

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY, FLORIDA
CASE NO.: CRC21-01513CFANO
CRC21-01099CFANO**

STATE OF FLORIDA,

v.

CORNELIUS WHITFIELD,
PID: 1566510, Defendant.

STATE'S MOTION TO DISQUALIFY

Comes now, the State of Florida, by and through the undersigned Assistant State Attorney, and moves for the disqualification of the Honorable Philip J. Federico from these cases pursuant to Florida Rule of General Practice and Judicial Administration 2.330 and section 38.10, Florida Statute. In support of the motion, the State asserts the following facts and legal analysis:

1. An Indictment for 3 counts of First-Degree Murder, along with other charges, was filed in case number 21-01513Cf on March 5, 2021. Additionally, a Notice on Intent to Seek the Death Penalty was filed on March 17, 2021.

2. An Indictment for one count of First-Degree Murder, along with other charges, was filed in case number 21-01099CF on March 5, 2021.

3. If able to secure a conviction for a qualifying offense in case number 21-01099CF, the State intends to use that conviction as an aggravator to support the death penalty in case number 21-01513CF.

4. On July 16, 2026, the Defense sent the State a letter offering life in prison to resolve both cases.

5. These cases have appeared on the court's docket and/or been discussed simultaneously on all prior court appearances.

6. On July 17, 2026, at a pre-trial hearing, Judge Philip J. Federico displayed his bias in favor of a life sentence over the Death Penalty and began advocating under the guise of practicality. A transcript from the pre-trial hearing has been attached as exhibit A and is incorporated by reference. The State asserts that transcript should be used as a whole to provide the basis for the court's bias and context for the court's statements. Some specifics statement's the court made are as follows:

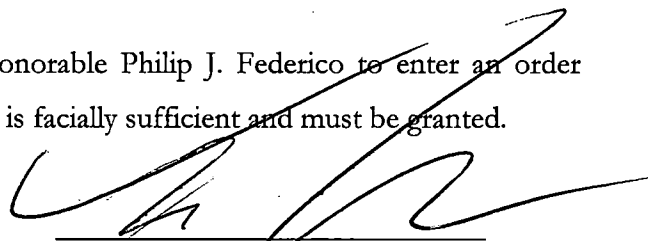
- a. So the question is what do we do now? Do we – do we – your perceived feeling or animosity about how we’ve gotten here is going to preclude us from having an honest conversation about what the best result is?
 - b. You get a conviction on a first-degree murder, I’ve – I’ve heard what the aggravation [and] mitigation is. Right?
 - c. Ultimately I’m going to have to call what the vote is at some point and then based on the vote make a call on what the answer is unless we go through all of this and get a life [rec]. Right?
 - d. So literally I’m the one – I’m the one going to be in the box on a couple different issues. Right? Is that fair?
 - e. So my advocating is for not having to make a bunch of new law between the Florida and the U.S. Supreme court long after I’m gone...
 - f. There’s a simple way to solve all of that with no appeals and it’s done.
 - g. I’m not advocating because I think that’s what the result should be. I’m advocating or I’m saying what I think the practicalities are.
7. On July 24, 2026, at a pre-trial hearing Judge Philip J. Federico again displayed his bias in favor of a life sentence over the Death Penalty. A transcript from the pre-trial hearing has been attached as exhibit B and is incorporated by reference. The State asserts that transcript should be used as a whole to provide the basis for the court’s bias and context for the court’s statements. Some specific statement’s the court made are as follows:
- a. *In response to the State saying he qualifies for the death penalty and deserves the death penalty.* Your office is the only one that feels that way. Right?
 - b. Ultimately, you can seek it, but ultimately a jury has to decide and then ultimately, while I have to give it great weight, I’m the one that has to make that decision if we get to that point. Correct?
 - c. And we are still so far from that point we’re literally to spend tens of thousands of dollars if not hundreds of thousands of dollars. He’s willing to accept responsibility and never be released from prison again...
 - d. So the end. Period. Right? That could be today. Put a period at the end of it.
 - e. *When the State asked the court to reflect about whether the court could be fair to the State, the Judge raised his voice and stated:* Go talk to Bartlett. You want to file a motion? File a damn motion.... We don’t like what the judge has had to say so we’re

going to get another damn Judge... I'll put my 43 years up against anybody else. You don't think I'm being fair... you get with Mr. Bartlett hiding behind the curtain down there and ask him whether he wants that done... The man behind the curtain. The Great Oz. you talk to him and let him decide what he wants to do. Right? You had started it... I'll finish it. You do what you damn please as far as that's concerned.

LEGAL ANALYSIS

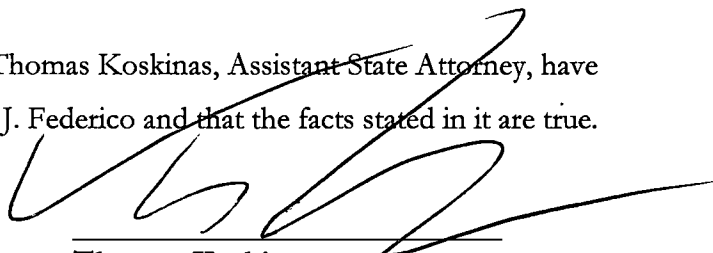
Any party, including the State, may move to disqualify a judge in a case. Fla. R. Jud. Admin. 2.320(b) (2022). A motion to disqualify must be in writing, sworn to by both the party and the party's attorney, with specific facts and the date the facts were discovered. Fla. R. Jud. Admin. 2.320(c). Thus, a legally sufficient motion to disqualify must contain "a verified statement of the specific facts which indicate a bias or prejudice" and be made in a timely manner. Livingston v. State, 441 So. 2d 1083, 1086 (Fla. 1983). Legal sufficiency is "whether the facts alleged would place a reasonably prudent person in fear of not receiving a fair and impartial trial." Id. at 1987. A motion is timely if filed "20 days after discovery by the party... of the facts constituting the grounds for the motion." Fla. R. Jud. Admin. 2.320(g). The judge ruling on the motion "may only determine whether the motion is legally sufficient and is not allowed to pass on the truth of the allegations." Livingston, 441 So. at 1086. The motion should be reviewed from the perspective of the party filing the motion. Jimenez v. Ratine, 954 So. 2d 706, 708 (Fla. 2d DCA 2007). A party need not show actual bias or prejudice; instead, a judge needs to disqualify herself when there is an appearance of bias or prejudice. State v. Olin, 183 So. 3d 1161, 1163 (Fla. 3d DCA 2016). The bias/prejudice can be toward a party or the parties' attorneys. JJN FLB, LLC v. CFLB Partnership, LLC, 283 So. 3d 922, 926-27 (Fla. 3d DCA 2019). In the present case, the totality of the circumstances and comments by Judge Philip J. Federico create a reasonable fear of bias against of the State of Florida for continuing to pursue the Death Penalty.

WHEREFORE, the State moves for the Honorable Philip J. Federico to enter an order granting the motion to disqualify because this motion is facially sufficient and must be granted.



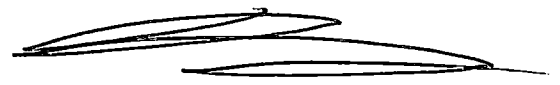
Thomas Koskinas
Assistant State Attorney
Sixth Judicial Circuit
Bar No. 181374
P.O. Box 17500
Clearwater, FL 33762-0500
(727) 464-6221

Under penalties of perjury, I declare that I, Thomas Koskinas, Assistant State Attorney, have read the foregoing motion to disqualify Judge Philip J. Federico and that the facts stated in it are true.



Thomas Koskinas
Assistant State Attorney

The foregoing instrument was acknowledged before me this 6th day of August 2026, by Thomas Koskinas who is personally known to me and who did take an oath.



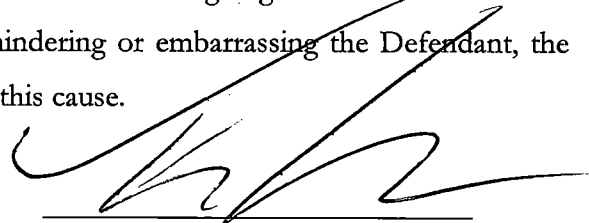
Notary Public





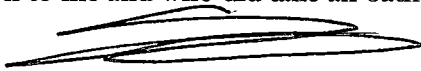
CERTIFICATE OF GOOD FAITH

Pursuant to Florida Rule of General Practice and Judicial Administration 2.330(c), the undersigned Assistant State Attorney certifies and swears that the foregoing motion and statements are made in good faith and not for the purpose of hindering or embarrassing the Defendant, the Defense or the Court, nor for the purpose of delaying this cause.

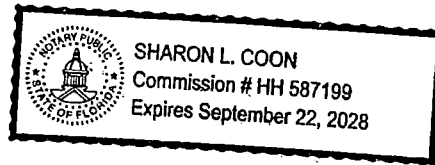


Thomas Koskinas
Assistant State Attorney

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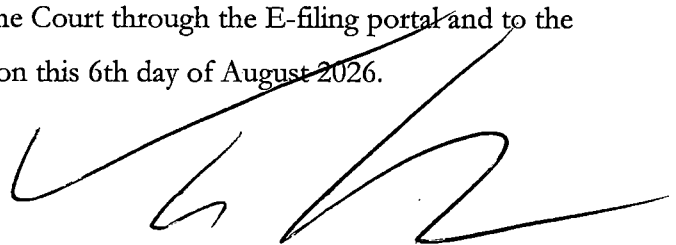


Notary Public



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this Response has been furnished to Public Defenders Office, Attorneys for Defendant and to the Clerk of the Court through the E-filing portal and to the Honorable Philip J. Federico, Circuit Judge, by email, on this 6th day of August 2026.



Thomas Koskinas
Assistant State Attorney

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, PINELLAS COUNTY

STATE OF FLORIDA,

Plaintiff,

Case No. 21-08749-CF

21-01513-CF

vs.

21-01099-CF

CORNELIUS TREVON WHITFIELD,

Defendant.

PROCEEDINGS: Pretrial Hearing

DATE: July 17, 2026

BEFORE: The Honorable Philip J. Federico
Circuit Court Judge

PLACE: Pinellas County Justice Center
14250 49th Street North
Clearwater, Florida 33762

REPORTER: Beth Ellenwood
Digital Court Reporter

Administrative Office of the Courts
Digital Court Reporting Department
Pinellas County Justice Center
14250 49th Street North, Ste. H-2000
Clearwater, Florida 33762
(727) 453-7474

A P P E A R A N C E S

APPEARING ON BEHALF OF THE STATE OF FLORIDA:

Thomas Demetrious Koskinas, Assistant State Attorney
Office of Bruce Bartlett, State Attorney
Sixth Judicial Circuit, Pinellas County
14250 49th Street North
Clearwater, Florida 33762

APPEARING ON BEHALF OF THE DEFENDANT:

Julia B. Seifer-Smith, Assistant Public Defender
Margaret S. Russell, Assistant Public Defender
Office of Sara Mollo, Public Defender
Sixth Judicial Circuit, Pinellas County
14250 49th Street North
Clearwater, Florida 33762

P R O C E E D I N G S

1
2 THE COURT: All right. I got a couple things
3 this morning. Have a seat. Have a seat. Make
4 yourself comfortable. All right. We've got a couple
5 things. We're scheduled for some stuff on our trial
6 for Monday on Mr. Whitfield. Yes?

7 MS. SEIFER-SMITH: Yes.

8 THE COURT: Anything to discuss? Anything we
9 need to address before we get started?

10 MS. SEIFER-SMITH: I would think so.
11 Mr. Whitfield has made a life offer.

12 THE COURT: Okay. That's news. To resolve all
13 the cases?

14 MS. SEIFER-SMITH: Yes.

15 THE COURT: All right. When were you -- you let
16 Mr. Koskinas know that, I assume?

17 MS. SEIFER-SMITH: Yes. Yes. I did.

18 THE COURT: How recently has he been aware of
19 that?

20 MS. SEIFER-SMITH: He formally made the offer
21 yesterday.

22 THE COURT: All right. Where does that leave
23 us? Anywhere?

24 MS. SEIFER-SMITH: I don't know. I don't have
25 an update.

1 THE COURT: What's that line? Somewhere other
2 than here?

3 MR. KOSKINAS: Yeah. I mean, that's not
4 something that happens in an hour. That's something
5 where we have to sit down with the family and --

6 THE COURT: I know.

7 MR. KOSKINAS: -- it goes through the State
8 Attorney and those kind of things.

9 THE COURT: So where does that put us given the
10 time constraints?

11 MR. KOSKINAS: The bigger issue, Judge, is they
12 filed a *Daubert* -- a motion for a *Daubert* hearing.
13 Right? So --

14 THE COURT: Which, believe it or not, I've
15 actually -- you wouldn't think after all these years
16 but I've actually done a number of research things
17 over that.

18 MR. KOSKINAS: Well --

19 THE COURT: I've actually looked at and I don't
20 see how we're getting around having a *Daubert* hearing
21 to be honest with you.

22 MR. KOSKINAS: Well, that was my problem.
23 That's my concern. So essentially, Judge, a couple
24 of days before the trial, they file a motion for
25 *Daubert*. So now I have to go get and research

1 witnesses to establish that it's not junk science,
2 how many times it's been admitted. I mean, I
3 don't -- I don't know how on earth anybody could
4 genuinely believe that could be accomplished this
5 morning never mind before the trial.

6 So it seems to me like genuinely, if they would
7 have expressed their desire to continue the case, we
8 could have had some real discussions about it. But
9 now they've manufactured a continuance and it's
10 frustrating.

11 And it's not frustrating -- it is frustrating to
12 me but I'm going to tell you who it's frustrating to.
13 Ms. Barnes is sitting here that shows up every single
14 court hearing and expresses concern to the Court that
15 she wants finality and she wants resolution to this
16 case.

17 THE COURT: It --

18 MR. KOSKINAS: So unless the Court is going to
19 deny it on its face, then they've put me in a
20 position where I have two choices. Either I call
21 somebody that's already on the witness list and has a
22 terrible record, which, maybe they were hoping for,
23 or they've manufactured a continuance.

24 THE COURT: I don't know --

25 MR. KOSKINAS: So either way, Judge, I don't

1 think that they sincerely expressed to you a genuine
2 desire to go to trial next week and that's the
3 position that we're in.

4 Now, maybe they thought they'll get more
5 leverage out of a life offer because of it. But,
6 honestly, all that manipulation and gamesmanship does
7 is aggravate the prosecutors and the family members.

8 So if they had a genuine desire for life, that's
9 not the way to go about it.

10 THE COURT: I don't --

11 MR. KOSKINAS: And you correct me if I'm wrong
12 in any assertion that I've just made so far.

13 THE COURT: Well, rather than have back and
14 forth, here's how I would see it. They've been
15 struggling to get Mr. Whitfield to get to that point
16 because they understand the logistics of everything
17 that's going on.

18 Plus, on top of that, they're both leaving the
19 office, which has happened in the interim since we
20 were last together.

21 And so they're in the position that if they try
22 this case now, he gets convicted, they're smart
23 enough, and they're good lawyers, they know that
24 you're not going to consider a life offer after he's
25 already been convicted of first-degree murder.

1 And then he's going to wind up having different
2 lawyers who are put in the position of having to go
3 to trial on a death penalty case when the guy's
4 already been convicted and got life.

5 MR. KOSKINAS: Not to interrupt, Judge, but it's
6 funny that you say that because it's exactly what
7 they did. They called me and said, oh no, we're
8 going to offer you life after the first trial. And I
9 expressed, as you have, the absurdity of that. If we
10 convict on the first trial, how anybody could ever
11 consider life on the second one would be absurd.

12 THE COURT: I don't think the reason is the
13 gamesmanship. I think the reason is they couldn't
14 get their client there. And you --

15 MR. KOSKINAS: I -- Judge, that's between them.
16 So when you say, we, that's not me. I've not been
17 trying to get him to a life offer. We've been trying
18 to get this to trial. So we is not part of that
19 communication or discussion.

20 THE COURT: I know, but you've got to -- why
21 would you -- you've got so many legal issues that are
22 attached to the timing --

23 MR. KOSKINAS: Judge --

24 THE COURT: The timing of the --

25 MR. KOSKINAS: Don't advocate for the life

1 sentence right now. That is inappropriate for the
2 Court to do.

3 THE COURT: No. I'm trying to give you -- I'm
4 trying to point out for the record the complications
5 that we're facing if we go forward with all of that.
6 Right?

7 MR. KOSKINAS: When?

8 THE COURT: What do you mean? If we go forward
9 with all of what we're doing and spent -- how long is
10 it going to take to get the second case to trial if
11 they're gone and they don't have anybody in that
12 office hardly to -- is even death qualified.

13 MR. KOSKINAS: And I understand that, Judge.
14 And if --

15 THE COURT: The practical aspects of this is
16 what we're significantly dealing with.

17 MR. KOSKINAS: Right.

18 THE COURT: No?

19 MR. KOSKINAS: Right. I agree. So why pretend
20 as though you're trying to get the case to trial and
21 then manipulate a continuance at the last second?
22 Why not be sincere with the Court and the State and
23 the next of kin about the -- about the desire?

24 THE COURT: Because they hadn't gotten the guy
25 there yet. I mean, you've been doing this -- we've

1 all been doing this long enough to read between the
2 lines of all that. You can see it as nefariously as
3 you want or you can see it for what it is.

4 MR. KOSKINAS: It's gamesmanship. Plain and
5 simple. That's all it is.

6 MS. SEIFER-SMITH: Your Honor, may I respond?

7 MR. KOSKINAS: They have had the ballistics for
8 years.

9 MS. SEIFER-SMITH: We have not had the
10 ballistics for years because the State Attorney's
11 Office was incapable of getting the full file to us.

12 THE COURT: What I really didn't want to get
13 this to devolve into is to this back-and-forth peeing
14 contest between everybody about what happened. The
15 question is -- the issue is we are where we are.
16 There is a -- I mean, the question is where do we go
17 from here and what do we do from now? Right?

18 I mean, you can be as pissed as you want. I get
19 it. Maybe I would be if I was sitting in that chair.
20 I don't know. I might. I might have had a different
21 perspective 32 years ago sitting in that chair, which
22 I used to do before I'd been up here, but my
23 perspective has changed. Right? I mean, I had no
24 view back then. I'm not saying you're the same, but
25 back then, I had no idea what the Defense's

1 perspective would be. Over the last 32 years, I've
2 learned in a lot of situations, sometimes I -- I get
3 where they're coming from. And sometimes I
4 understand the difficulties that they have.

5 My job now is to craft the best result for
6 everybody involved in the system understanding the
7 different interests that each party has. I mean, you
8 want to skip the *Daubert* hearing, we can, but, you
9 know, then we're going to a couple more years of work
10 for nothing. Right? You know that. You're --

11 MR. KOSKINAS: I didn't put you in that
12 position. I agree. But I didn't put us in this
13 position.

14 MS. SEIFER-SMITH: Well, the State actually did
15 because on Monday they filed a motion to compel
16 fingerprints on a case that is 5 1/2 years old.

17 THE COURT: We could go back and forth this way
18 all we wanted. I'm not -- I'm not aspiring to place
19 guilt anywhere. This is --

20 (Attorney/attorney conversation).

21 THE COURT: It's a difficult case. There's a
22 lot of complications with it. There's a lot of
23 difficulties. I mean, I worry about who's going to
24 get on the case after this? Are they going to be up
25 to the task and then we're going to be here, what,

1 two years from now? Who the hell knows if I'm even
2 going to be here if I'm not retired two years from
3 now?

4 Who -- who doesn't know that this isn't going to
5 send me running out the door, not because of them but
6 once they're retired and somebody else comes on and I
7 can't get this thing to trial, and it's what, seven
8 or eight years old? Then what? I retire and then
9 you're going to have somebody else in here that knows
10 nothing about the case to try to get it to
11 resolution? I mean, the history is what the history
12 is. Right?

13 MR. KOSKINAS: Right.

14 THE COURT: So the question is what do we do
15 now? Do we -- do we -- your perceived feeling or
16 animosity about how we've gotten here is going to
17 preclude us from having an honest conversation about
18 what the best result is? I'm hoping -- I -- I
19 believe that you're a smarter or better lawyer than
20 that.

21 MR. KOSKINAS: Judge, again, don't advocate for
22 the life sentence because that's beyond my control.
23 Okay? We're going to talk to the State Attorney.
24 We're going to talk to the family. But that's a
25 process. So please don't waste your time trying to

1 advocate for the Defense with me.

2 THE COURT: Ultimately, I'm going to be the one
3 that's in the box. Right?

4 MR. KOSKINAS: Right.

5 THE COURT: You would agree with that.

6 MR. KOSKINAS: I absolutely do.

7 THE COURT: You get a conviction on a
8 first-degree murder, I've -- I've heard what the
9 aggravation of mitigation is. Right? Depending,
10 given all the litigation around what the voting
11 process is and we'll have to litigate all that out.
12 Right?

13 MR. KOSKINAS: Yeah. And that's part of the
14 aggravation but yes.

15 THE COURT: Right?

16 MR. KOSKINAS: Yes.

17 THE COURT: Ultimately I'm going to have to call
18 what the vote is at some point and then based on the
19 vote make a call on what the answer is unless we go
20 through all of this and get a life rack. Right?

21 MR. KOSKINAS: True.

22 THE COURT: So literally I'm the one -- I'm the
23 one going to be in the box on a couple different
24 issues. Right? Is that fair?

25 MR. KOSKINAS: Sure.

1 THE COURT: So the first thing they teach you at
2 baby judge's college is don't get in the box unless
3 you absolutely have to. Right?

4 So my advocating is for not having to make a
5 bunch of new law between the Florida and the U.S.
6 Supreme Court long after I'm gone and probably long
7 after I'm dead as far as that's concerned so -- since
8 I'm turning 70 in a couple months.

9 There's a simple way to solve all of that with
10 no appeals and it's done. I -- I'm not advocating
11 because I think that's what the result should be.
12 I'm advocating or I'm saying what I think the
13 practicalities are.

14 So you tell me what you want to do. I'm open to
15 suggestion.

16 MR. KOSKINAS: I understand the Court's view and
17 position.

18 THE COURT: I mean, if you think it's misguided,
19 tell me. I mean, I'm not above listening -- you know
20 --

21 MR. KOSKINAS: Judge --

22 THE COURT: The one thing I think I've prided
23 myself on is if people want to say something or
24 criticize, I'll listen. I don't hold it against
25 people if they disagree. Plenty of people have

1 disagreed. I've made plenty of mistakes in the last
2 32 years. I'm not above acknowledging that. If you
3 tell me what you think I should change about what I'm
4 advocating for, I'll listen.

5 MR. KOSKINAS: Well --

6 THE COURT: I'm not one of those guys that says
7 I'm right about everything, don't tell me anything.

8 MR. KOSKINAS: Yeah. No, Judge, but I think
9 that is -- like I said, it's not my call. And he
10 killed four people. So I can see the flip side of
11 the coin for somebody that's seeking death.

12 THE COURT: I can, too.

13 MR. KOSKINAS: Okay.

14 THE COURT: That's why I'm acknowledging that
15 I'm probably going to be in the box on that one.
16 Right? If we litigate it. I don't think I'm telling
17 anybody anything they haven't figured out already.

18 MR. KOSKINAS: Right. So that's where we are,
19 Judge. Unless you're going to deny on its face their
20 last minute motion for *Daubert* --

21 THE COURT: You tell me that's what you want me
22 to do.

23 MR. KOSKINAS: No.

24 THE COURT: You're --

25 MR. KOSKINAS: I don't think --

1 THE COURT: You're smarter -- I --

2 MR. KOSKINAS: -- the Court can do that.

3 THE COURT: Right.

4 MR. KOSKINAS: I don't think you can do that and
5 that's why I say I think they genuinely are involved
6 in gamesmanship and at the last second manipulated a
7 continuance.

8 THE COURT: I don't -- well, we're going to have
9 to --

10 MR. KOSKINAS: So --

11 THE COURT: We're going to have to agree to
12 disagree about that.

13 MR. KOSKINAS: That's fine. That's fine.

14 THE COURT: Has -- has their client ever shown
15 any interest in -- in making an offer before this
16 time?

17 MR. KOSKINAS: We're talking about two different
18 things and I don't think they're related. You're
19 telling me that they filed that motion because they
20 were trying to get the defendant to a life sentence?
21 I don't think that's related, Judge.

22 So I know you want to bring that back in but --
23 but I don't think they're related. So that's where
24 we are, Judge, and I think, yes, I think they've
25 manufactured a continuance and I think you're going

1 to be required to reset a *Daubert* hearing and the
2 question is whether you do it while they're here or
3 whether they're out the door.

4 THE COURT: While --

5 MR. KOSKINAS: And see if the next attorney
6 adopts that.

7 THE COURT: When are you going to be ready for a
8 *Daubert* hearing if we said we were going to try and
9 do it?

10 MR. KOSKINAS: So --

11 THE COURT: We're on -- we're on the 17th.
12 You're out on the 31st. Right?

13 MS. SEIFER-SMITH: Correct.

14 MR. KOSKINAS: Well, I've got to now go, you
15 know, if I want to establish a real record, I've got
16 to go find witnesses to establish that number one,
17 it's not junk science. Number two, that it's been
18 admitted and -- and experts that had shown it -- how
19 many times it's been admitted in court. Number
20 three, do the research to show it. We all know it's
21 nonsense and it's an accepted science. We all know
22 that.

23 THE COURT: Based on my --

24 MR. KOSKINAS: But I've got to establish a
25 record to show that. And I don't currently have the

1 witnesses on the witness list to do that. And they
2 know that.

3 THE COURT: Based on my research, it's not
4 unanimous. There are a number of states that
5 don't -- you know, everything scientific has been
6 rechallenged since *Daubert*. GSR got thrown out.
7 There's a bunch of things that are still being
8 challenged and litigated. It's not, I mean, you
9 know, GSR, everybody thought that was great science
10 20 years ago. Right?

11 That's long since been kicked out. I mean,
12 there are some states that have said tool and die is
13 not something that's science, it's opinion-related
14 and it shouldn't be. Right? That's not the --
15 that's the minority view, not the majority view, but
16 there are states that have said that.

17 So I don't know how you get by -- you can't get
18 by a *Daubert* hearing on that.

19 MR. KOSKINAS: I don't think you can deny it on
20 its face.

21 THE COURT: Right. So it doesn't sound like you
22 can be ready between now and the 31st. I'm
23 not -- I'm not putting you -- I'm not squeezing you
24 to say you must do this by the 31st given the
25 situation you find yourself in.

1 MR. KOSKINAS: I can't give you an answer
2 because I've got to -- I have to now go find
3 witnesses that can establish a record that shows
4 that. So I can't give you an answer. They just
5 filed this on me --

6 THE COURT: So shouldn't the --

7 MR. KOSKINAS: Monday afternoon.

8 THE COURT: Shouldn't the first thing be to talk
9 to Bartlett about the offer that's on the table?

10 MR. KOSKINAS: Yes.

11 THE COURT: Okay. So how much time do you need
12 for that and when should we reconvene to say yay or
13 nay on that?

14 MR. KOSKINAS: I don't know. A couple of weeks,
15 maybe?

16 MS. SEIFER-SMITH: Yeah.

17 THE COURT: All right. Well, today is
18 the -- today's the 17th. A couple weeks when? I'd
19 prefer not that Friday the 31st because I'm doing
20 mental health court. I don't really want to have
21 this conversation when I'm attempting to do mental
22 health court.

23 MR. KOSKINAS: I understand.

24 THE COURT: They would not necessarily go
25 together as a match set.

1 MR. KOSKINAS: Yeah. How about, well -- I'm in
2 a conference the 27th through the 29th. I could do
3 it on the 30th potentially.

4 THE COURT: Does that work?

5 MS. SEIFER-SMITH: I'm -- I'm sorry. I missed
6 the date.

7 THE COURT: I guess --

8 MR. KOSKINAS: 30th.

9 THE COURT: -- the answer would be their --
10 you're going to give them the answer on the plea on
11 the 30th? Is that the plan?

12 MR. KOSKINAS: Yeah. And I'll see if I can list
13 witnesses by that time. Well, I'll -- I'll hold that
14 because I don't know if the next attorneys are going
15 to adopt that motion.

16 MS. SEIFER-SMITH: Your Honor --

17 MR. KOSKINAS: But if they're the attorneys
18 regarding a plea and it gets to that point, they need
19 to be here so the 30th is really the only time I
20 could do that.

21 THE COURT: I'm happy to listen. Hopefully,
22 we're not -- we don't need to inflame anything beyond
23 what it is at this point.

24 MS. SEIFER-SMITH: Your Honor, just a couple of
25 things.

1 THE COURT: Okay.

2 MS. SEIFER-SMITH: We have been steadily working
3 to attempt to get Mr. Whitfield to a place where he
4 would make a life offer --

5 THE COURT: I think I recognized that and
6 understood that.

7 MS. SEIFER-SMITH: -- for a very, very long
8 time. Your Honor has been doing this also much
9 longer than I have, and you recognize that sometimes
10 it is at the very last do or die moment that those
11 types of offers are made and that is what happened in
12 this case.

13 This is not a question of gamesmanship. This is
14 not a question of manipulation. I filed the motions
15 that are required of me as his attorney to file.
16 Based on the deposition that was taken of the witness
17 that was listed -- or not listed but that was
18 mentioned in the motion to roll fingerprints on
19 Monday by the State Attorney's Office, I believe that
20 we have a *Daubert* motion now with respect to
21 fingerprints based on the things that she said
22 yesterday at 3:00 PM.

23 This is not a question of Defense delay tactics.
24 This is a question of arriving at the right decision
25 for all parties in this case based on all of our

1 work, based on our understandings of the positions of
2 the next of kin. In both of the cases, they want it
3 to end. They want it to be over. The life plea gets
4 us all there.

5 But if it is not accepted, the one aggravator
6 that has been filed applies to this case. And so I
7 have to do everything in my power to protect my
8 client in the unfortunate possibility of arriving at
9 a sentencing phase on that second case. And so that
10 is what was done here.

11 THE COURT: I -- I have no quarrel with any of
12 that. You -- you got to convince them and Bartlett
13 that that's the case. Right?

14 MS. SEIFER-SMITH: I understand that. I know
15 that.

16 THE COURT: I -- I shudder to say more because
17 then I don't -- I don't want somebody to say you're
18 taking their side in this whole scenario. Right?

19 I -- I should be switched (unintelligible) this
20 whole thing. You're going to have to convince him
21 and Bartlett that that's the situation as part of
22 them considering the plea offer that you're making.

23 So my best -- which has never been my
24 forte -- my best situation right now is to shut my
25 mouth which, as you know, is very hard for me to do.

1 So I should stay out of that conversation. I've
2 already expressed to their displeasure somewhat of my
3 thought process is about that. So I'm -- which, it's
4 hard for me to listen but sometimes shutting up is
5 the best thing to do. So that's where I'm at in that
6 scenario.

7 If we can get together -- if you got to file
8 another motion, that's fine. We don't even know now,
9 if we're not able to resolve it by plea, who the next
10 set of lawyers are going to be. Right?

11 MS. SEIFER-SMITH: I don't.

12 THE COURT: Well.

13 MS. SEIFER-SMITH: I will do my best to expedite
14 that transcript so that I can file what's necessary
15 regarding the fingerprints. But obviously, in the
16 interim, we -- we -- we made that offer with the
17 fervent hope that it would be accepted. That
18 was -- we have every intention of getting this case
19 to the appropriate closure that's necessary for all
20 parties.

21 THE COURT: And I appreciate you saying that
22 you're probably going to -- so they know that you're
23 probably going to file a *Daubert* on the fingerprints.
24 And my guess is, and again, I don't want to speak for
25 anybody, but my guess is once they've articulated

1 that, I don't know how the next set of lawyers, if
2 the plea isn't accepted, could go back on that.
3 Because then if they don't file a *Daubert* on the tool
4 and die and they don't file it on the fingerprints,
5 then somebody -- somebody down the road is going to
6 argue that it's a 3.850 not to have filed them after
7 the first set of lawyers thought it was appropriate.
8 Right?

9 MS. SEIFER-SMITH: Well, there will certainly be
10 a 3.850 on the first and possibly a 3.851 on the
11 second.

12 THE COURT: Agreed. But maybe --

13 MS. SEIFER-SMITH: But not possibly, absolutely
14 a 3.851 on the second.

15 THE COURT: I understand. We're not -- we're
16 not necessarily talking for now, we're talking for
17 posterity as well. Long after you're gone, I'm gone,
18 I'm, you know, if we don't settle it, we're going to
19 be out of this conversation long after you're -- you
20 won't be gone, I mean, life-wise, but you'll be gone
21 to another job. I will probably be gone entirely by
22 then.

23 So, I mean, seriously. I'm going to be 70 in a
24 couple months. I'm not going to be around. I --
25 I -- yeah, you don't want to hear that story.

1 Anyway.

2 MR. KOSKINAS: You've got at least 30 years,
3 Judge.

4 THE COURT: I doubt it.

5 MS. SEIFER-SMITH: If we're talking about dates,
6 the 30th is not good for the Defense.

7 THE COURT: Is there another -- what -- what
8 would be good between now and the 31st?

9 MS. SEIFER-SMITH: If we could do potentially
10 the 27th?

11 THE COURT: He's gone that week. Aren't you?

12 MR. KOSKINAS: I'm at a conference one the 27th
13 through 29th.

14 MS. SEIFER-SMITH: I apologize. I missed that
15 part of the conversation? How about the previous
16 Friday, the 24th?

17 MR. KOSKINAS: Fine.

18 THE COURT: 24?

19 MR. KOSKINAS: But you said you didn't want to
20 do Fridays because you have mental health court.

21 THE COURT: No. I do mental health court on the
22 31st. I don't have it -- any on the 24th.

23 MR. KOSKINAS: Okay.

24 THE COURT: I can do the 24th.

25 MR. KOSKINAS: That's fine.

1 THE COURT: All right. So we're going to do a
2 pretrial to determine a change of plea. You won't
3 have any more knowledge about who's taking over the
4 case by then?

5 MS. SEIFER-SMITH: I should hope that I would do
6 (sic).

7 THE COURT: You going to file a *Daubert* on the
8 prints by then?

9 MS. SEIFER-SMITH: I will do my very best.
10 We'll expedite the transcript.

11 THE COURT: Okay. All right. So we're off the
12 trial calendar on Monday. Correct? I mean, there's
13 nothing else we can do.

14 MR. KOSKINAS: Yeah. I mean, I think
15 that's -- it's -- you charge it to the Defense, but
16 yes.

17 MS. SEIFER-SMITH: Your Honor, can we have
18 Mr. Whitfield out at some point when we decide what
19 to do?

20 THE COURT: Yeah. Yeah. We can bring him out.

21 MS. SEIFER-SMITH: Thank you.

22 THE COURT: And we'll attempt to summarize.

23 THE BAILIFF: Counsel, are we going to the
24 podium or are we going to the desk?

25 THE COURT: Podium is good.

1 MS. SEIFER-SMITH: I can be at the podium.

2 That's fine.

3 THE COURT: I want to -- you don't --

4 MS. SEIFER-SMITH: Well, actually, I just need
5 you to give us a second, then, so that --

6 MR. KOSKINAS: So we -- we set it for the 24th,
7 Judge? The 24th?

8 THE COURT: Yeah.

9 MR. KOSKINAS: At what time?

10 THE COURT: Whenever you want. You tell me.
11 8:30 AM? 9:00 AM?

12 MR. KOSKINAS: 9:00 AM.

13 THE COURT: That's fine. You good?

14 MS. SEIFER-SMITH: That's fine. That's fine.

15 THE COURT: All right. Do you want me to
16 confirm -- I would like to confirm he's made that
17 offer on the record.

18 MR. KOSKINAS: Yes, please.

19 MS. SEIFER-SMITH: If I can just have one moment
20 with him to explain what Your Honor is going to do?

21 THE COURT: Sure.

22 MS. SEIFER-SMITH: Thank you.

23 THE COURT: Go ahead and let her talk to him in
24 the back. All right.

25 (Unrelated conversations.)

1 THE COURT: All right. We're here on State of
2 Florida versus Cornelius Whitfield. There are a
3 couple cases on the calendar. Today's is 21-01099, a
4 murder in the first degree, attempt murder, and
5 robbery that's set for trial on Monday.

6 This morning ostensibly was going to be to
7 handle any pretrial motions. Also pending is
8 21-01513; three Counts of murder in the first degree,
9 attempt murder in the first degree. Trial set --
10 trial has not been set in that one. And the other
11 case is the intro of contraband on 21-08749.

12 There are some motions that have been filed by
13 the Defense that would require an evidentiary
14 hearing. It doesn't appear that we're going to be
15 able to do that by Monday, so I guess the request or
16 the requirement that we have is we got to have -- if
17 the State's going forward on the death penalty, then
18 we would have to have evidentiary hearings on those
19 motions prior to actually having the trial. So
20 that's going to necessitate a continuance.

21 In the interim, you've spoken to Mr. Whitfield,
22 and he has indicated that he would plead guilty to a
23 life sentence without parole in exchange for the
24 State waiving the death penalty. Is that accurate?

25 MS. SEIFER-SMITH: That is.

1 THE COURT: All right. Mr. Whitfield, is that
2 true?

3 THE DEFENDANT: Yes.

4 THE COURT: All right. So that offer is
5 officially on the table from Mr. Whitfield. We've
6 agreed to continue the trial from next week. If we
7 can resolve it by plea, I presume we can do that on
8 the 24th. I'm going to set all three cases for a
9 pretrial on 07/24. If we can't, then as best we can,
10 we're going to have to figure out what scheduling is
11 next.

12 You're indicating not only you filed a motion to
13 exclude the tool and die exam that the testimony from
14 the "expert" on that. Correct?

15 MS. SEIFER-SMITH: Yes.

16 THE COURT: All right. And you're also
17 contemplating filing a -- a motion to exclude on --

18 MS. SEIFER-SMITH: The fingerprints as
19 discovered yesterday.

20 THE COURT: The fingerprints. Which has not
21 been filed yet. When -- when -- what happened
22 yesterday?

23 MS. SEIFER-SMITH: There was a deposition of the
24 fingerprint examiner yesterday.

25 THE COURT: Okay. So the depo that was

1 yesterday and so based on you're going to have to
2 expedite a transcript and file those motions. Right?

3 MS. SEIFER-SMITH: That's correct.

4 THE COURT: So all of that is pending. The
5 State has an offer on the table. They need time to
6 talk to the family and Mr. Bartlett, so I think the
7 best thing to do is get together on the 24th.

8 For the record, I should note that Ms. Russell
9 and Ms. Seifer-Smith, who's at the podium, are his
10 defense attorneys. I think there's some -- who was
11 it -- Mr. McGreen was on it. Who's the third now?

12 MS. SEIFER-SMITH: We don't have one.

13 THE COURT: All right. So you're the defense
14 attorneys. You're both leaving the office on the
15 31st. So it's of some import for us to see if we can
16 get this thing brought to a conclusion that everybody
17 can live with. If not, we've got lots of unanswered
18 questions and lots of things to decide about when,
19 how, scheduling, and lots of other issues that are
20 going to need to be addressed. Is there anything I
21 left out in that discussion?

22 MS. SEIFER-SMITH: I don't think so.

23 THE COURT: All right. So let's get together on
24 the 24th at 9:00 AM. We talked about we'll bring
25 Mr. Whitfield over. If we're able to resolve it by

1 plea, we'll do so. If not, we'll try and figure out
2 who the new lawyers are and what additional things
3 need to be addressed in advance of the trial date.
4 Okay? All right. Thank you. Thank you,
5 Mr. Whitfield.

6 MS. SEIFER-SMITH: Thank you.

7 (Proceedings concluded.)
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CERTIFICATE OF COURT REPORTER

STATE OF FLORIDA

COUNTY OF PINELLAS

I, Beth Ellenwood, a digital court reporter for the Sixth Judicial Circuit, do hereby certify that I was authorized to and did transcribe the foregoing proceedings and that the transcript is a true and correct record of said proceedings.

DATED this 28th day of July, 2026.

/S Beth Ellenwood
Beth Ellenwood
Digital Court Reporter
Sixth Judicial Circuit

Exhibit B

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, PINELLAS COUNTY

STATE OF FLORIDA,

Plaintiff,

Case Nos. 21-08749-CF

21-01513-CF

vs.

21-01099-CF

CORNELIUS TREVON WHITFIELD,

Defendant.

PROCEEDINGS: Pretrial Hearing

DATE: July 24, 2026

BEFORE: The Honorable Philip J. Federico
Circuit Court Judge

PLACE: Pinellas County Justice Center
14250 49th Street North
Clearwater, Florida 33762

REPORTER: Beth Ellenwood
Digital Court Reporter

Administrative Office of the Courts
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OTHER APPEARANCES:

Daniela Camacho, Esquire, appearing on behalf of
Shirleyleene Harilal

Leslie Carter, mother of victim Darren Barnes

Brittany Barnes, Next of Kin to Defendant

Rashad Whitfield, Nephew of victim Antonio Graham

P R O C E E D I N G S

THE COURT: All right. We're here on State of Florida versus Cornelius Whitfield. We'll bring Mr. Whitfield in. Thank you, Bailiff.

THE BAILIFF: We're going to have you sit down with your attorney today.

THE COURT: Yeah. I think Counsel table is best. Counsel table makes more sense.

MS. SEIFER-SMITH: Yes, please. Thank you.

THE COURT: I -- I don't -- well, yeah, see if you can get that ready. I'm not going to do that first but at least have -- is that Ms. Brooks (Phonetic)? Is that Ms. Brooks?

MS. SEIFER-SMITH: Yes.

MS. RUSSELL: Yes.

THE COURT: All right. I wanted her to be able to be here. Good morning, Ms. Brooks. We got the sound on?

MS. SEIFER-SMITH: That's okay. We don't expect her to say anything. We wanted her to be able to hear --

THE COURT: I understand.

MS. SEIFER-SMITH: -- and see the proceedings.

THE COURT: I understand. No, I agree.

THE CLERK: So leave her microphone off?

1 MS. SEIFER-SMITH: I'm sorry?

2 THE CLERK: Leave her microphone off?

3 MS. SEIFER-SMITH: Actually, no. You can -- you
4 can turn it on.

5 THE COURT: Yeah. Let -- let's turn it on.

6 MS. SEIFER-SMITH: Okay.

7 THE COURT: Because I won't know which button to
8 hit to turn it on when we --

9 MS. SEIFER-SMITH: Thank you.

10 THE COURT: -- actually have an opportunity for
11 her to talk.

12 MS. SEIFER-SMITH: And we very much appreciate
13 the accommodation.

14 THE COURT: Not a problem. Let me know when
15 it's on.

16 THE CLERK: I'm asking her to unmute.

17 THE COURT: Ms. Brooks, can you hear me?

18 THE CLERK: She -- I just asked her to unmute.

19 THE COURT: All right. We're going to -- we're
20 going start our hearing if you want at some point,
21 we'll give you a chance to comment or participate.
22 Okay?

23 MS. BROOKS: Thank you. I appreciate it.

24 THE COURT: All right. We're here on State of
25 Florida versus Cornelius Whitfield. The case

1 originally set for trial on Monday was 21-01099; a
2 charge of murder in the first-degree, attempt murder
3 first-degree, robbery. Also pending is 21-010 -- no,
4 that's the one I just read. Also pending is
5 21-01513; three Counts murder in the first degree,
6 attempt murder in the first degree. And 21-08749;
7 intro into or possession of contraband in a county
8 detention facility.

9 Mr. Whitfield is present. We had a hearing --
10 was it last week, I think? Right?

11 MS. SEIFER-SMITH: Yes.

12 THE COURT: The Defense, after doing -- just
13 finishing depositions on a couple of experts, filed some
14 motions to exclude testimony of the tool and die
15 expert and were going to file a motion to exclude the
16 testimony of the fingerprint person.

17 Because of the substance of those motions, we
18 decided we couldn't go ahead with the -099 trial
19 which was set on this coming Monday. So we gathered
20 together, talked about that, and then the Defense
21 made an offer of life imprisonment on the pending
22 charges without parole.

23 Mr. Koskinas asked for some time to talk to
24 Mr. Bartlett and the victim's family and then they
25 would inform us today of what their decision was.

1 So I assume you had a chance to talk to
2 Mr. Bartlett and the victim's family, Mr. Koskinas?

3 MR. KOSKINAS: Judge, we're going to reject the
4 defendant's offer.

5 THE COURT: All right. Did you have an
6 opportunity to speak to both?

7 UNIDENTIFIED SPEAKER: No.

8 MR. KOSKINAS: We -- we've -- yes. We
9 understand the position of the victim's family
10 and -- and yes, those conferences with Mr. Bartlett.

11 THE COURT: Okay.

12 MS. SEIFER-SMITH: Your Honor, I would like to
13 just note that the attorney for Ms. Shirleyleene
14 Harilal, who is the next of kin for both her mother,
15 grandmother, and brother is present in the Court and
16 can probably inform Your Honor as to whether or not
17 the State had the respect of reaching out to them --

18 THE COURT: All right.

19 MS. SEIFER-SMITH: -- for an opinion regarding
20 the possible resolution of a 5 1/2-year-old case.

21 THE COURT: Let's -- let's first say -- State,
22 you're rejecting the offer from the Defense?

23 MR. KOSKINAS: Rejected.

24 THE COURT: The offer is life in prison but
25 without parole. That was the offer made by the

1 Defense?

2 MS. SEIFER-SMITH: That's correct.

3 THE COURT: All right. And was there any
4 discussion or were you open to the discussion about
5 whether some of those sentences were done concurrent
6 or consecutive?

7 MS. SEIFER-SMITH: There was no conversation
8 with the State about it. It seems as though they
9 have rejected it out of hand --

10 THE COURT: Right.

11 MS. SEIFER-SMITH: -- without consultation with
12 the people who are going to be the most affected by
13 this.

14 THE COURT: Which your point was is that you
15 just wanted them to waive the death penalty. Had
16 they come back and suggested they wanted consecutive
17 sentences, you would have had a conversation with
18 your client about that. Is that --

19 MS. SEIFER-SMITH: Of course we would have.

20 THE COURT: Okay. Are you here on behalf of the
21 victim's family?

22 MS. CAMACHO: Your Honor, I'm here on behalf of
23 Ms. Harilal. Daniela Camacho. We do represent the
24 main victim of the attempted murder in the -513. The
25 next of kin (unintelligible).

1 THE COURT: All right. Put your name on the
2 record.

3 MS. CAMACHO: Daniela Camacho, Gulfcoast Legal
4 Services.

5 THE COURT: All right. And give the names of
6 the folks that you're here to --

7 MS. CAMACHO: I only represent Ms. Shirleyleene
8 Harilal.

9 THE COURT: And that is --

10 MS. CAMACHO: The mother. Mr. Whitfield's
11 mother.

12 THE COURT: Okay.

13 MS. CAMACHO: She is next of kin in the -513
14 cases and she is the victim of the attempted murder
15 in the -513 case as well.

16 THE COURT: All right. So she's the victim in
17 the attempted murder?

18 MS. CAMACHO: Yes, Your Honor.

19 THE COURT: The victims in the -- there's four
20 victims of the actual homicides. Right?

21 MS. CAMACHO: In the -513, I know there's, and
22 please correct me, there are three.

23 THE COURT: All right. Is there a relationship
24 between family members that you want to put on the
25 record in those cases?

1 MS. CAMACHO: Yes, Your Honor. It was her, and
2 again -- I may be corrected, please -- mother,
3 brother --

4 MS. SEIFER-SMITH: And grandmother.

5 MS. CAMACHO: Grandmother. Thank you.

6 THE COURT: Okay. And so on behalf of the
7 family itself?

8 MS. CAMACHO: On behalf of Ms. Harilal. I -- I
9 can only speak for Ms. Harilal.

10 THE COURT: And she was the victim on one of the
11 attempted murders?

12 MS. CAMACHO: Yes, Your Honor.

13 THE COURT: Was she actually shot or shot at?

14 MS. CAMACHO: She was wounded.

15 THE COURT: Okay. And so was she consulted by
16 the State as far as this decision?

17 MS. CAMACHO: Not as this most recent decision.
18 My understanding is that her wishes, which is that
19 the death penalty not be applied, that this -- even
20 though she is the victim, this is her son. She does
21 not wish to see him die.

22 My understanding is both the State and the
23 Defense, and perhaps Your Honor as well, have been
24 greatly informed of her wish. She was not consulted
25 most recently, however. But I do believe the State

1 was aware --

2 THE COURT: Okay.

3 MS. CAMACHO: -- that she did not want her son
4 to die.

5 THE COURT: All right. Anything else that you
6 want to indicate for the record?

7 MS. CAMACHO: Just to reiterate, Your Honor,
8 this is a mother who has been severely traumatized,
9 severely victimized both by what happened and by the
10 process. She's has been waiting for justice for five
11 years. It is her son. She does not wish to see him
12 die.

13 THE COURT: All right. Any knowledge, Defense,
14 about other family members of victims in the case?

15 MS. SEIFER-SMITH: Through our mitigation
16 investigation, our mitigation specialist has spoken
17 with several family members who are also supportive
18 of a life plea in this case.

19 THE COURT: So that's kind of an unusual
20 circumstance. Right?

21 MS. SEIFER-SMITH: It certainly is.

22 THE COURT: Typically, we would have a different
23 conversation with -- I mean, it a four-homicide case
24 but they're all family members. Right?

25 MS. SEIFER-SMITH: Correct.

1 MR. KOSKINAS: No.

2 MS. SEIFER-SMITH: So Ms. -- we're talking about
3 the death penalty case only. The State is seeking
4 death in only one case; the -1513 case.

5 THE COURT: Right.

6 MS. SEIFER-SMITH: In that case, Mr. Whitfield
7 is accused of three capital homicides and a
8 first-degree attempted homicide.

9 He's accused of shooting and hitting his mother,
10 Ms. Shirleyleene Harilal, who is the -- who is the
11 daughter, the granddaughter, and the sister of the
12 three decedents in that case. She has made her
13 position very, very clear on multiple occasions that
14 she does not want her child, Mr. Cornelius Whitfield,
15 to be subject to the death penalty.

16 THE COURT: Okay.

17 MS. SEIFER-SMITH: We've spoken with a number of
18 other family members who have also iterated that as
19 well. My understanding is that Ms. Carter, who is
20 present in front of Your Honor today, who is the next
21 of kin in the other homicide from February 1st,
22 Darren Barnes is Ms. Carter's son, that she would
23 like this case, all of this, to be over.

24 And so what the State is doing, by rejecting
25 this offer, is prolonging the pain of multiple

1 families, scores of people, a drain on incredible
2 resources of multiple offices for a verdict that ends
3 with the same result.

4 Mr. Whitfield will go to prison and he will die
5 there. That is what his offer was. And the idea
6 that the State is not going to respect either of
7 these families whatsoever in moving forward for the
8 possibility of a death verdict is unconscionable.

9 THE COURT: I guess the other --

10 MR. KOSKINAS: Judge, I feel the need to respond.
11 right now --

12 THE COURT: Well, let -- let me --

13 MR. KOSKINAS: -- to that. And actually --

14 THE COURT: Let me --

15 MR. KOSKINAS: She's accused the State of --

16 THE COURT: Let me make --

17 MR. KOSKINAS: -- delaying the case --

18 THE COURT: Sit down, Mr. Koskinas. As long as
19 I'm in court, I'll tell you when you can respond.
20 Okay? I have some things to say and I'll give you an
21 opportunity. But as long as I wear the robe, I
22 decide when you talk. Okay? Is that understood?

23 MR. KOSKINAS: Yes, sir.

24 THE COURT: Thank you. All right. In addition
25 to that, you and your co-counsel, who've been here a

1 long time and served admirably, are moving on to new
2 positions. Right? And outside of this courthouse.

3 MS. SEIFER-SMITH: That's correct.

4 THE COURT: Within what? A few days?

5 MS. SEIFER-SMITH: Correct. Next Friday.

6 THE COURT: So you've handled -- you two have
7 handled this case, and why don't you -- Ms. Russell
8 and you have handled this case from its inception.
9 Right?

10 MS. SEIFER-SMITH: That's not correct.
11 Unfortunately, due to the virtue of Public Defender's
12 Offices, poor Mr. Whitfield has had a number of
13 attorneys; he was represented by Ms. Ferber Miller.
14 He was represented by Ms. Manuele. Both of them have
15 gone on to greener pastures as we suppose. And then
16 I took over the case in early 2025 when Ms. Manuele
17 left.

18 So Ms. Russell and I have been on the case for
19 about 18 months, and we were hoping to see it to its
20 final end. As we all know, the decision by the State
21 means that certainly there will be trials, but also
22 that there will be quite literally decades upon
23 decades of appeals.

24 THE COURT: And you have to get new lawyers who
25 have, at this point, have not been assigned to the

1 case and we don't know who are going to be taking
2 over Mr. Whitfield's defense.

3 MS. SEIFER-SMITH: That is also correct.

4 THE COURT: Okay. Ultimately, whoever it
5 is -- if you were the lawyers presenting mitigation
6 on his behalf, the families' wishes would certainly
7 be something that would be presented in mitigation at
8 ultimately a sentencing if we got to that point.
9 Right?

10 MS. SEIFER-SMITH: It would.

11 THE COURT: Because anything, as we know in a
12 death penalty case, can be mitigation. Right?

13 MS. SEIFER-SMITH: Correct.

14 THE COURT: And the families' wishes about what
15 should happen would certainly be mitigation in a
16 death case.

17 MS. SEIFER-SMITH: Certainly.

18 THE COURT: So you'd have the unusual position,
19 which I've never seen in 43 years, in which a
20 victim's family or family members would be indicating
21 to the Court that they did not want the Court to
22 impose that sentence. That -- right?

23 MS. SEIFER-SMITH: Correct. Now, Judge --

24 THE COURT: In the event that a jury actually
25 recommends, by a vote of at least 8 to 4, that he

1 should receive the death penalty. And then I would
2 have to make an independent determination and I would
3 have to take into account what the victims' families'
4 recommendation would be. Correct?

5 MS. SEIFER-SMITH: Certainly.

6 THE COURT: All right. For the record, do you
7 want me to hear from --

8 MS. SEIFER-SMITH: So Ms. Brooks is the maternal
9 great aunt of Mr. Whitfield's child. So she is
10 not -- she is not a family member of any of the
11 decedents or any of the surviving victims.

12 THE COURT: All right. So would we -- how would
13 we characterize her in relation to everybody involved
14 in the case? She's just an interested party?

15 MS. SEIFER-SMITH: She is an interested party
16 certainly. She has been caring for Mr. Whitfield's
17 child for the past several years.

18 THE COURT: Who's how old now?

19 MS. SEIFER-SMITH: And she also supports the
20 plea.

21 THE COURT: All right. Let me hear from
22 Mr. Koskinas and then we'll proceed further. Go
23 ahead Mr. Koskinas.

24 MR. KOSKINAS: Judge, the suggestion by the
25 Defense that the State has somehow delayed this case

1 is not only inaccurate, it's laughable.

2 The Defense -- the Public Defender's Office,
3 from the beginning of this case, has obstructed,
4 delayed, and manipulated this -- the proceedings to
5 delay a trial in both cases for in excess of five
6 years.

7 We've had one, two, three, four, five, six,
8 seven prior trial dates. So for them now, at this
9 stage, and by the way, the reason the trial next week
10 is being continued is because of further manipulation
11 by the Public Defender's Office and, specifically,
12 these two. The tradition carried on when these two
13 took over for the last attorneys.

14 So I find it hard to believe that they can stand
15 here and chastise the State with a straight face when
16 they know what they've done.

17 Additionally, Judge, they have a conflict in
18 this case. They're going to withdraw from this case.
19 They called me a week prior to the trial date and
20 asked if we could remove a witness so that they
21 wouldn't have to withdraw from the case. We
22 attempted to accommodate them by coming up with the
23 potential agreement, which never got to the Court.
24 We have not removed that witness. They are going to
25 withdraw. They never brought that to anybody's

1 attention, did they?

2 So, Judge, at the last minute -- by the way,
3 she's just filed and handed me another evidentiary
4 motion. Another evidentiary motion five years later.
5 So for them to somehow suggest the delay is on the
6 State is absurd and wrong. And I want the record to
7 be clear.

8 As for the decision-making as to the death
9 penalty, Judge, it sounds like the -- the argument
10 and confrontation deals with the legislature. He
11 qualifies for the death penalty. He deserves the
12 death penalty. And I'll leave it at that.

13 THE COURT: Your office is the only one that
14 feels that way. Right? I haven't heard anybody
15 speak in contra to that as far as this point is
16 concerned.

17 Apparently, from what I can glean, the people
18 that are involved in the family weren't discussed or
19 discussed what the potential disposition is, so I'm
20 at a loss.

21 Ultimately, you can seek it, but ultimately a
22 jury has to decide and then ultimately, while I have
23 to give it great weight, I'm the one that has to make
24 that decision if we get to that point. Correct?

25 MR. KOSKINAS: Yes.

1 THE COURT: And we are so -- still so far from
2 that point we're literally to spend tens of thousands
3 of dollars if not hundreds of thousands of dollars.

4 He's willing to accept responsibility and never
5 be released from prison again. While that may not be
6 the ultimate result, you're weighing the cost of
7 taxpayers, the families' wishes, which I -- I can't
8 think of another time in 43 years which a family said
9 don't impose the death penalty. Right? Normally,
10 they're here saying, get after -- that's why we have
11 *Spencer* hearings, right, so that the victim's family,
12 even though it's not legally a part of the decision
13 making, has a chance to say what they want or what
14 they think the appropriate sentence should be.

15 So we're at an entirely unusual position having
16 this conversation, and on top of that, we got to
17 start all over again because they're leaving with a
18 whole new attorney or attorneys as part of the
19 process.

20 So your -- your main complaint is is that you
21 think they're maneuvering this situation and causing
22 it to last 5 1/2 years. With new lawyers, when do
23 you anticipate we'll actually get to the meat of the
24 coconut in this decision? Based on -- yeah, based on
25 your handicapping of the situation.

1 MR. KOSKINAS: Judge, I can't -- I can't answer
2 that question, respectfully. We don't even know who
3 the new attorneys are going to be.

4 THE COURT: Correct.

5 MR. KOSKINAS: And whether they're going to
6 obstruct or not.

7 THE COURT: So the end. Period. Right? That
8 could be today. Put a period at the end of it. No?

9 MR. KOSKINAS: Judge, you know what? At this
10 point, Judge, I think, honestly, you've been
11 advocating for the life sentence for so long in this
12 case, I think the Court needs to reflect about
13 whether you can be fair to the State about whether a
14 death penalty should be imposed in this case.

15 THE COURT: You know what? Go talk to --

16 MR. KOSKINAS: You didn't argue --

17 THE COURT: Go talk to Barlett. You want to
18 file a motion? File a damn motion. Okay? You talk
19 about maneuvering -- what, you're going to maneuver
20 now? We don't like --

21 MR. KOSKINAS: No. I haven't maneuvered at all.

22 THE COURT: -- what the Judge is -- we don't
23 like what the Judge has had to say so we're going to
24 get another damn Judge? Have at it. If that's what
25 you want. Have at it. I'll put my 43 years up

1 against anybody else. You don't think I'm being
2 fair?

3 I've handled 150 of these cases over the last 43
4 years, both sitting in your seat for 11 years
5 prosecuting these cases, right, as well as 32 years
6 sitting up here deciding them. You don't think I'm
7 being fair to both sides? Go find somebody else.
8 Okay? That's what you want? File a motion. It's
9 that simple. You get with Mr. Bartlett hiding behind
10 the curtain down there and ask him whether he wants
11 that done. All right?

12 MR. KOSKINAS: I think, Judge, that's -- that's
13 inappropriate for the Court to suggest.

14 THE COURT: The man behind the curtain. The
15 Great Oz. You talk to him and let him decide what he
16 wants to do. Right? You had started it. You
17 started the conversation. I'll finish it. You do
18 what you damn please as far as that's concerned.
19 Okay? Anybody else that we need to hear from this
20 morning?

21 MS. SEIFER-SMITH: I believe Ms. Carter would
22 like to be heard.

23 THE COURT: Okay. And she -- come on up, ma'am.

24 MS. SEIFER-SMITH: She is the mother of
25 Mr. Barnes.

1 THE BAILIFF: Your Honor, do you want her at the
2 podium or --

3 THE COURT: No. That's fine right there.

4 MS. CARTER: Judge Federico, I'm so sorry and
5 I'm so sorry for everybody, but Judge, he was my only
6 boy. I'm raising two of his kids and I take
7 care -- I'm raising five grandkids on my own as it is
8 now.

9 Judge, whatever he did, he did and I promise
10 you, God forgive me, I do hate his guts. But to keep
11 me coming here every time then -- I want it over.
12 It's -- that's between him and God, Judge Federico.

13 And then, I'm not being funny to nobody. Him
14 being disrespectful. What happened to his family; it
15 happened. But what happened to my son -- I don't
16 care how technical -- I'm not smart like that. I
17 want this over.

18 If he wants to plea life without parole, I'm so
19 -- I want it over. You can't keep taking nobody
20 through this. I'm a single grandmother. I work
21 hard. And this -- and this -- every time I come, it
22 just digs. It digs. And that was my only boy. And
23 I don't care what he did in life, he was a part of me
24 and God. So it's not for nobody to judge him or
25 nobody but I want it over, Judge Federico.

1 You all, please. And I don't -- I don't
2 understand how much trial case got something to do
3 with this. This -- this -- this separate. It
4 took -- it was two whole weeks.

5 Stop doing me like this. I want it over so me
6 and these kids can live and keep on going.
7 It's -- it's taking a lot out of me, Judge, and I'm
8 getting sick. But like I said, that's between him
9 and God. That's between him and God.

10 THE COURT: Okay.

11 MS. CARTER: And I'm -- I'm just tired, Judge.

12 THE COURT: I understand.

13 MS. CARTER: I want it over. And I don't, like
14 I said, I don't know why it keep -- it keep this,
15 like, that's -- I feel bad about his family but then
16 I'm just worrying about my child. I'm worried about
17 my child. I don't have nothing to do with them
18 people. And I feel bad because I lost my child but I
19 don't have nothing to do -- stop putting my -- my
20 child with them. Get this over with.

21 I'm going to tell you what I want. I
22 want -- whatever they decide -- let him and God
23 settle that. That's -- that's all I got to say
24 because I do -- I don't like him -- I don't like him,
25 and that's the end of it. But that's between him and

1 God. He got himself -- that's something he going to
2 answer for with him and God because that was my only
3 child. That was my only son.

4 In regards to where he was or what he -- he was
5 a good child of me and that's all that matters and
6 between -- that's between him -- that was between him
7 and God, too, with my child. So that -- let that be
8 between him and God with him. But stop it. It's
9 enough. It's on -- going on five years.

10 THE COURT: I understand, ma'am. Thank you.

11 MR. KOSKINAS: Ms. Barnes, can I ask you a
12 question?

13 MS. BARNES: Yeah. You can ask me.

14 MR. KOSKINAS: Ms. Barnes, you've been to every
15 single court date, haven't you?

16 MS. BARNES: Yes. I have.

17 MR. KOSKINAS: And you've had the opportunity to
18 see everything that's happened?

19 MS. BARNES: Yes, sir.

20 MR. KOSKINAS: In Court. Is that right?

21 MS. BARNES: Yes, sir.

22 MR. KOSKINAS: Now, ma'am, in your perception,
23 has the State in any way delayed this case?

24 MS. BARNES: No. Judge, see -- that's what I'm
25 saying, see --

1 MR. KOSKINAS: Well, let me ask you --

2 MS. BARNES: No. No.

3 MS. SEIFER-SMITH: Oh, come on.

4 MS. BARNES: He -- no. He had -- no, listen.

5 MR. KOSKINAS: Okay.

6 MS. SEIFER-SMITH: Your Honor --

7 MS. BARNES: He's -- as far as I'm concerned --

8 MS. SEIFER-SMITH: Your Honor --

9 MR. KOSKINAS: All right.

10 MS. BARNES: -- that's -- that's when it --

11 MS. SEIFER-SMITH: This is an inappropriate line
12 of questioning.

13 MS. BARNES: When he hasn't -- as I see, he's
14 been doing his job. He's never -- he did his job
15 very well to me. I don't have -- I just want -- I
16 don't -- I don't like the fact that they speaking for
17 me on -- on the -- the -- the -- the only thing I
18 don't like, Judge Federico, is somebody speaking for
19 me and don't let me speak my rights for what I want
20 to happen.

21 MR. KOSKINAS: Ms. Barnes?

22 MS. BARNES: That's -- that's how I feel about
23 it.

24 MR. KOSKINAS: Well, being here and seeing all
25 that's happened in Court, do you have an opinion

1 about why and -- and how this case has been
2 obstructed from going to trial? Does somebody seem
3 to be fighting against that?

4 MS. BARNES: Yes.

5 MR. KOSKINAS: What was your impression, ma'am?

6 THE COURT: We're going to --

7 MS. BARNES: Judge, that's -- that's --

8 MS. SEIFER-SMITH: Your Honor -- Your Honor, I
9 think at this point --

10 MS. BARNES: Yep.

11 MS. SEIFER-SMITH: This is inappropriate.

12 THE COURT: It is. We're going to qualify her
13 as an expert witness on courtroom procedure now,
14 Mr. Koskinas?

15 MR. KOSKINAS: I just asked her impression,
16 Judge.

17 THE COURT: Thank you, ma'am.

18 MS. BARNES: Thank you, sir.

19 THE COURT: All right. So I guess we're going
20 to reset a pretrial I suppose until we have -- you
21 guys are going to withdraw? Is that what the latest
22 procedural aspect is?

23 MS. SEIFER-SMITH: I don't know. I can't speak
24 on that.

25 THE COURT: Well, you guys got to withdraw,

1 right?

2 MS. SEIFER-SMITH: Well, I mean, Ms. Russell and
3 I certainly are withdrawing because we're leaving the
4 office.

5 THE COURT: But you don't know whether the
6 office is taking the position you need to withdraw or
7 not?

8 MS. SEIFER-SMITH: I don't. I need to speak
9 with my supervisor.

10 THE COURT: So how long should we reset this for
11 from your perspective?

12 MS. SEIFER-SMITH: I'd ask for a week reset.

13 MR. KOSKINAS: Judge, there's another person in
14 the stand. I think it's the defendant's brother who
15 wants to speak. I don't know if you're going to
16 entertain that.

17 THE COURT: Well, I guess it -- if they're a
18 part of the victim's family then certainly they have
19 a right to express -- we're kind of caught up in
20 who's family and who's not because it's kind of
21 interrelated. Right? All of this? I guess the --

22 MS. SEIFER-SMITH: Yes. Yes. Mr. Rashaud
23 (Phonetic) Whitfield is Cornelius Whitfield's
24 brother. He is the son of Ms. Harilal. He is the
25 grandchild of Mr. Sallie Whitfield, the great

1 grandchild of Ms. Patricia Whitfield.

2 MR. WHITFIELD: No.

3 MS. SEIFER-SMITH: I'm sorry. I inverted that.
4 The grandchild of Ms. Patricia Sharp (Phonetic), the
5 great grandchild of Ms. Sallie Whitfied, and the
6 nephew of Mr. Antonio Graham.

7 THE COURT: So he's related to both, I guess, is
8 the net result. Right?

9 MS. SEIFER-SMITH: Correct. He is related to
10 both Mr. Cornelius Whitfield --

11 THE COURT: Well then, if he's part of the --

12 MS. SEIFER-SMITH: -- as well as the victims in
13 -1513.

14 THE COURT: Well then if he's part of the
15 victim's family, he should have the right to address
16 the Court.

17 MS. SEIFER-SMITH: He does under the Florida
18 Constitution.

19 THE COURT: And I -- I -- we might as well have
20 our say. Come on up, sir.

21 MR. WHITFIELD: How you doing?

22 THE COURT: Good morning, sir. Can you -- for
23 the record, can you announce on the microphone your
24 name? I know this is difficult for you. Take a
25 moment, have a breath, and then if you could tell me

1 your name and share with us what you'd like to share.

2 MR. WHITFIELD: I'm Rashaud Whitfield, Cornelius
3 Whitfield's big brother. I'm the member of the
4 deceased. I'm also a friend of the deceased as well.

5 We all want this over. I don't know what the
6 State talking about. I don't know what they talking
7 about. But he can take that up with God, just like
8 this lady said.

9 That's my brother. I don't want to see him die.
10 I don't want to see him in prison. But he did what
11 he did and he got to wear what he wear. Those are
12 his choices. He made those choices, allegedly. He
13 got to live with that. Nobody else.

14 I don't know this lady. I knew her son. But
15 for her to be at every court date, getting sick,
16 taking care of kids and stuff and still getting drug
17 in here; it's got to stop.

18 It's five years of taxpayers' dollars and I
19 work. I don't be in the streets. I work. I just
20 got hit by a car; I got two broke ankles. I got four
21 children that I take care of by myself. I'm tired of
22 this. My momma tired of it. My sister's tired of
23 it. None of my family even want to come and deal
24 with it because it's five years.

25 Everybody know what happened so how long this

1 going to go on? We going to make a documentary of
2 it? Oh, a 10-year trial? This don't make no sense.

3 At the end of the day, everybody got to start
4 thinking about everybody families that's involved
5 rather than thinking about their selves and their job
6 securities. This is ridiculous.

7 If he's going to admit, let him admit. Let him
8 plea out. That's what the State does. Ask for the
9 story, let him plea out, let it go on. Please don't
10 drag us no more. I'm not trying to live another
11 year, three, or five years chasing behind this.

12 We all got lives to live and right now none of
13 us should have been here because it should have been
14 over with. It should have been over with.
15 Everybody's in here is frustrated with it. It's on
16 everybody's face including the deputies.

17 So let's start thinking about everybody else and
18 start thinking about what's right here and what we
19 really need to be doing. Gas is expensive. I don't
20 have job security. I got two broke ankles and still
21 taking care of four children. And I'm here today.
22 And that's it.

23 THE COURT: Thank you. And all I can add is
24 that this has obviously torn the family apart on
25 everybody's side because it's all family members that

1 are involved. Putting it to a rest and ending this
2 situation with a compromise from all sides seems to
3 be the suggestion that was on the table.

4 I'm not favoring one side or other, I just want
5 it to end. I want the families' pain to end; put it
6 behind us and move forward. It has nothing to do
7 with favoring one side or another. The result is the
8 result.

9 You got to look at each case individually, what
10 the circumstances are. Are there certainly
11 aggravators that the State can seek moving forward
12 based on what I've heard? Sure. Is that the best
13 decision based on everything we've heard based on the
14 family being torn apart and based on the willingness
15 for him to accept responsibility?

16 I wish it was my decision to make. I really do.
17 But it's not. I -- I can't tell them what to seek or
18 not to seek. If I could, you know -- that's why
19 we're having this hearing and that's why we're 40
20 minutes into this hearing because, you know, a lot of
21 times what the law says and you know what the right
22 result is and where we should get to. And it's my
23 belief that we're not getting there today. And so
24 that's why I'm frustrated.

25 We have an opportunity to get there and we

1 haven't gotten there and we're not there. And so
2 this unfortunately is going to continue to go on and
3 we're going to continue to have more litigation, more
4 lawyers involved, when it -- it should be at a point
5 where we can make it end.

6 If I could make it end, like I said, I would
7 make it end. But the law in the State of Florida
8 does not give Judge the -- the Judge the ultimate
9 power over these kinds of decisions. Ultimately, if
10 the jury recommends, I'll have the power to make a
11 decision, but that could be, who knows, a couple more
12 years down the road and meanwhile all these other
13 people are suffering.

14 It's my job. I, you know, I show up. I do what
15 needs to be done. My responsibility is to try and
16 get these cases to a reasonable and fair conclusion,
17 which I'm attempting to do. People want to
18 criticize? Hey, I asked for it when I asked for the
19 robe. I don't care if people criticize. But I'm
20 trying to get this done in the best way for all the
21 people involved given all the circumstances that are
22 involved in this case.

23 I understand both sides can disagree. And
24 plenty of times the State's disagreed including at
25 this point with what I've done. There is literally

1 lots of times the Defense has agreed -- disagreed
2 with things I've done over the last 43 years. But
3 sometimes, as the gentleman and the young lady, I'll
4 say, had pointed out, sometimes it just has to end.
5 It just has to end. And making it continue to go on,
6 I don't know how that's in anybody's interest.

7 Because even if you get what you want, it's
8 still going to be up to me. Right? And the bottom
9 line is, it's going to be my call. Right? If you
10 get to where you want. You convict him on the first
11 one; the jury recommends when we go to the second
12 one, death; it's still going to be my call. The
13 problem is, people are going to be suffering for two
14 or three more years until we get to that point.
15 Right?

16 Is it frustrating for me? Yeah. Do I -- I --
17 Jesus. These are the days when I question why I'm
18 still sitting here 43 years' in. Right? Getting
19 ready to turn 70 years old. What in the hey am I
20 still doing sitting here after all this instead of
21 retiring and going to the mountains? But I don't
22 know. There's something about it that keeps me here
23 and keeps dragging me in. You know the line in the
24 old Godfather movie? Every time I try and get out,
25 they drag me back in. I guess that's what applies --

1 that's what applies in this situation.

2 It should end. It needs to end. But we're here
3 and the decision has been made today that it doesn't
4 end today. Hopefully, what I've said will make
5 people reconsider what this situation is and where we
6 are. I would like nothing better for everybody
7 involved in the case.

8 All things even, you want to try the case -- or
9 cases, we'll try the cases. But there are a lot of
10 people on both sides of this family that are
11 suffering from this whole result and from where we
12 are. And I -- that -- to me, that should be the
13 prime consideration of what we finally make a
14 decision based on. Not what I think. Not what
15 either side thinks. What's the best way and the most
16 compassionate way to get this whole thing resolved
17 and put it all behind us for everybody involved?

18 So I'll get off of my soapbox at this point.
19 You're going to decide whether you're conflicting off
20 and/or if somebody else is appointed in the case?
21 Yes?

22 MS. SEIFER-SMITH: Correct.

23 THE COURT: So I think we should set a pretrial
24 in, what, a month to see what the final answer is as
25 far as that's concerned?

1 MS. SEIFER-SMITH: Sure.

2 THE COURT: Is that a reasonable period of time?

3 MS. SEIFER-SMITH: Absolutely.

4 THE COURT: All right. That will give the State
5 time to decide based on our little back and forth
6 whether they want somebody else handling this or not.

7 All right. Let's set it August 20th. We'll set
8 a pretrial on 08/20/26. That date acceptable,
9 Mr. Koskinas?

10 MR. KOSKINAS: Yes, sir. August 20th?

11 THE COURT: At 8:30 on all pending cases. And
12 we'll make some decisions procedurally and
13 substantively as how we'll move along at that point.

14 All right. Any other business to come before
15 the Court this morning?

16 MS. SEIFER-SMITH: Your Honor, may I approach?

17 THE COURT: Sure.

18 MS. SEIFER-SMITH: I filed another downward
19 motion this morning. Here is a copy.

20 THE COURT: Thank you. All right. We'll be in
21 recess. Thank you.

22 (Proceedings concluded.)

23

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CERTIFICATE OF COURT REPORTER

STATE OF FLORIDA

COUNTY OF PINELLAS

I, Beth Ellenwood, a digital court reporter for the Sixth Judicial Circuit, do hereby certify that I was authorized to and did transcribe the foregoing proceedings and that the transcript is a true and correct record of said proceedings.

DATED this 28th day of July, 2026.

/S Beth Ellenwood
Beth Ellenwood
Digital Court Reporter
Sixth Judicial Circuit