967 So. 2d 125 (Fla. 2007).

The Fourth DNA Request.

In 2009, Zeigler filed a Petition for DNA Testing Pursuant to *Fla. Stat*. § 925.11(1)(a), requesting DNA testing of his inner and outer shirts; Mays' shirts and shoes; Perry's shirt, pants, jacket, tie, tie clip and fingernails; and Eunice Zeigler's clothing. In the petition, Zeigler argued that the "testing of my shirts will be on those areas referenced by the State during the evidentiary hearing – spotting on my outer red shirt, and additional points on the underarms of both shirts. While my shirts have previously been tested for DNA, these specific areas have not. The other evidence listed above has not been previously tested for DNA." *Petition for DNA Testing Pursuant to Fla. Stat. Fla. Stat. § 925.11(1)(a)* at 6.

An evidentiary hearing was held in 2011 and the trial court denied Zeigler's motion. The court noted the testimony of defense witness, Paul Kish, a forensic consultant and bloodstain pattern analyst, who, while recommending additional testing of various areas of Zeigler's red shirt and trousers, **testified that no other items needed to be tested and there was no reason that the crucial areas that he identified on Zeigler's shirt could not have been previously tested**. *Order Denying Successive "Petition for DNA Testing Pursuant to Fla. Stat. §*

925.11(1)(a)" at 2-3. The trial court ruled that no additional DNA testing was warranted, that Zeigler was merely seeking to retest some of the same items that have already been tested, and that any items which were not previously tested could have been tested prior to the time he filed his January 2003 motions to authorize testing and/or to vacate his convictions based upon newly available evidence. *Id*. at 3.

In affirming the trial court's denial of the motion, the Florida Supreme Court held that the request was procedurally barred by collateral estoppel and, if the claim was not barred, Zeigler failed to demonstrate how the results of additional DNA testing would give rise to a reasonable probability of acquittal or a lesser sentence. *Zeigler*, 116 So. 3d at 258.

> In this case, Zeigler has not met his burden of showing how the results of the DNA testing would give rise to a reasonable probability of a different outcome. First, he fails to present any viable arguments why more testing that shows more absence of Perry's blood on Zeigler's clothing would negate our previous conclusion that the absence of Perry's blood on Zeigler's clothing does not establish that he was not the perpetrator. Additionally, although Mr. Kish, a bloodstain expert, testified at the 2011 evidentiary hearing that he believed the six spatter samples he had selected on Zeigler's clothing for additional testing would reveal whether Zeigler was in close proximity to Perry when he died, we conclude that the absence of Perry's blood in these areas would not prove that Zeigler was not the perpetrator. Kish acknowledged at the evidentiary hearing that, even though the areas he selected for additional testing on Zeigler's clothing were intended to result in a representative sampling of all the blood spatter stains on the garment, there was no way to know for sure that all of the contributors to the blood on Zeigler's clothing would be identified

unless every single bloodstain was tested. And Mr. Weiss, an expert in DNA identification, testified at the previous evidentiary hearing in 2004, that "it was possible to miss blood on the shirt, due to deterioration and improper storage" and that "[i]t was also possible to have a mixed stain, from multiple contributors, in the same area." *Zeigler*, 967 So. 2d at 130 (quoting trial court order). Therefore, even if additional testing on the six areas again revealed the absence of Perry's blood, it still would not give rise to a reasonable probability of acquittal or a lesser sentence.

Second, Zeigler has failed to explain how further testing of Mays' clothing and the discovery of more of Perry's blood on Mays' clothing would give rise to a reasonable probability of acquittal or a lesser sentence. We previously stated that the presence of Perry's blood on Mays' clothing did not prove that Zeigler was not the perpetrator because, "if Mays were involved in a struggle with [Zeigler] while in close proximity with Perry's bloodied body, it would not be surprising that Perry's blood ended up on Mays' shoes and pants during the altercation." *Id.* at 130 (quoting trial court order). Moreover, the bloodstain expert testified at the 2011 evidentiary hearing that he had examined Mays' clothing and shoes and did not believe that additional testing needed to be performed on these items.

Third, Zeigler has failed to explain how further testing on his shirts and the discovery of more of Mays' blood on his shirt will give rise to a reasonable probability of acquittal or lesser sentence when the prior testing already determined that Mays' blood is on Zeigler's shirt, and we found this was not exculpatory. *See id*. Furthermore, Zeigler completely fails to address how DNA testing of Perry's clothing, tie, tie clip, and fingernails, and Eunice Zeigler's clothing will exonerate him or mitigate his sentence.

Zeigler v. State, 116 So. 3d 255, 259-60 (Fla. 2013).

THE LATEST MOTION FOR DNA TESTING IS PROCEDURALLY BARRED[1]

In his latest motion, Zeigler simply relitigates arguments that have previously been denied. Collateral estoppel again bars the claim. In Florida, the doctrine of collateral estoppel bars relitigation of the same issues between the same parties in connection with a different cause of action. *Topps v. State*, 865 So. 2d 1253, 1255 (Fla. 2004). Zeigler's motion raises the same issues that he has previously argued or has had the opportunity to argue. In 2001, Zeigler asked that his clothing be tested for DNA. In 2003, he asked, *nunc pro tunc*, that his shirts be tested for DNA. In 2009, Zeigler requested the testing of several items, including his inner and outer shirts; Perry's shirt, pants, jacket and fingernails; and Eunice Zeigler's clothing. Zeigler is now asking, again, that these same items be tested for DNA. In this latest motion, Zeigler asks that "every single bloodstain" on his red outer shirt and his white t-shirt, **identified as State's Exhibits 16-1 and 16-4**, be tested for DNA, including all spots that could be blood but have never been identified as such.

[1] The Florida Supreme Court's 2013 decision was released on February 21, 2013, and became final for all purposes when rehearing was denied on June 11, 2013. Zeigler does not explain why he waited two (2) years before filing his latest DNA motion.

The true facts are that Zeigler has had an opportunity since 2001 to have "every single bloodstain" on both shirts tested. In the November 19, 2001 Order releasing the evidence for testing, the trial court said the following in paragraph 4:

> The defendant shall have sole authority to direct the scope and nature of the testing of the evidence released at his request, described in paragraph 2. The State shall have sole authority to direct the scope and nature of the testing of the evidence released at its request, described in paragraph 3. Each party shall have the right to designate for testing additional samples from the evidence selected by the other.

Paragraph 2 of that Order, which described Zeigler's request for items to be tested, **included State's Exhibit 16-1**, and Paragraph 3 of the order, which described the State's request for testing, **included State's Exhibit 16-4**. Thus, the Order gave Zeigler, in 2001, the opportunity to have "every single bloodstain" tested on the shirt that he asked to be tested for DNA and to designate for testing additional samples from the shirt that the State wanted tested for DNA. While Zeigler argues in his Motion that the testing of his shirts was limited to the specific areas pointed to at trial as evidence of his guilt, he fails to admit that he limited himself to those areas **despite the trial court's Order specifically giving him the opportunity to expand the scope of the testing on either shirt**. Zeigler had the opportunity, in 2001, to have the testing done that he is now requesting. He should not be heard to complain for not taking advantage of that opportunity.

Under *Fla. R. Crim. P.* 3.853(b)(2), the motion for postconviction DNA testing must include, *inter alia*, a statement that the evidence was not previously tested for DNA, or a statement that the results of previous DNA testing were inconclusive and that subsequent scientific developments in DNA testing techniques likely would produce a definitive result establishing that the movant is not the person who committed the crime. *Fla. R. Crim. P.* 3.853(b)(2). Zeigler cannot argue that his inner and outer shirts were not previously tested for DNA because the testing was done following the 2001 Order.

Furthermore, the motion does not include the required statement that the results of the previous DNA testing were inconclusive. Instead, Zeigler argues the opposite – that the "[t]he results of that testing severely undermined the prosecution's entire theory of the murders – and directly exculpated Zeigler from the murder of Perry Edwards." *Motion for DNA Testing Pursuant to Fla. Stat. §925.11(1)(a)* at 7. That statement is, at best, irrelevant to the motion before the Court.

Zeigler also has not demonstrated how subsequent scientific developments in DNA testing techniques would likely produce a definitive result establishing his innocence. While Zeigler argues that he wants the shirts tested for "touch DNA" and that the testing be done using "mini-STR" technology, Zeigler has not demonstrated how the use of either of these technologies would lead to an acquittal

or lower sentence. "[A] movant, in pleading the requirements of rule 3.853, must lay out with specificity how the DNA testing of each item requested to be tested would give rise to a reasonable probability of acquittal or a lesser sentence." *Hitchcock v. State*, 866 So. 2d 23, 27 (Fla. 2004). "In order for the trial court to make the required findings, the movant must demonstrate the nexus between the potential results of DNA testing on each piece of evidence and the issues in the case." *Id*. Other than stating that he wants his shirts tested for "touch DNA" and the testing to be done using "mini-STR" technology, Zeigler has not demonstrated the evidentiary value of retesting the shirts or how the testing would exonerate him or mitigate his sentence.

DNA testing is not needed to determine if Zeigler was at the scene of the crime because there is no dispute that Zeigler was present in the store and that his blood, as well as the blood of the four victims, was present at the scene. Any argument regarding what impact testing for "touch DNA" or using newer technology to test the evidence would have is purely speculation and does not point to any difference additional testing would make.

Zeigler argues that "touch DNA" testing of Perry Edwards' fingernails and clothing *may* also shed significant light on the murders. *Motion for DNA Testing Pursuant to Fla. Stat. §925.11(1)(a)* at 12, with emphasis added. In *Hitchcock*, where the defendant argued what DNA testing *may* show, the Florida Supreme

Court stated that "such a speculative claim cannot support the granting of postconviction DNA testing." *Hitchcock*, 866 So. 2d at 26. Similarly, Zeigler is arguing pure speculation in regards to the value of any DNA testing on Edwards' fingernails and clothing. He states in the Motion (without factual support) that "[a] person involved in a beating such as that which Mr. Edwards suffered *typically* fights back, causing the DNA of their attacker to become lodged in their fingernails." *Motion for DNA Testing Pursuant to Fla. Stat. §925.11(1)(a)* at 12, with emphasis added. He further argues that "[i]f Zeigler murdered Mr. Edwards, touch DNA testing *should* reveal Zeigler's DNA on Edwards' shirt and jacket sleeves." *Id*., with emphasis added. Zeigler has provided no proof that Perry Edwards fought back, as he argues, or that that there was any evidence found under his fingernails. The Defendant's motion illustrates that he is simply on a fishing expedition. *See, Hitchcock, supra*; *Consalvo v. State*, 3 So. 3d 1014, 1016 (Fla. 2009).

In addition, Zeigler has now added two guns – the RG guns - to the latest list of items to be tested for DNA. While Zeigler argues that "touch DNA" testing of the guns is critical to his case, there is no reasonable explanation given as to why he has not previously requested that these guns be tested, particularly if the testing of the guns is critical as he now argues. Furthermore, Zeigler has not demonstrated in his motion how testing the guns would lead to a reasonable probability of

acquittal or a lesser sentence. While he argues that the "touch DNA" testing will prove that Zeigler did not clean and maintain those guns and that the testing will **likely** also prove that Edwards Williams cleaned, maintained and owned the guns, *Id*. at 11, Zeigler's arguments do not explain how the cleaning, maintenance, or ownership of the guns is relevant to whether he committed the murders. Zeigler has not shown how the testing of the guns would exonerate him or lessen his sentence.

Under Rule 3.853, Zeigler "must lay out with specificity how the DNA testing of each item requested to be tested would give rise to a reasonable probability of acquittal or a lesser sentence." *Hitchcoc*k, 866 So. 2d at 27. "In order for the trial court to make the required findings, the movant must demonstrate the nexus between the potential results of DNA testing on each piece of evidence and the issues in the case." *Id*. Zeigler has not demonstrated such a nexus.

CONCLUSION

When stripped of its pretensions, the latest DNA motion is the same motion for DNA testing that Zeigler has filed four times before. Zeigler seeks the same relief on the same grounds that have been decided adversely to him on several occasions. In the 2013 decision affirming the denial of Zeigler's prior DNA motion, the Florida Supreme Court said:

> In his present motion, Zeigler is seeking additional DNA testing based on variations of the same arguments he made in his previous motion for DNA testing in 2001, and we already affirmed the circuit court's decision of these issues against him in *Zeigler*, 967 So. 2d at 125.

Zeigler v. State, 116 So. 3d at 258 (Fla. 2013). Nothing has changed with the filing of the latest motion, which is also collaterally estopped. This Court should deny the motion on that basis.

Zeigler's argument that testing will prove beyond any doubt that he could not have committed the murders has no basis in fact. Zeigler was convicted with competent, substantial evidence and he has failed to establish a reasonable probability as to how the DNA testing he requests would prove or negate a material fact. The motion should be denied.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic transmission via e-portal, to the Office of the Clerk Ninth Judicial Circuit; Javier Peral, II, Esq., Hogan Lovells US LLP, javier.peral@hoganlovells.com, 600 Brickell Ave., Suite 2700, Miami, Florida 33131; John Houston Pope, Esq., Epstein Becker & Green, P.C., jhpope@ebglaw.com, 250 Park Ave., New York, New York 10177; Dennis H. Tracey, III, Esq. , email: dennis.tracey@hoganlovells.com, David R. Michaeli, Esq. , email: david.michaeli@hoganlovells.com , Hogan & Hartson, L.L.P., 875

Third Ave., New York, New York 10017 and **U.S. mail to:** The Honorable Reginald Whitehead, Circuit Court Judge, 425 N. Orange Ave., Orlando, FL on this 23rd day of September, 2015.

Respectfully submitted,

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