

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR PINELLAS COUNTY
CASE NUMBER CRC21-01099CFANO, CRC21-01513CFANO

STATE OF FLORIDA,

Plaintiff,

vs.

CORNELIUS WHITFIELD,

Defendant.

_____ /

PROCEEDINGS: Pretrial Hearing

BEFORE: The Honorable Philip J. Federico
Circuit Court Judge

DATE: March 18, 2025

PLACE: Courtroom 7
Pinellas County Justice Center
14250 - 49th Street North
Clearwater, Florida 33762

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(Pages 1 to 17)

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P-R-O-C-E-E-D-I-N-G-S

THE COURT: All right. Are you ready for your client?

MS. SEIFER-SMITH: Yes, please.

Cornelius Whitfield. We have two cases. The trial case is 21-01099CF. The other case is 21-01513CF. Julia Seifer-Smith, Margaret Russell, Lamark McGreen on behalf of Mr. Whitfield.

THE COURT: Still ensconced in the depo hoopla?

MS. SEIFER-SMITH: Indeed. We have, I think, about a dozen depositions set today, starting at 9:00. We have additional depositions set.

(THE DEFENDANT ENTERED THE COURTROOM)

THE COURT: All right. So Mr. Whitfield has joined us on 21-01099, which is a murder, first degree; attempt murder; robbery. That is what is set on the 7th of April for trial. The other case is 21-01513, which is three counts murder in the first degree; attempt murder; tampering with physical evidence; and intro. He's got an intro of contraband tagging along as well.

We got together. Today's get-together was because I'm gonna be gone away for a week and a half, and we wanted to see how close we are to

1 being ready for 4/7.

2 MS. SEIFER-SMITH: Well, concerning to us, the
3 State provided discovery, which is obviously their
4 obligation, but provided quite late discovery
5 including about a dozen additional witnesses, one
6 FDLE analyst whose work is apparently not yet
7 complete in these cases.

8 THE COURT: Relative to what area of
9 expertise?

10 MS. SEIFER-SMITH: Firearms.

11 THE COURT: Okay. So --

12 MS. SEIFER-SMITH: So --

13 MR. KOSKINAS: I can speak to that.

14 THE COURT: Well, we will. Let her --

15 MR. KOSKINAS: Yes, absolutely.

16 MS. SEIFER-SMITH: So what concerns us is our
17 obvious ability to be ready to take these remaining
18 depositions in advance of the trial date,
19 especially where we are told that one of the
20 analysts has not completed their work. That person
21 is obviously an expert. We don't even know what
22 all the work entails. We would potentially hire
23 somebody to review that work. It's become a
24 problem for us to be ready for April 7th.

25 THE COURT: So the people -- let me piecemeal

1 this together. The people set today, how many of
2 those are significant? How many of those are just
3 carrying out your constitutional responsibilities
4 as we like to call it? Is there significant people
5 even on the list today that you got to speak to?

6 MS. SEIFER-SMITH: Yes.

7 THE COURT: Civilian or LEO or both?

8 MS. SEIFER-SMITH: I believe there is only one
9 civilian. There's a paramedic, the sergeant who
10 was in charge of the homicide unit who had contact
11 with civilians as well, the forensics analyst. The
12 lead detective is set next week. There were
13 several civilians who were set and served for last
14 week, including one of the victims who survived,
15 who's also a critical witness for the State;
16 another critical witness for the State who was
17 apparently in U.S. Marshal custody -- we did not
18 learn this until a day before the deposition -- his
19 wife, who he called and had go to the apartment,
20 and without getting into all the details about --

21 THE COURT: So all of those people last week,
22 did they show?

23 MS. SEIFER-SMITH: They did not.

24 THE COURT: And the person that's in Marshal's
25 custody, you're not -- I mean, realistically I

1 don't know that you're getting your hands on them
2 anytime between now and 4/7, let alone even to
3 produce them for the trial, let alone to do a depo.

4 MS. SEIFER-SMITH: And I don't know. Having
5 spoken with Mr. Koskinas' colleague, she wasn't
6 certain if they were going to call her. If they're
7 not going to call her, then that might change
8 things for us. But it's also a strategy decision.
9 It might be somebody that we want to call, and
10 we're not certain yet. So this does make things
11 very difficult for us, especially if people do not
12 show when they are served for a deposition.

13 MR. KOSKINAS: I understand their position,
14 Judge. The depositions are one thing, and I agree
15 with them on that. The FDLE thing is not really
16 much of an issue. That's an issue where there was
17 a comparison, there was a NIBIN match between the
18 scene, the original scene in the trial case, and
19 the gun in the murder of the second scene. This is
20 just further corroboration.

21 So we don't -- we're net getting that evidence
22 in through NIBIN. It's like a fingerprint. You
23 call the fingerprint expert on the day of the
24 morning of trial that rolls prints and confirms
25 them. This is just follow-up for information they

1 already know.

2 However, the depositions are a different
3 story. So they've got -- there's a number of
4 depositions that are still outstanding. So I
5 understand the predicament that they're in. We've
6 still got to arrange some of the civilian witnesses
7 for their depositions. So, I mean, I understand
8 the position where they're in, and I think that's
9 well-taken.

10 THE COURT: Well, if I was gonna be here the
11 next week and a half and not out of town, I would
12 say let's see what we can get done, but it's pretty
13 obvious you've got a lot, miles to go before we
14 sleep, and I'm not sure we are getting a nap in
15 anytime soon. I mean, I don't think it's realistic
16 for the 7th. You guys are dancing around it, but I
17 don't know that we're gonna get this off the ground
18 on the 7th.

19 You guys can keep working as much as you want.
20 I'm back on the -- I think it's the 3rd. So, I
21 mean, if you want to keep slinging it out, that's
22 fine, but I don't think it's realistic we're gonna
23 be able to get this to trial on the 7th, but you
24 tell me how want to procedurally handle it.

25 MS. SEIFER-SMITH: I mean, as much as I would

1 like us to go to trial on the 7th, we -- you know,
2 we undertook, I think, with all expeditiousness in
3 order to get this on the 7th. Everybody has been
4 waiting quite some time for this trial to go. I
5 don't see it being realistic to get it off the
6 ground.

7 THE COURT: I don't either.

8 MR. KOSKINAS: Judge, here's my suggestion.

9 THE COURT: I appreciate the efforts. You
10 guys have done more than most people do in this
11 situation to try to get it done. As opposed to
12 setting one round of depositions and going, oh, I can't
13 get it done, you guys have actually made a
14 determined effort to try to get it accomplished.
15 So I recognize that and appreciate it.

16 I just don't know that -- I mean, it's a lot
17 to get done. People don't show. Then what? We're
18 gonna bring that guy in the morning of trial. Then
19 if he says something that doesn't -- you know,
20 causes you to have another -- right? I mean, you
21 do all that work, prep one time, and then you're
22 like, oh, we got to continue it anyway, and then
23 you got to gear it back up whenever. I would
24 rather just set it. I don't -- my schedule's not
25 too bad, I don't think, coming up in the next

1 couple months.

2 MR. KOSKINAS: Judge, if I could, here's my
3 suggestion. I understand their position with the
4 depositions, and I understand where they're at. I
5 would ask that the Court formally leave it on for
6 the week with the understanding --

7 THE COURT: Just us kids knowing it's not
8 going, is that the plan?

9 MR. KOSKINAS: With everybody knowing it's not
10 going, and the reason I say this is we might be
11 able to get significant work done. If we're not
12 able to get it done prior to the week, those trial
13 subpoenas have already been sent out. We might be
14 able to get some work done that week. But once it
15 gets called off, if they call in and Victim/Witness
16 tells them it's called off, it's thrown out the
17 window. So everybody's available that week. We
18 thought we were in trial. So I think we might be
19 able to get significant work done. I'm not saying
20 don't pick a new date now or whatever they want,
21 but at least that will push us along.

22 MS. SEIFER-SMITH: I mean, I'm available to
23 take depositions of people who have been set and
24 have not appeared that week. So I think that
25 that's probably a good use of our time.

1 THE COURT: Okay. So I'm just trying to
2 figure out procedurally how to do this.

3 MS. SEIFER-SMITH: And so what --

4 THE COURT: The 7th is a Monday. So you want
5 to leave the trial date, theoretically, on. Do you
6 want to talk about a new trial date now and then
7 hold it in our pocket until -- I won't set anything
8 else and hold it in our pocket until the 7th and
9 then we'll move it?

10 MS. SEIFER-SMITH: We certainly can do.

11 THE COURT: My other -- I knew this was going
12 away or I had a feeling it was going away, and I
13 know my wife's scheduled cataract surgery for that
14 week and I got to take her.

15 MS. SEIFER-SMITH: Understood.

16 THE COURT: I may have to work around that on
17 the 7th or whatever.

18 MS. SEIFER-SMITH: I mean, certainly we're --

19 THE COURT: I'll be back the week before. So
20 I can touch base with you guys.

21 MS. SEIFER-SMITH: I'm back before your Honor
22 on the 9th as well. I don't know if your Honor
23 would prefer -- I think what I would very much like
24 to see happen is, for the civilians who are served
25 for the trial, to potentially take their

1 depositions on the 7th, if they appear.

2 MR. KOSKINAS: And my suggestion is not to
3 wait, right? If your depositions are already set
4 or you've already reached out and --

5 MS. SEIFER-SMITH: They have not been reset
6 yet.

7 MR. KOSKINAS: Okay.

8 THE COURT: I think that week is a good time
9 to try to get depos done because you guys don't
10 have anything else scheduled. I think that makes
11 sense. All right. Let's talk about a future trial
12 date. If you get all that done, then you might
13 have one or two things left, right? When are you
14 looking again? What month are you in that you can
15 look for -- let me see what I got. I mean, the
16 next probably the whole week I got open is in June.
17 Are you thinking sooner than that? June 23rd?
18 That's not too bad.

19 THE BAILIFF: Keep it down in the gallery.

20 THE COURT: How's that look for you guys?
21 This one that we're trying, is that gonna be a
22 four-day or are we thinking longer than that?

23 MR. KOSKINAS: So, no. I would think probably
24 four days. Now, there's -- the crime scenes are
25 related. So it depends. It's hard for me to say

1 what the defense is gonna be and where they're
2 gonna go.

3 THE COURT: Well, the only reasons I raise
4 that --

5 MR. KOSKINAS: There's not a lot to the first
6 one.

7 THE COURT: If it's not four days, I got -- I
8 do mental health court on Fridays, and then the
9 next week is 4th of July week, which I'm gonna try
10 and get out of here for. So if you don't think
11 four days, then we probably should go over. The
12 next I would have would be July 14th, all week.

13 MS. SEIFER-SMITH: So the week of --

14 MR. KOSKINAS: I've got another murder on
15 July 14th. I've got --

16 MS. SEIFER-SMITH: Unfortunately, the week of
17 the 23rd, Ms. Russell and I have depositions set on
18 a death penalty case in front of Judge Bulone.

19 THE COURT: Okay. I'm not cannibalizing what
20 you got going on there. 14th doesn't work for you,
21 July?

22 MR. KOSKINAS: It doesn't. I've got that
23 Clearwater murder in division A -- I'm
24 sorry -- that week.

25 THE COURT: All right. See what else I got

1 I'm gonna prioritize this. How's the 28th? I got
2 one, but this thing -- this thing takes precedence
3 over that. July 28th work for you guys or no?

4 MR. KOSKINAS: Yes, sir.

5 Tony?

6 MR. BRADLOW: Yeah, that works for me.

7 THE COURT: I guess since we're not setting it
8 today, we can set it as a tentative, and then
9 sometime that week of the 7th we'll come back and
10 set it formally and continue the trial on the 7th.
11 How's the 28th for you guys, July?

12 MS. SEIFER-SMITH: We are tentatively good.
13 So if we can pencil that in and then confirm when
14 we come in.

15 THE COURT: All right. Let's pencil that in.
16 So do you want to get together on the 7th
17 officially, or do you want to just poke your heads
18 in that Thursday before? It's -- yeah, you don't
19 want to call them off, though.

20 MR. KOSKINAS: No, I don't want to call them
21 off, and that's why I say maybe we show up on
22 the 7th -- as long as the Court's here, we show up
23 on the 7th and make it official for the 23rd.

24 THE COURT: Okay. The 28th, you mean?

25 MR. KOSKINAS: 28th. I'm sorry. Yes.

1 THE COURT: All right. So let's pencil in
2 7/28 as the trial date on the one that's on the
3 calendar. You don't need to put anything down.
4 This is just us kids talking about stuff. Let's
5 try and keep the 28th of July open for the reset
6 date. Let's leave it set on 4/7. We know it's not
7 going.

8 I'm gonna -- I think I'm gonna let Jury One
9 know I don't need jurors but then not let anybody
10 else know. The problem around -- I'll just tell
11 Jill to call the week before and cancel the jurors
12 but not take anything off the calendar. It still
13 spreads like -- one person knows, then the whole
14 place knows even though it's not official.

15 All right. Let's leave it set for 7th. We'll
16 get as much done as we can, and then we'll
17 officially make the other trial date on 7/28 and go
18 from there. I don't think we need to do anything
19 else on the record today, right?

20 MS. SEIFER-SMITH: No. We're not asking for
21 anything else.

22 THE COURT: All right. And if that date
23 doesn't work, we'll pull another one, but let's
24 shoot for 7/28 as our date, you know, and get as
25 much done as we can in the interim. Okay?

1 MS. SEIFER-SMITH: Yeah.

2 MR. KOSKINAS: Thank you, Judge.

3 THE COURT: Anything else?

4 MR. KOSKINAS: No, sir.

5 THE COURT: All right. Appreciate it. Thank
6 you.

7 (PROCEEDINGS CONCLUDED)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)

COUNTY OF PINELLAS)

I, Jennifer Fleischer, Registered Merit Reporter,
certify that I was authorized to and did stenographically
report the foregoing proceedings and that the transcript
is a true record.

DATED this 29th day of April, 2025.

/s Jennifer Fleischer
Jennifer Fleischer
Registered Merit Reporter