

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY**

STATE OF FLORIDA

v.

CASE NO.: 25-06211-CF

JEFFREY DAVID KNIGHT,

Defendant

/

MOTION TO EXCUSE DEFENDANT'S PERSONAL APPEARANCE
AT PRE-TRIAL AND WILLIAMS RULE HEARING

COMES NOW the Defendant, by and through undersigned counsel, and pursuant to Florida Rules of Criminal Procedure 3.180(a)(3), 3.220(o)(1), and 3.116(c), respectfully moves this Court to excuse the Defendant's personal appearance at the presently scheduled Pretrial Conference and Williams Rule hearing, and as grounds states:

1. This matter is presently scheduled for a Pretrial Conference on October 9, 2026, at which time the Court is also scheduled to hear argument concerning the admissibility of the State's proposed Williams rule evidence.
2. The Defendant is scheduled to undergo hip surgery on October 2, 2026. The need for surgery was not known sufficiently in advance for the Defendant or undersigned counsel to anticipate the present conflict when the hearing was scheduled.
3. As a result of the surgery and associated recovery, requiring the Defendant to personally appear in court for the scheduled Pretrial Conference and hearing would impose a substantial and unnecessary physical hardship.
4. Florida Rule of Criminal Procedure 3.180(a)(3) expressly permits a defendant's presence at a pretrial conference to be waived in writing or on the record by the defendant, or by defense counsel with the defendant's consent. Rule 3.220(o)(1) likewise permits a defendant to waive his presence at a pretrial conference.

5. The Defendant knowingly consents to undersigned counsel waiving his personal appearance at the presently scheduled Pretrial Conference.
6. In *Jimenez v. State*, 201 So. 3d 214 (Fla. 2d DCA 2016), the Second District recognized that Florida Rules of Criminal Procedure 3.180(a)(3) and 3.220(o)(1) permit a defendant to waive his appearance at a pretrial conference.
7. Although a trial court may require a defendant's attendance when there is good cause to do so, such a determination requires consideration of the circumstances of the particular case rather than a blanket requirement of personal attendance. *See Scott v. State*, 307 So. 3d 106, 107 (Fla. 3d DCA 2020) (requiring trial court to accept waiver of appearance when good cause to override waiver is lacking).
8. There is no case-specific reason requiring the Defendant's physical presence at this Pretrial Conference. No plea will be entered, no testimony from the Defendant is anticipated, and no other matter requiring the Defendant's personal participation is presently expected to occur.
9. The Williams rule issue to be addressed at the hearing presents a legal question concerning the admissibility of evidence. No testimony is anticipated in connection with the motion, and the Defendant's presence is unnecessary to the presentation or resolution of the legal arguments before the Court.
10. Undersigned counsel is fully prepared to address both the Pretrial Conference and the Williams rule motion without the Defendant's physical presence. Excusing the Defendant's appearance will not delay the proceedings or prejudice the State.
11. Alternatively, should the Court require the Defendant to participate in the Pretrial Conference or remain available during the Williams rule hearing, the Defendant requests permission to appear by Zoom or other audio-video communication technology.

12. Florida Rule of Criminal Procedure 3.116(c) expressly authorizes the use of communication technology for pretrial conferences and non-evidentiary proceedings following waiver of the Defendant's physical attendance pursuant to Rules 3.180(a)(3) and 3.220(o)(1).
13. The Defendant will remain available by Zoom or telephone throughout the proceeding if required by the Court and will be available to confer privately with counsel should the need arise.
14. The Defendant therefore respectfully requests that the Court accept his waiver of personal appearance and permit undersigned counsel to appear on his behalf at the Pretrial Conference and Williams rule hearing, or alternatively permit the Defendant to participate remotely through communication technology.

WHEREFORE, the Defendant respectfully requests that this Court enter an Order excusing the Defendant's personal appearance at the scheduled Pretrial Conference and Williams rule hearing and permitting the matter to proceed in his absence or, alternatively, permitting the Defendant to participate remotely by Zoom, telephone, or other communication technology approved by the Court.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished electronically via the E-Filing Portal to the Pinellas Clerk of Court and to the Office of the State Attorney for Pinellas County, on this 1st day of October, 2026.

THE LAW OFFICES OF CARLSON HAYSLETT, P.A.

/s/ J. Kevin Hayslett
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