

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR PINELLAS COUNTY  
CASE NUMBER CRC23-03157CFANO

STATE OF FLORIDA,

Plaintiff,

vs.

THOMAS ISAIAH MOSLEY,

Defendant.

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PROCEEDINGS: STATUS CHECK

BEFORE: THE HONORABLE SUSAN ST. JOHN  
CIRCUIT JUDGE

DATE: February 13, 2024

PLACE: Courtroom 5  
Pinellas County Justice Center  
14250 - 49th Street North  
Clearwater, Florida 33762

REPORTER: LINDA FRITSCH  
Registered Merit Reporter

(Pages 1 to 12)

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P R O C E E D I N G S

THE BAILIFF: All rise. Circuit Court in and for Pinellas County is now in session, with the Honorable Judge Susan St. John presiding.

THE COURT: Good morning, everybody. You can have a seat. I will be right with you.

(OTHER CASES WERE DISCUSSED BEFORE HANDLING STATE OF FLORIDA VERSUS THOMAS MOSLEY)

MS. RUSSELL: So we have Margaret Russell and Jessica Manuele here on Thomas Mosley, page two of four of the motion calendar today.

Also present is --

MS. PETERSON: Amanda Peterson, with the Suncoast Center.

THE COURT: Okay.

MS. RUSSELL: Your Honor, Mr. Mosley went to the state hospital, December 14th, and just returned February 1st. So after a full six-week stay, the state hospital is of the opinion that he's returned to competency. I think our opinion would differ.

We have contacted Dr. McClain and Dr. Hall, who were the confidential defense experts, who we used in the prior competency proceedings. They are going to come back and revisit him, in fairly short

1 order, we hope by the end of the month.

2 At this point, I'm not sure if the State would  
3 like to request that we reappoint the two experts  
4 that we had, Dr. Maher and Dr. Ramm.

5 THE COURT: It was McClain and who else?

6 MS. RUSSELL: Well, we had Dr. McClain  
7 and Dr. Hall. And, originally, in the first  
8 proceeding, Dr. Maher and Dr. Ramm were  
9 court-appointed.

10 As I'm sure your Honor's aware, there is a  
11 huge backlog with the court-appointed experts.  
12 They're all handling many, many more cases than  
13 ever before. So it's taking a lot more time than  
14 usual to get these things accomplished.

15 THE COURT: We need Dr. Poorman back.

16 MS. RUSSELL: If we could make that happen.

17 MS. MANUELE: Agreed.

18 THE COURT: Okay. Ms. Sullivan, what says the  
19 State?

20 MS. SULLIVAN: The State would be asking for  
21 a competency hearing at this point, based on the  
22 state hospital's evaluation of Mr. Mosley, stating  
23 that he's not incompetent, that he was, in fact,  
24 malingering. And we don't want these reports to  
25 get stale. So I'd like a hearing on the matter.

1 THE COURT: Okay. All right. Give me one  
2 moment to get my computer working here, and I'll  
3 give you some dates.

4 MS. RUSSELL: So, your Honor, are we looking  
5 for a date for a hearing, or just --

6 THE COURT: It's making me pick a new password  
7 today, of all mornings, so just bear with me for a  
8 minute.

9 MS. RUSSELL: And for the record, also  
10 Nichole Blaquiere is here.

11 THE COURT: Okay. I've got my calendar up.  
12 You were asking me if I intended on setting  
13 a hearing today?

14 MS. RUSSELL: Correct.

15 THE COURT: Yes, I do. But I'll put it out  
16 far enough for you to get your experts in, if  
17 that's what you want to do, have Dr. Hall and  
18 Dr. McClain revisit with him.

19 MS. RUSSELL: And just to be clear, the  
20 State's not asking for any further court-appointed  
21 experts, they're only gonna rely on the state  
22 hospital, and that's it?

23 THE COURT: It doesn't sound like it.

24 MS. SULLIVAN: No.

25 MS. RUSSELL: All right.

1 THE COURT: Ms. Callahan, Steven Owens?

2 MS. CALLAHAN: Yes.

3 THE COURT: Remind me who that is, the motion  
4 to suppress.

5 MS. CALLAHAN: He's the one where we set him  
6 before, and then the officer went on some sort of  
7 administrative leave. It was a trespass case, that  
8 both -- I feel like the case wasn't super clear on,  
9 but that's a motion to suppress that got reset, and  
10 then we had to wait for him to come, and then he  
11 got reset again.

12 THE COURT: Okay. So we've had resets. I'm  
13 not moving that one.

14 March 22, that's a Friday afternoon.

15 MS. RUSSELL: Unfortunately, Ms. Manuele has  
16 a conflict, and Ms. Blaquiere.

17 THE COURT: Are you two here on Carruthers, as  
18 well?

19 MS. BLAQUIERE: (Shakes head.)

20 THE COURT: Who has Carruthers?

21 MS. RUSSELL: I believe that's Ms.  
22 Seifer-Smith and Miss Deliberato (phonetic).

23 MS. FERANTE: If your Honor needs more  
24 information on Carruthers, I'm handling it today,  
25 and it sounds like it's gonna have to get reset.

1           So --

2           THE COURT: That was the answer I was looking  
3 for. Thank you. Not that I wanted it to get  
4 reset, but that's what I was fishing for.

5           All right. March 25 is a Monday.

6           MS. MANUELE: Judge, right now, I'm set to  
7 start a homicide trial the next day. So I'm  
8 available, but there's --

9           THE COURT: Is that Patrick Creeders, with me?

10          MS. MANUELE: No. It's over in Division I.

11          THE COURT: Well, Mr. Mosley's case is  
12 obviously significant for -- mostly because it's a  
13 death penalty case. And then the clock is ticking.  
14 I mean, he's back from the state hospital. So I  
15 need to try and squeeze him in sooner rather than  
16 later. So tell me -- even if I have to bump other  
17 trials -- tell me what days work for you.

18          There's only a handful of days where I'm out  
19 of the office doing other things. So I can  
20 probably make it work, if you'll just give me an  
21 afternoon -- even if we started after the morning  
22 calendar, I could make it work. I'd like to set it  
23 sometime in March, so you would have time to have  
24 him evaluated by your folks.

25          MS. MANUELE: Understood, your Honor.

1 MS. RUSSELL: Since Ms. Manuele is the capital  
2 qualified lawyer on the case --

3 THE COURT: I understand.

4 MS. RUSSELL: -- it's her schedule that's the  
5 one that's the most conflicted.

6 THE COURT: She's busy, no doubt.

7 I can do March 12, 13, 14.

8 MS. SULLIVAN: That's the only week I'm  
9 unavailable. That's Spring Break week.

10 THE COURT: I can do March 5th or 6th.

11 MS. SULLIVAN: That's fine with me.

12 THE COURT: I can do 26, 27, 28 -- 25, 26, 27,  
13 28, but you're on a homicide that week.

14 MS. MANUELE: So we -- if your Honor wants, we  
15 could maybe set it that week, and a status check --  
16 so the issue is, I filed a stand-your-ground, and  
17 we filed a petition with the Second, and -- but  
18 they haven't done any order to show cause or a  
19 stay.

20 THE COURT: Okay.

21 MS. MANUELE: So we -- if that happens, then  
22 that would go away; but if not, then I would be in  
23 trial. But we should know, I would think, within  
24 the next week or so if they're going to issue that.  
25 So maybe we can lock in that date, just so



1 everybody's calendar is set, and then we can do a  
2 status check in a week and a half or two weeks, to  
3 come back.

4 THE COURT: Which date were you thinking?

5 MS. MANUELE: The 22nd or the 25th.

6 THE COURT: Friday, the 22nd -- March 22nd;  
7 3/22, at 1:30 p.m.

8 I have no objection to any doctors appearing  
9 via Zoom for competency evidentiary hearings, as  
10 long as everybody agrees to it. So I'll leave that  
11 up to you-all, to let me know if you want -- if  
12 you're comfortable with the doctors appearing via  
13 Zoom. If you-all don't agree, that's fine.  
14 Everyone can come in person, but I like to leave  
15 that as an option.

16 MS. SULLIVAN: Ms. Manuele, would you agree to  
17 that for the state hospital doctor? I'm fine for  
18 whoever you call.

19 MS. MANUELE: I don't think we would be in  
20 agreement with that, but maybe we can discuss that  
21 at the status check, and then we can have an answer  
22 on that for sure.

23 MS. SULLIVAN: All right. I just need to know  
24 because I have to get a subpoena out and talk to  
25 that person, to schedule it.

1 THE COURT: Okay.

2 MS. SULLIVAN: So --

3 MS. MANUELE: Just based on -- obviously, the  
4 nature of it being a death penalty case.

5 THE COURT: No, I understand. That's why I  
6 threw it out there. So --

7 MS. MANUELE: Yeah.

8 THE COURT: Normally, you know, everyone in  
9 my division knows I'm fine with it. I just thought  
10 it would be important to mention.

11 When do you want to do a status check? Do you  
12 want to do the first week in March?

13 MS. MANUELE: Or the 28 or 29th of February?

14 THE COURT: That's fine, too. I would rather  
15 know sooner rather than later.

16 MS. MANUELE: The same.

17 THE COURT: Okay.

18 MS. MANUELE: The 28 or 29th, I'm available,  
19 though.

20 MS. SULLIVAN: Either of those is fine with  
21 me.

22 THE COURT: All right. Let's try the 29th;  
23 2/29 for a status check on competency evidentiary  
24 hearing readiness. And we'll have the hearing  
25 scheduled for 3/22, and we can talk more on

1 February 29th, whether or not that's realistic or  
2 not. Okay?

3 Anything else we need to talk about for  
4 Mr. Mosley today?

5 MS. MANUELE: No, your Honor.

6 MS. SULLIVAN: No, your Honor.

7 THE COURT: Okay. All right. We'll see you  
8 at the end of the month.

9 MS. MANUELE: Thank you.

10 THE COURT: Thank you.

11 (THE HEARING CONCLUDED)

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**CERTIFICATE OF REPORTER**

STATE OF FLORIDA )

COUNTY OF PINELLAS )

I, ROBIN FRALEY, REGISTERED PROFESSIONAL REPORTER,  
certify that I was authorized to and did transcribe the  
foregoing proceedings and that the transcript is a true  
record.

DATED this 8th day of March, 2024.

/s ROBIN FRALEY  
ROBIN FRALEY  
Registered Professional Reporter