

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR PINELLAS COUNTY
CASE NUMBER 23-03157CFANO

STATE OF FLORIDA,

Plaintiff,

THOMAS ISAAH MOSLEY,

Defendant.

_____ /

PROCEEDINGS: STATUS CHECK

BEFORE: HONORABLE SUSAN ST. JOHN
CIRCUIT JUDGE

DATE: February 29, 2024

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

REPORTER: LINDA FRITSCH
REGISTERED MERIT REPORTER

(Pages 1 to 10)

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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. You can have a seat. I'll be right with you.

(OTHER CASES WERE HELD BEFORE CALLING STATE OF FLORIDA
VERSUS THOMAS MOSLEY)

THE COURT: Do we have everyone here for Mosley or are we missing --

MR. RUSSELL: Your Honor, unfortunately, we are missing Miss Manuele and we are also missing Mr. Mosley, who is downstairs. They are going to bring him up.

THE COURT: All right. So we will wait for Miss Manuele to get here.

MR. RUSSELL: Thank you, your Honor.

THE COURT: Okay.

(OTHER CASES WERE HELD BEFORE RETURNING TO
STATE OF FLORIDA VERSUS THOMAS MOSLEY)

THE COURT: Okay. Are we ready or do you need a minute on Mosley?

MR. RUSSELL: I think we are ready.

MS. SULLIVAN: Ready.

THE COURT: Okay.

1 MR. RUSSELL: We are ready.

2 THE COURT: Okay. Can we have Mr. Mosley out,
3 please?

4 THE BAILIFF: Yes.

5 THE COURT: All right. Mr. Mosley, good
6 morning.

7 Ms. Manuele, good morning.

8 MS. MANUELE: Good morning, your Honor.

9 THE COURT: So we're here on Thomas Mosley,
10 23-03157. Counsel for State and Defense are
11 present, the Court Reporter is present, and we're
12 here for a status check, essentially, to make sure
13 everyone's ready for the competency evidentiary
14 hearing set for March 22.

15 MR. RUSSELL: Yes, your Honor.

16 First off, there are going to be some issues
17 on the 22nd. I did check, both with Dr. Hall and
18 Dr. McClain --

19 THE COURT: Yes.

20 MR. RUSSELL: -- and, unfortunately, neither
21 of them are available. I know your Honor is aware,
22 since Dr. Poorman's departure, the five doctors on
23 the wheel have really been overwhelmed.

24 THE COURT: Right.

25 MR. RUSSELL: Dr. McClain is one of them.

1 I did get the first dates that were available
2 for Defense Counsel and all the experts, and,
3 unfortunately, I cannot change these schedules,
4 nor do I have any ability to ask doctors to clear
5 their schedules. The first date that we have
6 is May 2nd, from 1:00 to 4:00. We also have
7 June 14th, from 1:00 to 4:00.

8 THE COURT: All right. What about your
9 doctors?

10 MS. SULLIVAN: So my -- the doctor from the
11 treatment center, Mr. Mosley was residing in, has
12 found him competent, I reached out to them. I sent
13 a subpoena. I spoke to the lawyer that represents
14 the center. She's available on March 22nd. I
15 think he filed a motion with the court, requesting
16 it to be via Zoom; that would be their preference.
17 I explained to them, I didn't mind that, but --

18 THE COURT: Well, I leave it up to the
19 lawyers.

20 MS. SULLIVAN: Right.

21 THE COURT: If there's an agreement that any
22 of the doctors can appear via Zoom, I'm fine with
23 that. If you-all want these doctors here, in
24 person, then we'll do it all in person.

25 MS. SULLIVAN: And that's what I explained to

1 him, that that would be what you would say.

2 THE COURT: Right.

3 MS. SULLIVAN: And he understood that. And
4 she will come. So she is available to come on
5 March 22nd.

6 My concern -- and we talked about it the last
7 time of moving it any later, is I don't want her
8 report to become stale.

9 THE COURT: It would be my expectation to
10 start the hearing on the 22nd. As long as somebody
11 is available, we'll start it, and we'll finish it
12 whenever your folks are available. Okay?

13 What's your position on Zoom? I assume you
14 want her here. Is it him or her?

15 MS. SULLIVAN: It's a her.

16 MR. RUSSELL: We would be objecting,
17 your Honor.

18 THE COURT: So you want her here.

19 MR. RUSSELL: Exactly.

20 THE COURT: Okay. That's fine. So March 22,
21 we'll start.

22 You said -- let me see what other -- you gave
23 me 5/2.

24 MR. RUSSELL: From 1:00 to 4:00 p.m, or 6/14,
25 1:00 to 4:00.

1 THE COURT: I am not here March 2nd, so we're
2 looking at --

3 MR. RUSSELL: I'm sorry, May 2nd, your Honor.

4 THE COURT: I'm not here that day.

5 And then we could do -- I can do June 14th.
6 Do you want me to do that, for your doctors?

7 MR. RUSSELL: June 14th, it is.

8 MS. SULLIVAN: We are fine with that, your
9 Honor.

10 THE COURT: So it's gonna be a bifurcated
11 hearing. We'll start on 3/22 with State doctors.

12 And if there's anything else -- I don't know
13 how you-all are going to do your presentation. If
14 there's any civilians you want me to hear from,
15 anything else, you're welcome to have them here
16 June 22nd (sic). If you want to do your entire
17 presentation on June 14th, that's fine with me,
18 too.

19 So I'm gonna leave June -- or March 22 open
20 for whatever you all want to bring in. And the
21 same with 6/14. Okay?

22 MS. MANUELE: And, your Honor, there is one
23 other potential issue with the 22nd. I do have a
24 trial potentially starting that following week.

25 I did speak to cocounsel and my client. I am

1 going to ask Judge Helinger to convert that to a
2 pretrial, but I have not had the opportunity to do
3 that yet. If that is left as a trial, I would be
4 unavailable for 3/22.

5 THE COURT: So as soon as you learn the answer
6 to that, please come in --

7 MS. MANUELE: Absolutely.

8 THE COURT: -- and let me know, and we'll make
9 any adjustments that we need to. Okay?

10 MS. MANUELE: Yes, your Honor.

11 THE COURT: All right.

12 Anything else we need to talk about for
13 today's purposes?

14 MS. SULLIVAN: What time did you want to start
15 on June 14th?

16 THE COURT: 1:30, please. I have another
17 hearing that day, that I will move, so we can --
18 you know, it's hard with the doctors. It's like
19 cat herding, so I'll make space for it.

20 All right. I will see you-all, starting on
21 March 22nd, unless you-all need to see me sooner
22 than that, and we'll make that a pretrial as well.
23 That way Mr. Mosley is brought over. Okay?

24 MS. SULLIVAN: That's fine.

25 MS. MANUELE: No objection here.

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THE COURT: All right. Thank you.

(THE HEARING CONCLUDED)

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