

**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:

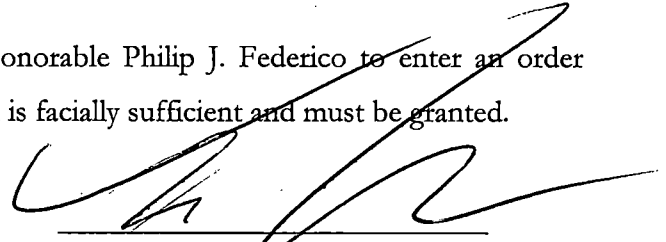
- a. So the question is what do we do now? Do we – do we – your perceived feeling or animosity about how we’ve gotten here is going to preclude us from having an honest conversation about what the best result is?
  - b. You get a conviction on a first-degree murder, I’ve – I’ve heard what the aggravation [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 specifics 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

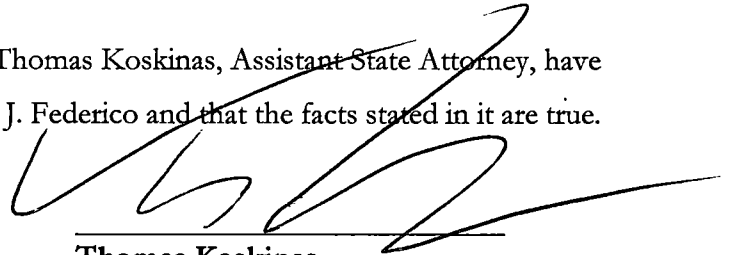
Any party, including the State, may move to disqualify a judge in a case. Fla. R. Jud. Admin. 2.320(b) (2022). A motion to disqualify must be in writing, sworn to by both the party and the party's attorney, with specific facts and the date the facts were discovered. Fla. R. Jud. Admin. 2.320(c). Thus, 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. Olu, 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.



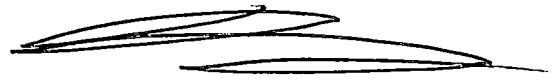
**Thomas Koskinas**  
**Assistant State Attorney**  
Sixth Judicial Circuit  
Bar No. 181374  
P.O. Box 17500  
Clearwater, FL 33762-0500  
(727) 464-6221

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.

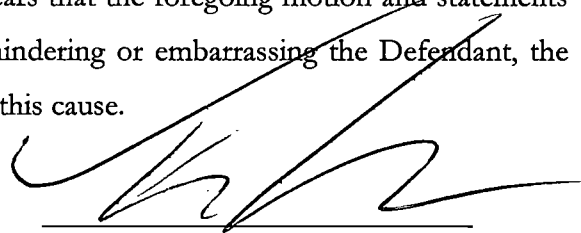


Notary Public



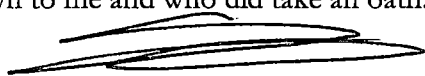
**CERTIFICATE OF GOOD FAITH**

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.

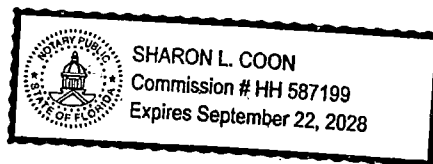


**Thomas Koskinas**  
**Assistant State Attorney**

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.

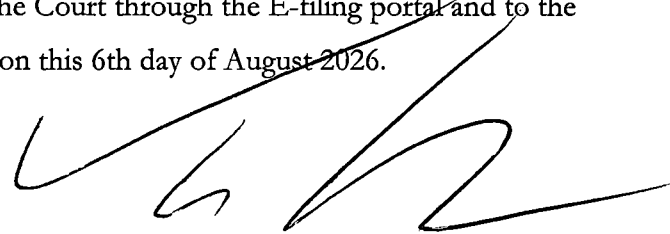


Notary Public



**CERTIFICATE OF 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.)  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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  
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

## 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

24

25

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