

APPENDIX A

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**STEVEN VILLALONA,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D17-480

[May 23, 2019]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Andrew L. Siegel, Judge; L.T. Case No. 13005914 CF10A.

Steven Justin Villalona, Oakdale, Louisiana, pro se.

Ashley B. Moody, Attorney General, Tallahassee, and Mitchell A. Egber, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

*Affirmed.*

DAMOORGIAN, LEVINE and KLINGENSMITH, JJ., concur.

\* \* \*

***Not final until disposition of timely filed motion for rehearing.***

APPENDIX B



CLOCK IN

[ ] 17th Judicial Circuit in and for Broward County

DIVISION:  
CriminalSENTENCE  
as to Count 1

THE STATE OF FLORIDA VS.

CASE NUMBER

Steven Villalonga

13-5914

DEFENDANT

CF A

Prose'

The Defendant, being personally before this court, accompanied by his attorney, and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he sentenced as provided by law, and cause shown,

Check One

and the Court having on 12-2-16 deferred imposition of sentence until this date.

and the Court having previously entered a judgment in this case on the defendant now resentence the defendant.

and the Court having placed the Defendant on Probation/Community Control and having subsequently revoked the Defendant's Probation/Community Control.

IT IS THE SENTENCE OF THE COURT that:

The Defendant pay a fine of \$250.00, pursuant to section 775.083, Florida Statutes, plus \$12.50 as the 5% surcharge required by section 938.04, Florida Statutes.

The Defendant is hereby committed to the custody of the Department of Corrections.

The Defendant is hereby committed to the custody of the Sheriff of Broward County, Florida.

The Defendant is hereby sentenced as a youthful offender in accordance with F.S. 958.04.

TO BE IMPRISONED (check one: unmarked sections are inapplicable)

 For a term of Natural Life. For a term of 15 years Said SENTENCE IS SUSPENDED for a period of \_\_\_\_\_ subject to conditions set forth in this Order.

If "split" sentence, complete either paragraph.

Followed by a period of \_\_\_\_\_ on Probation/Community Control under the supervision of the Department of Correction according to the terms and conditions of supervision set forth in separate order entered herein.

However, after serving a period of \_\_\_\_\_ imprisonment in \_\_\_\_\_ the balance of such sentence shall be suspended and the defendant shall be placed on Probation/Community Control for a period of \_\_\_\_\_ under supervision of the Department of Corrections according to the terms and conditions of the Probation/Community Control set forth in a separate order entered herein.

I HEREBY CERTIFY that a true and correct copy of the above and foregoing was served on the State Attorney by: [ ] Hand delivery [ ] U.S. Mail and to the Defense Attorney by: [ ] Hand delivery [ ] U.S. Mail this 12 Jan 17 day of 2017.

DIVISION:  
CRIMINAL

SENTENCE  
(AS TO COUNT 1)

CASE NUMBER  
13-5914 A  
CF

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision term.

**SPECIAL PROVISIONS**  
(As to Count 1)

By appropriate notation, the following provisions apply to the sentence imposed:

**MANDATORY/MINIMUM PROVISIONS:**

BATTERY ON THE  
ELDERLY

It is further ordered that the three (3) year mandatory minimum imprisonment provisions of F.S. 784.08(1) are hereby imposed for the sentence specified in this court.

DRUG TRAFFICKING

It is further ordered that the 15 yrs mandatory minimum imprisonment provisions of Florida Statute 893.135(1) are hereby imposed for the sentence specified in this court.

CONTROLLED  
SUBSTANCE WITHIN  
1000 FEET OF SCHOOL

It is further ordered that the three (3) year minimum imprisonment provision of Florida Statute 893.13(1)(e)1, are hereby imposed for the sentence specified in this court.

HABITUAL FELONY  
OFFENDER

The defendant is adjudicated a habitual felony offender and has been sentenced to an extended term in this sentence in accordance to the provisions of Florida Statute 775.084(4). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

HABITUAL VIOLENT  
OFFENDER

The defendant is adjudicated a habitual violent felony offender and has been sentenced to an extended term in this sentence in accordance to the provision of Florida Statute 775.084(4). A minimum term of \_\_\_\_\_ year(s) must be served prior to release. The requisite findings by the court are set forth in a separate order or stated on the record in open court.

LAW ENFORCEMENT  
PROTECTION ACT

It is further ordered that the Defendant shall serve a minimum of \_\_\_\_\_ years before release in accordance with Florida Statute 775.0823.

CAPITAL OFFENSE

It is further ordered that the Defendant shall serve no less than 25 years in accordance with the provisions of Florida Statute 775.082(1).

VIOLENT CAREER  
CRIMINAL

The defendant is adjudicated a violent career criminal offender and has been sentenced to a term in accordance with the provision of Florida Statute 775.084(4)(c). A minimum term of \_\_\_\_\_ year(s) must be served prior to release. The requisite findings by the court are set forth in a separate order or stated on the record in open court.

PRISON RELEASEE  
REOFFENDER

The defendant is sentenced as a prison releasee reoffender and must serve a term of imprisonment of \_\_\_\_\_ years in accordance with the provisions of Florida Statute 775.082(8)(a)2.

I HEREBY CERTIFY that a true and correct copy of the above and foregoing was served on the State Attorney by:  Hand delivery  
[ ] U.S. Mail and to the Defense Attorney by:  Hand delivery [ ] U.S. Mail this 12 day of Jan, 20\_\_\_\_\_. 17

DIVISION: CRIMINAL	SENTENCE (AS TO COUNT <u>1</u> )	CASE NUMBER <u>13-591 A</u> CF
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**OTHER PROVISIONS**

**FIREARM/DESTRUCTIVE DEVICE**  It is further ordered that the \_\_\_\_\_ year mandatory minimum imprisonment provision of Florida Statute 775.087(2) and (3) is hereby imposed for the sentence specified in this count

**THREE-TIME VIOLENT FELONY OFFENDER**  The Defendant is adjudicated a three-time violent felony offender and has been sentenced to an extended term in accordance with the provisions of Florida Statute 775.084. The requisite findings by the court are set forth in a separate order or as stated on the record in open court.

**SHORT-BARRELED RIFLE, SHOTGUN, MACHINE GUN**  It is further ordered that the five-year minimum provisions of Florida Statute 790.22(2) are hereby imposed for the sentence specified in this count.

**CONTINUING CRIMINAL ENTERPRISE**  It is further ordered that the 25 year mandatory minimum sentence provisions of Florida Statute 893.20 are hereby imposed for the sentence specified in this count.

**RETENTION OF JURISDICTION**  The court retains jurisdiction over the defendant pursuant to Florida Statutes 947.16 (3). 844

**JAIL CREDIT**  It is further ordered that the defendant shall be allowed a total of \_\_\_\_\_ days as credit for time incarcerated prior to imposition of this sentence.

**PRISON CREDIT**  It is further ordered that the defendant be allowed credit for all time previously served on this count in the Department of Corrections prior to re-sentencing.

**CONSECUTIVE CONCURRENT AS TO OTHER COUNTS**  It is further ordered that the sentence imposed by this court shall run \_\_\_\_\_ consecutive to \_\_\_\_\_ concurrent with (check one) the sentence set forth in count \_\_\_\_\_ of this case.

**CONSECUTIVE CONCURRENT AS TO OTHER CONVICTIONS**  It is further ordered that the composite term of all sentences imposed for the courts specified in this order shall run \_\_\_\_\_ consecutive to \_\_\_\_\_ concurrent with (check one) the following:  
 Any active sentence being served.  
 Specific Sentences: \_\_\_\_\_  
  
 \_\_\_\_\_  
  
 \_\_\_\_\_

**PSI ORDERED**
 YES  NO
 

In the event the above sentence is to the Department of Corrections, the Sheriff of Broward County, Florida, is hereby ordered and directed to deliver the Defendant to the Department of Corrections at the facility designated by the Department together with a copy of this Judgment and Sentence and any other documents specified by Florida Statutes.

The Defendant in Open Court was advised of his right to appeal from this Sentence by filing notice of appeal within thirty days from this date with the Clerk of this Court, and the Defendant's right to assistance of counsel in taking said appeal at the expense of the State upon showing of indigence.

In imposing the above sentence, the court further recommends \_\_\_\_\_

**DONE AND ORDERED** in Open Court at Broward County, Florida, this 12 day of Jan, 2017

JUDGE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing was served on the State Attorney by:  Hand Delivery  
 U.S. Mail and to the Defense Attorney by:  Hand Delivery  U.S. Mail this 12 day of Jan, 2017

APPENDIX C

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401

June 18, 2019

CASE NO.: 4D17-0480  
L.T. No.: 13005914 CF10A

STEVEN VILLALONA

v. STATE OF FLORIDA

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Appellant / Petitioner(s)

Appellee / Respondent(s)

---

**BY ORDER OF THE COURT:**

ORDERED that the appellant's June 14, 2019 motion for rehearing is denied.

Served:

cc: Attorney General-W.P.B.  
Steven Villalona

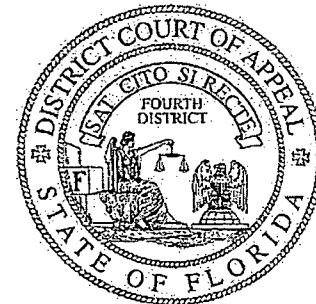
Mitchell Alan Egber

Jeanine Marie  
Germanowicz

kr

Lonn Weissblum

LONN WEISSBLUM, Clerk  
Fourth District Court of Appeal



APPENDIX D

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM BEACH, FL 33401

June 30, 2016

CASE NO.: 4D16-1025  
L.T. No.: 13-5914 CF10A

STEVEN VILLALONA

v. STATE OF FLORIDA

---

Appellant / Petitioner(s)

Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

ORDERED that the March 21, 2016 petition for writ of prohibition is denied. Further,  
ORDERED that petitioner's April 11, 2016 motion for review is denied as moot. Further,  
ORDERED that respondent's April 13, 2016 motion to strike is denied as moot.

CIKLIN, C.J., WARNER and DAMOORGIAN, JJ., concur.

Served:

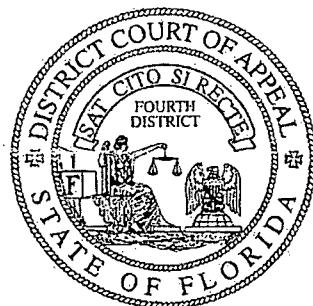
cc: Attorney General-W. P. B. Nancy Barbara Jack  
Hon. Andrew L. Siegel

Steven Villalona

ms

Lonn Weissblum

LONN WEISSBLUM, Clerk  
Fourth District Court of Appeal



APPENDIX E

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM BEACH, FL 33401

August 09, 2016

CASE NO.: 4D16-1025  
L.T. No.: 13-5914 CF10A

STEVEN VILLALONA

v. STATE OF FLORIDA

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Appellant / Petitioner(s)

Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

ORDERED that the petitioner's July 11, 2016 motion for rehearing is denied.

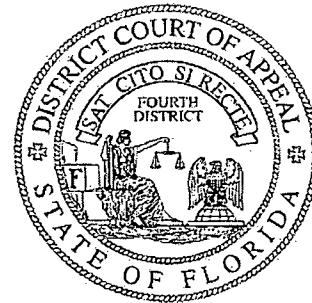
Served:

cc: Attorney General-W. P. B. Nancy Barbara Jack Steven Villalona

ms

Lonn Weissblum

LONN WEISSBLUM, Clerk  
Fourth District Court of Appeal



App. E.

APPENDIX F

IN THE CIRCUIT COURT OF THE  
SEVENTEENTH JUDICIAL CIRCUIT,  
IN AND FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA

vs.

AFFIDAVIT  
To Arrest

Steven Villalona, w/m, 6-5-84

2012 SEP 19 PM 11:15  
FILED FOR RECORDS  
CLERK OF CIRCUIT COURT  
BROWARD COUNTY, FLORIDA  
FELONY

BEFORE ME, JUDGE of the Circuit Court of the Seventeenth Judicial District in and for Broward County, State of Florida, personally came Detective Greg LaCerra #11331, Broward County Sheriff's Office, who after being duly sworn, deposes and says that on the 20th and 21st days of September, A.D. 2011, in the County and State aforesaid, one Miguelina Perez did then and there unlawfully:

To Wit;

\*\*Conspiracy to Traffic Cocaine (over 400 grams less 150 kilograms), violation of F.S.S. 893.135-5  
(3) C

\*\*Attempted to Purchase Cocaine, violation of F.S.S. 893.13(2)(a), 893.03(2)(a)(4), and 777.04(4)

Pursuant to FSS 893.02 (17), Miguelina Perez was charged with Attempted Trafficking in Cocaine (over 400 grams less 150 kilograms) because she temporarily possessed two (2) kilograms of cocaine for the purpose of verification and / or testing the drugs on September 20<sup>th</sup> and 21<sup>st</sup>, 2011.

During the months of August and September 2011, a Metro Broward Drug Task Force Confidential Informant (CI #1510070002) was contacted by Miguelina Perez in reference to purchasing multiple kilograms of Cocaine. Perez was in contact with other unknown subjects in the Orlando area, who were inquiring about purchasing 5 kilo's of cocaine. After numerous recorded phone conversations between the CI and Perez, Perez advised she and an unknown male would be traveling from Orlando to Broward County to purchase (2) two kilograms of Cocaine on September 20th, 2011 for the agreed price of \$24,000 a kilogram.

On September 20<sup>th</sup>, 2011, Perez and a subject later identified as Steven Villalona arrived in Broward County and were directed to the El Tamarindo restaurant (233 W. State Road 84) by the CI.

Page 1 of 3

At approximately 6:15 pm, Perez and Villalona arrived at El Tamarindo driving a tan four door

Chevrolet passenger vehicle. The Florida tag on the vehicle was U868VX.

Shortly after arriving, Det. Sanchez who was working in an undercover capacity, accompanied by CI #1510070002, arrived at El Tamarindo restaurant in an undercover vehicle. Det. Sanchez and the CI began speaking with Villalona and Perez in the parking lot. After a brief discussion with Perez and Villalona, it was determined that Perez and Villalona had only brought \$9,000.00 in US Currency with them. Perez and Villalona wanted Det. Sanchez to sell them nine (9) ounces of Cocaine for \$9,000.00. Det. Sanchez told them he does not sell ounces of Cocaine. At approximately 6:45 pm Det. Sanchez leaves the area in the U/C vehicle. During that time the CI, Perez and Villalona sat at a table inside El Tamarindo restaurant.

At approximately 7:09 pm Det. Sanchez arrived back at El Tamarindo and asked Villalona to come into the U/C vehicle. While in the U/C vehicle Det. Sanchez flashed Villalona two kilograms of cocaine. During the flash Villalona tasted and snorted some of the cocaine from one of the kilo's. He then called the money source, later identified as Jean Mercedes, and told him the product (cocaine) was good. Shortly there after, Villalona handed Det. Sanchez his cell phone. Det. Sanchez then had a brief conversation with Mercedes. After hanging up the cell phone, Villalona told Det. Sanchez they would be down the following day with \$48,000.00 to purchase two (2) kilograms of cocaine.

(It must be noted through the investigation it was determined that Perez was a broker and that Villalona was the money source and / or a representative of the money source, who Law Enforcement believed was Jean Mercedes. (All phone calls were recorded and all meetings were video and audio recorded by Law Enforcement.)

On September 21st, 2011, subjects Perez, and Villalona and two black males arrived in Broward County and were directed to the Holiday Inn Express, which is located at 1150 W. State Road 84. The CI met with Perez and Villalona in a hotel room, which was equipped with audio and video surveillance. Shortly after arriving, Villalona can be seen on video surveillance carrying a black back pack into the hotel room. Villalona empties the back pack on the bed closest to the window and shows the CI the \$48,000 in US Currency they had brought with them to purchase the two (2) kilograms of Cocaine. Villalona tells the CI all the money is there. The CI then places a call to the U/C to advise him that Perez and Villalona were in possession of the \$48,000.

Villalona tells the CI that two black males also drove down from Orlando to test and cook the cocaine for the buyer. Shortly after Villalona shows the CI the \$48,000, the two black males can be seen on video surveillance entering the hotel room. (One of the b/m's was later identified has Shedrick Northern, dob 11-14-79). The CI has a brief discussion with the b/m's about testing and cooking the cocaine at another location. Soon after the subjects arrived from Orlando it was determined that DEA / Orlando had followed the four subjects down from Orlando.

After a brief discussion it was agreed on by Law Enforcement to cancel the two (2) kilogram cocaine reverse with Perez and Villalona. The U/C told Perez and Villalona, that he (the U/C) believed he was being followed to the meet location and didn't want to complete the transaction with them. Perez and Villalona offered to assist the U/C in locating the vehicle the U/C thought was following him. The U/C declined their assistance. Perez and Villalona remained in the area and in contact with the U/C and CI attempting to complete the transaction.

phone. During those phone conversations, Perez advised they wanted to travel down to Broward County from Orlando to purchase two kilograms of Cocaine sometime time during the week of September 26th, 2011. The CI recorded numerous phone conversations with Perez. During some of those recorded conversations with the CI, Perez placed several calls to Jean Mercedes. All three then spoke to each other, via three way connection. During those conversations the CI spoke to Mercedes directly about the purchase of two kilograms of cocaine.

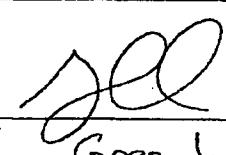
As of September 2012, Perez is still in contact with the CI inquiring about purchasing and / or bringing buyers down to Broward County to purchase kilograms of cocaine from the U/C.

The offense(s) set forth in the foregoing Affidavit is/are contrary to the statute(s) in such case made and provided, and against the peace and dignity of the State of Florida.

Sworn to and subscribed before me this 15 day of Sept, A.D. 2012

  
\_\_\_\_\_  
(Seal)  
MICHAEL A. USARI  
JUDGE, CIRCUIT COURT

11331  
CIRCUIT COURT COPY  
#1  
CIRCUIT COURT SEAL

  
\_\_\_\_\_  
11331  
Greg L. Cerre  
Affiant

FD

13-5914



DTU

TM

Bernard Bober

FELONY

IN THE CIRCUIT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

STATE OF FLORIDA, Plaintiff  
v. Offense Rpt No: BS1100095401 Offense Date: 9/20/2011  
Charge Agency: BROWARD Case Type: WA  
SHERIFFS OFFICE

Defendant Arrest No: Arrest Date:  
STEVEN VILLALONA DOB:6/5/1984 Race:W Sex: M BCCN:

CO-DEFENDANTS		Court Case Num:	13003429CF10A
Name:	MIGUELINA PEREZ		

## TO THE CLERK OF THE ABOVE-STYLED COURT:

The State hereby announces the following actions to be taken on the charges involved in the above-captioned arrest/matter

Action taken: OTHER CS Revised, Original FILE DATE - 04/05/2013

Count	Action	Short Description	Charge
1	As Presented /Filed/Clerk	893.135(1)B3(C) - 1/CF - CONSP TRFK COKE (400+GR)	
	Chrg Presented	893.135(1)B3(C) - 1/CF - CONSP TRFK COKE (400+GR)	1
2	NO INFO	893.13(1)A1(I)A - 3/CF - PURCHASE COCAINE (ATTEMPTED)	
	Chrg Presented	893.13(1)A1(I)A - 3/CF - PURCHASE COCAINE (ATTEMPTED)	2

## Special Instruction to the Clerk/Jail

\*\*\*REVISED 04/24/13\*\*\*

DO NOT ISSUE CAPIAS; KEEP AF WARRANT ACTIVE #12-299AF10.  
SUBJECT IS IN CUSTODY AND HAS BEEN SERVED ON THE WARRANT.  
04/24/13-JLJ//

Dated 24 Day of April, 2013  
 Michael J. Satz, State Attorney  
 By: John Gallagher  
 Florida Bar No: 0311634  
 Phone: (954) 831-7138

13-5914 CF10A

Clerk Comments		
Filed _____	Custody Status _____	Division <u>FD</u>
Arraignment _____		

2044794

FILE IN OPEN COURT  
CLERK OF BROWARD COUNTY COURT  
BY: [Signature]

JUL 21 2016

CLERK'S COPY

Name : Steven Villalowq  
Reg.#: 55457-018  
FDC Miami  
P.O. Box 019120  
Miami, FL 33101-9120

Date : 06-24-2014

RE: Request for Action on Pending Charges and/or Warrants.

12-299  
12-59140F10A

Dear Sir/Madam:

I am forwarding this correspondence as a Formal Request, for a Dismissal, or Speedy Trial regarding Case No. 120299AF10-000 against me and that said case be acted upon by your jurisdiction, as a District Attorney in and for the County of Broward in the State of Florida in which this request is being made.

I am currently serving a 15 years Federal Sentence, with a release date of 11-18-2024. If your office, and the District Attorney decide not to prosecute, then a prompt reply is requested from you stipulating the same.

Under the Interstate Agreement on Detainers Act, and nine (9) separate articles of IAD, found in the Statutory Law of the Party State, and the Federal Government, this request is meant to require the expeditious and Speedy disposition of outstanding, and unacted upon charges and/or warrants. Again as previously cited this requester is specifically invoking the authority and right to a Speedy Trial (should a dismissal not be granted) pursuant to Smith vs. Hooey, 393 U.S. 374, 89 S. Ct. 575, 21 L. Ed. 2d 607.

Respectfully Submitted



F5.

BP-S236(51) IAD - PLACE OF IMPRISONMENT  
U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: Michael J. Satz	JURISDICTION: Broward County
COURT: 17 <sup>th</sup> Judicial Circuit	JURISDICTION: Broward County

And to all other prosecuting officers and courts of jurisdiction listed below from which indictments, informations or complaints are pending, you are hereby notified that the undersigned is now imprisoned in:

INSTITUTION	FEDERAL CORRECTIONAL COMPLEX Medium P.O. BOX 1022 COLEMAN, FLORIDA 33521-1022
-------------	--

I hereby request that a final disposition be made of the following indictments, informations or complaints now pending against me:

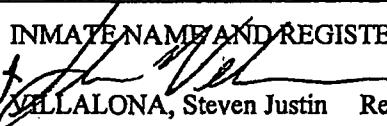
Case No. 120299AF10. Consp. To Traffic in Cocaine/Attempt to Purchase Cocaine

Failure to take action in accordance with the Interstate Agreement on Detainers Act, to which your state is committed by Law, will result in the invalidation of the indictments, informations or complaints.

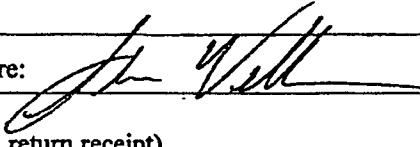
I hereby agree that this request will operate as a request for final disposition of all untried indictments, informations or complaints on the basis of which detainees have been lodged against me from your state. I also agree that this request shall be deemed to be my waiver of extradition with respect to any charge or proceedings contemplated hereby or included herein, and a waiver of extradition to your state to serve any sentence there imposed upon me, after completion of my term of imprisonment in this state. I also agree that this request shall constitute a consent by me to the production of my body in any court where my presence may be required in order to effectuate the purposes of the Interstate Agreement on Detainers Act and a further consent voluntarily to be returned to the institution in which I now am confined.

If jurisdiction over this matter is properly in another agency, court or officer, please designate the proper agency, court or officer and return this form to the sender.

Forms BP-S238(51), Certificate of Inmate Status, and BP-S239(51), Offer of To Deliver Temporary Custody, are attached.

DATE:	INMATE NAME AND REGISTER NUMBER:
7/08/2014	 VILLALONA, Steven Justin Reg. No. 55457-018

The inmate must indicate below whether he has counsel or wishes the court in the receiving state to appoint counsel for purposes of any proceedings preliminary to trial in the receiving state which may take place before his delivery to the jurisdiction in which the indictment, information or complaint is pending. Failure to list the name and address of counsel will be construed to indicate the Inmate's consent to the appointment of counsel by the appropriate court in the receiving state.

A. My counsel is:	Address:
B. I request the court appoint counsel:	Signature: 

Original - State IAD Administrator

Copy Prosecuting Official; Clerk of Court (mail certified return receipt)

Copy J&C file; Central File;

IN THE CIRCUIT COURT OF THE AND  
17TH JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO. 13005914CF10A

vs.

JUDGE: BOBER

STEVEN VILLALONIA,  
Defendant.

**MOTION TO COMPEL DISCOVERY**

COMES NOW the Defendant, STEVEN VILLALONIA, by and through the undersigned attorney, pursuant to Rule 3.220(a), (b), (j) and (n), Florida Rules of Criminal Procedure, and moves this Court for an Order compelling the State to comply with the rules of discovery. As grounds for this Motion, Defendant would show:

1. In this case, the Law Office of the Public Defender was appointed on 10/7/2014.
2. The defendant filed a demand for discovery on 10/6/2014.
3. The fifteen (15) day period provided for by Rule 3.220 and applicable case law<sup>1</sup> ended on 10/21/2014, and to date Defendant has not yet received discovery.
4. Such failure by the State to furnish the Defendant with discovery has seriously impeded the preparation of the case and has thereby unjustly jeopardized Defendant's case.
5. Defendant is asking the Court to Order the State Attorney to provide all documents, reports, statements and such other items it has in its possession as well as the names and

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<sup>1</sup> Addressing the issue of pre-information filing of a demand for discovery in *Pura v. State*, 789 So.2d 436, the Florida Fifth District Court of Appeals held that "...the premature filing of the demand for discovery ... should not be deemed a nullity. The premature demand should have been held in abeyance until the information was filed, thereby obligating the State to provide discovery within 15 days after it filed the information." (*Id.* at 439, 2001.)

addresses of all persons known to the State Attorney to have information that may be relevant to the offense charged as specifically set forth in Rule 3.220(b)(1).

6. Due to the State's non-compliance with its discovery obligation, Defendant has been denied due process of law and equal protection under the state and federal constitutions.

7. Other grounds to be argued *ore tenus*.

WHEREFORE, Defendant prays the Court will grant this Motion and Order the State to comply with the discovery obligations set forth in Rule 3.220.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-service to the Office of the State Attorney, , at [courtdocs@saol7.state.fl.us](mailto:courtdocs@saol7.state.fl.us), Broward County Courthouse, Fort Lauderdale, Florida, this November 14, 2014.

HOWARD FINKELSTEIN  
Public Defender  
17th Judicial Circuit

s/ JAMES KINSLER RUBIN

---

JAMES KINSLER RUBIN  
Florida Bar No. 0131474  
Assistant Public Defender  
Attorney for Defendant  
[discovery@browarddefender.org](mailto:discovery@browarddefender.org)  
(954) 831-8563

IN THE CIRCUIT COURT OF THE AND  
17TH JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO. 13005914CF10A

vs.

JUDGE: BOBER

STEVEN VILLALONIA,  
Defendant.

**SECOND MOTION TO COMPEL DISCOVERY**

COMES NOW the Defendant, STEVEN VILLALONIA, by and through the undersigned attorney, pursuant to Rule 3.220(a), (b), (j) and (n), Florida Rules of Criminal Procedure, and moves this Court for an Order compelling the State to comply with the rules of discovery. As grounds for this Motion, Defendant would show:

1. In this case, the Law Office of the Public Defender was appointed on 10/7/2014.
2. The defendant filed a demand for discovery on 10/6/2014.
3. The fifteen (15) day period provided for by Rule 3.220 and applicable case law<sup>1</sup> ended on 10/21/2014.
4. A hearing on Defendant's First Motion to Compel Discovery was set on 12/2/2014, said hearing was cancelled when the undersigned received the State's initial Discovery package in open court.
5. Subsequent to the receipt of the initial discovery package the undersigned has reviewed the package and noted references to the following items which have not been provided:

<sup>1</sup> Addressing the issue of pre-information filing of a demand for discovery in *Pura v. State*, 789 So.2d 436, the Florida Fifth District Court of Appeals held that "...the premature filing of the demand for discovery ... should not be deemed a nullity. The premature demand should have been held in abeyance until the information was filed, thereby obligating the State to provide discovery within 15 days after it filed the information." (*Id.* at 439, 2001.)

- a. Three DVD-R's containing recordings.
- b. Six CD-R's containing recordings
- c. a DVD of Audio and Video of an alleged undercover meet and flash in U/C vehicle.
- d. CD containing M. Perez phone calls with CI
- e. CD containing M. Perez phone calls with Sanchez

4. Such failure by the State to furnish the Defendant with discovery has seriously impeded the preparation of the case and has thereby unjustly jeopardized Defendant's case.

5. Defendant is asking the Court to Order the State Attorney to provide the above listed items and all documents, reports, statements and such other items it has in its possession as well as the names and addresses of all persons known to the State Attorney to have information that may be relevant to the offense charged as specifically set forth in Rule 3.220(b)(1).

6. Due to the State's non-compliance with its discovery obligation, Defendant has been denied due process of law and equal protection under the state and federal constitutions.

7. Other grounds to be argued *ore tenus*.

WHEREFORE, Defendant prays the Court will grant this Motion and Order the State to comply with the discovery obligations set forth in Rule 3.220.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-service to the Office of the State Attorney, JONATHAN CHARLES GOODMAN, at courtdocs@sao17.state.fl.us, Broward County Courthouse, Fort Lauderdale, Florida, this December 30, 2014.

HOWARD FINKELSTEIN  
Public Defender  
17th Judicial Circuit

s/ JAMES KINSLER RUBIN

---

JAMES KINSLER RUBIN  
Florida Bar No. 0131474  
Assistant Public Defender  
Attorney for Defendant  
discovery@browarddefender.org  
(954) 831-8563

IN THE CIRCUIT COURT OF THE  
17TH JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO. 13005914CF10A

vs.

JUDGE: BOBER

STEVEN VILLALONIA,  
Defendant.

---

**MOTION TO DISMISS PURSUANT TO 941.45 FLORIDA STATUTES**

COMES NOW the Defendant, **STEVEN VILLALONIA**, by and through the undersigned attorney, pursuant to Section 941.45(a), Florida Statutes, moves this Honorable Court to dismiss the information filed in the above-styled cause for the State's failure to commence its prosecution of the Defendant within the applicable time period. As grounds for this Motion, the Defendant states as follows:

1. Defendant is charged with Conspiracy to Traffic in Cocaine.
2. At all relevant times hereto the Defendant was serving a term of imprisonment in a correctional institution of a party state (in this instance a Federal facility controlled by the United States) while this untried information remained pending within the State of Florida.
3. That prior to 7/1/2014, the Defendant forwarded a "Request for Action on Pending Charges and/or Warrants" to the Broward County State Attorney's Office and to the Broward County Clerk of Courts. The copy sent to the Broward County Clerk of Courts was filed by the clerk on 7/1/2014.

F12.

4. The request for "Request for Action on Pending Charges and/or Warrants" makes specific reference to the Interstate Agreement on Detainers Act which is codified in Florida under Section 941.45, Florida Statutes.
5. The "Request for Action on Pending Charges and/or Warrants" contains written notice of the Defendants place of imprisonment and his request for final disposition as required by the statute.
6. The "Request for Action on Pending Charges and/or Warrants" also contained the term of the Defendant's commitment and his current release date in substantial conformity with the statute.
7. The State of Florida was required to bring the Defendant to trial within 180 days of receipt of his "Request for Action on Pending Charges and/or Warrants" which was filed by the Broward Clerk of Court on 7/1/2014 and which 180 day period expired on 12/28/2014, without the trial in this cause having commenced.

Pursuant to the Interstate Agreement on Detainers Act (hereinafter IAD), the Defendant has the initial burden of making a written request for final disposition, and once completed the state has the burden of bringing him to trial within 180 days. Devine v. State, 120 So.3d 171 (FLA 2d DCA 2013). In this instance the Defendant met his initial burden by preparing and mailing through the prison mail system the "Request for Action on Pending Charges and/or Warrants" A Defendant's pro se demand for disposition of charges filed under Section 941.45, Florida Statutes is sufficient to start the time running on the 180 day period for bringing the Defendant to trial. State v. Smiley, 529 So.2d 349 (FLA 1st DCA 1988).

In this case the Defendant's substantial compliance with the IAD is sufficient to invoke his rights under the act. State v. Roberts, 427 So.2d 787 (FLA 2nd DCA 1983). As a result of the

foregoing and the State's failure to commence trial within the 180 day time period this matter should be dismissed with prejudice.

WHEREFORE, the Defendant respectfully requests that this Honorable Court enter an Order granting this Motion To Dismiss Pursuant to Florida Statute 941.45.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-service to the Office of the State Attorney, JONATHAN CHARLES GOODMAN, at courtdocs@sao17.state.fl.us, Broward County Courthouse, Fort Lauderdale, Florida, this December 30, 2014.

HOWARD FINKELSTEIN  
Public Defender  
17th Judicial Circuit

s/ JAMES KINSLER RUBIN

---

JAMES KINSLER RUBIN  
Florida Bar No. 0131474  
Assistant Public Defender  
Attorney for the Defendant  
discovery@browarddefender.org  
(954) 831-8563

<input type="checkbox"/> 17th Judicial Circuit in and for Broward County <input type="checkbox"/> In the County Court in and for Broward County		<b>CLOCK IN</b> Filed in Open Court, ON <u>JAN 06 2015</u> BY <u>CAF</u>
DIVISION: <input type="checkbox"/> Criminal <input type="checkbox"/> Traffic <input type="checkbox"/> Other	<b>ORDER</b>	CASE NUMBER <u>13-5914cF10A</u>
THE STATE OF FLORIDA VS.  <u>Steven Villalona</u>		DEFENDANT
CHARGE <u>1. Conspiracy Traffic in cocaine</u>		
DEFENSE MOTION TO <u>Dismiss</u> IS HEREBY <u>Denied</u> . FOR REASONS AS STATED ON THE RECORD IN OPEN COURT.		
DONE AND ORDERED THIS <u>60</u> DAY OF <u>Jan</u> , 2014, IN BROWARD COUNTY, FLORIDA.		
 JUDGE <u>Bober</u>		
COPIES: BSO - SAO		
F15.		
ICC 112-19 ORDER DEFENSE MOTION		

17th Judicial Circuit in and for Broward County  
 In the County Court in and for Broward County

DIVISION:  
 Criminal  
 Traffic  
 Other

# ORDER

Filed in Open Court,  
CLERK OF THE CIRCUIT COURT  
ON JAN 06 2015  
BY *AP*

THE STATE OF FLORIDA VS.

CASE NUMBER NUMBER

Steven Villalona

DEFENDANT

13-5914CF10A

CHARGE 1. Conspiracy Traffic in

Cocaine

The Defendants Motion To Discharge Counsel  
And Represent himself is hereby Granted.

The Public Defender shall remain in the position  
of Stand by Counsel Only.

DONE AND ORDERED THIS 6 DAY OF Jan 20 14, IN

BROWARD COUNTY, FLORIDA.



JUDGE

*Bobber*

COPIES: BSO - SAO



IN THE CIRCUIT COURT OF THE 17TH  
JUDICIAL CIRCUIT, IN AND FOR  
BROWARD COUNTY, FLORIDA.

CASE NO.: 13-5914CF10A

STATE OF FLORIDA,

Plaintiff,

vs.

O R D E R

STEVEN VILLALONA,

Defendant.

THIS CAUSE, having come before the Court on the Defendant's *pro se* Motion For Disqualification of Judge, dated February 11, 2014, and the Court having reviewed same and being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED that the Defendant's *pro se* Motion for Disqualification of Judge be, and the same, is hereby GRANTED. The Clerk of Court shall randomly reassign this case.

DONE and ORDERED this 13 day of February, 2015, in Chambers at Fort Lauderdale, Broward County, Florida.

  
BERNARD I. BOBER, Circuit Judge

Copies furnished:

Jonathan Goodman, Esq., Assistant State Attorney

Defendant, Arrest#5014005554, c/o Broward County Main Jail, P.O. Box 9356, Fort Lauderdale, Florida 33310

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>,  
JUDICIAL CIRCUIT, IN AND FOR  
BROWARD COUNTY, STATE OF FLORIDA

STATE OF FLORIDA,

PLAINTIFF,  
VS.

Steven Villalona,  
DEFENDANT/APPELLANT,

Pro Se

CRIMINAL DIVISION

CASE NO. (S) 135914 CF10

JUDGE: Siegel-FD

FILED IN OPEN COURT  
CLERK OF THE CIRCUIT COURT  
ON MAR 30 2015  
BY OB

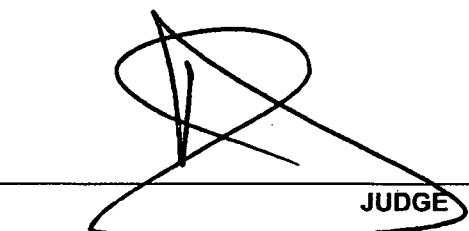
MOTION FOR SUBSTITUTION OF COUNSEL

COMES NOW, the Defendant, Steven Villalona, acting in pro se form reference the above styled cause and moves this Honorable Court for the Substitution of Counsel that has been appointed to him by this Court.

IN SUPPORT thereof the Defendant will state the following grounds:

- 1.) The Defendant no longer has confidence in the Public Defenders Office and the ability of assigned counsel to represent the Defendant fully and in his best interest.
- 2.) The defendant believes there is a conflict of interest with the Public Defender's Office and in support of accusations avers as follows:
  - A.) The Defendant after repeated requests still has not received his complete Discovery.
  - B.) The Defendant feels he cannot communicate with the Public Defender's Office not does he feels the assigned counsel acted in his best interest.
  - C.) The Defendant after requests to the Public Defender's Office, still has not sent an investigator out to find witnesses for the Defendant.
  - D.) This is the 1<sup>st</sup> Public Defender that has been assigned by the Court. The Defendant is requesting the Court assign a Special Public Defender to his case so that he may receive a proper defense.

WHEREFORE, the Defendant respectfully requests that this Honorable Court grants this Motion for Substitution of Counsel and assigns a Special Court appointed Attorney to represent the Defendant, fully and in his best interest.

<input type="checkbox"/> 17th Judicial Circuit in and for Broward County <input type="checkbox"/> In the County Court in and for Broward County		<b>CLOCK IN</b> Filed in Open Court,  ON <u>21</u> BY <u>HC</u> <u>SEP 21 2015</u>
DIVISION: <input type="checkbox"/> Criminal <input type="checkbox"/> Traffic <input type="checkbox"/> Other	<b>ORDER</b>	
THE STATE OF FLORIDA VS. <b>Steven Villalona</b> DEFENDANT		<b>CASE NUMBER</b> <u>13-5914 (FLW)</u>
CHARGE <u>Conspiracy Traffic</u>		
DEFENSE MOTION TO <u>Dismiss Court App't Counsel</u> <u>Denied</u>	<u>IS HEREBY</u> FOR REASONS AS STATED ON THE RECORD <p>Defendant Does not have Court App't          Trial. Counsel. Def't. represent himself</p>	
IN OPEN COURT.		
DONE AND ORDERED THIS <u>21</u> DAY OF <u>Sept</u> , 20 <u>15</u> , IN		
BROWARD COUNTY, FLORIDA  JUDGE		
COPIES BSO - SAO  F20.		

IN THE CIRCUIT COURT OF THE 17<sup>th</sup> JUDICIAL CIRCUIT OF FLORIDA,  
IN AND FOR BROWARD COUNTY

CRIMINAL DIVISION  
Case No.: 135914 CF10A  
Honorable Judge: Siegel - FD

STATE OF FLORIDA,  
Plaintiff,

vs

Steven Villalona,  
Defendant.  
Pro Se

MOTION TO DISMISS

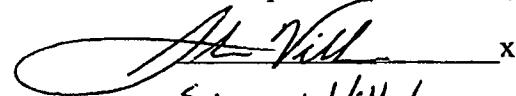
The Defendant by and through undersigned attorney and pursuant to FL 3.190(c) moves to dismiss the above styled cause. As grounds therefore and in support of his motion the Defendant would state the following:

*I have been deprived of my Federal Constitutional Right to a Speedy trial because the length of delay in prosecution is unreasonable and as a result of the delay, the STATE of Florida has gained an unfair advantage over the defense.*

WHEREFORE, based on the foregoing the Defendant would respectfully request dismissal of the above styled cause.

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered to the Clerk of the Court, the Office of the Public Defender, the Honorable Judge Siegel - FD, and the Office of the State Attorney, Broward County, Florida, on this The day of April, 2015

Respectfully submitted,

  
Steven Villalona  
Defendant, Pro Se

Arrest #: 501405554  
PO Box 407016  
Ft. Lauderdale, FL 33340



**PROPERTY  
RECEIPT**

**LAB #**

Pride in Service with Integrity

<input type="checkbox"/> ABANDONED <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> SAFEKEEPING <input type="checkbox"/> PRISONER PROPERTY <input type="checkbox"/> FORFEITURE HOLD			
Case # <b>BSII-09-5401</b>	Date and Time Received: <b>09-20-11</b>	Investigating Unit/Agency: <b>PSO</b>	Offense:
NCIC/FCIC Agency:		Agency Case #	
Suspect: <i>Melvin Parker</i>	Address: 1400 N. 14th Street	Race/Sex <b>MC</b>	DOB <b>7-27-65</b>
Suspect: <i>Claron V. Jones</i>	Address: 1400 N. 14th Street	Race/Sex <b>HM</b>	DOB <b>6-5-84</b>
Found By:	Address:	Race/Sex	DOB
Owner/Claimant:	Address:	Race/Sex:	DOB:
Victim's name (if applicable): Address:		Telephone #	
Item Number	Number of Items	DESCRIPTION	
1	6	CD-R	
<b>LAST ITEM</b>			
<p>I hereby acknowledge the above list represents all the property taken from my possession and that if my property is taken and listed as Prisoner Property or Safekeeping I must contact the Broward Sheriff's Office Evidence Unit within Sixty (60) days of seizure. If I do not make contact within Sixty (60) days all my items will be considered abandoned and disposed of Pursuant to Florida Statute Chapter 705. Evidence Unit can be contacted at (954) 765-4351.</p> <p>Signature</p>		<p>I hereby acknowledge the above list represents all property impounded by me:</p> <p>CCN: <u>010</u> District: <u>T61</u> Division: <u>01</u></p> <p>(Impounding Officer's) Signature: <u>J. Thomas</u></p> <p>Printed Name: <u>J. Thomas</u></p>	
RECEIVED BY:	REASON:	DATE	TIME:
<i>PSO 113-11</i>	<i>Take out court</i>	<i>10-3-11</i>	<i>1330</i>
<i>PSO 113-11</i>	<i>EV</i>	<i>10-3-11</i>	<i>1:15pm</i>
Court Case #	CURRENCY:		
	Verified By/CCN:		
	Signature:		

BSO RP#54 (Revised 01/11)

ACE #



**PROPERTY  
RECEIPT**

LAB #

Pride in Service with Integrity

ABANDONED  EVIDENCE  SAFEKEEPING  PRISONER PROPERTY  FORFEITURE HOLD

Case #	Date and Time Received:	Investigating Unit/Agency:	Offense:
BSA-09-5401	4-20-11	BSO/MBOTF	Auto.
NCIC/FCIC Agency:	Agency Case #		

Suspect: <u>Steven Villalona</u>	Address:	Race/Sex <u>H/m</u>	DOB <u>6-5-84</u>
Suspect: <u>Marveline Perez</u>	Address:	Race/Sex <u>H/F</u>	DOB <u>7-27-65</u>
Found By: <u>Sheriff / LaCorte</u>	Address:	Race/Sex	DOB
Owner/Claimant:	Address:	Race/Sex:	DOB:

I hereby acknowledge the above list represents all the property taken from my possession and that if my property is taken and listed as Prisoner Property or Safekeeping I must contact the Broward Sheriff's Office Evidence Unit within Sixty (60) days of seizure. If I do not make contact within Sixty (60) days all my items will be considered abandoned and disposed of Pursuant to Florida Statute Chapter 705. Evidence Unit can be contacted at (954) 765-4351.

(Impounding Signature: \_\_\_\_\_  
(Officer's) \_\_\_\_\_

Printed Name: John

Signature

RECEIVED BY: \_\_\_\_\_ REASON: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

RESERVED BY 9443 S. Ambrose DATA 2010	REASON FBI EVIDENCE F.V.	DATE 9-28-11 9-28-11	TIME 0907 0910
---	--------------------------------	----------------------------	----------------------

Court Case #	CURRENCY: Verified By/CCN: _____ Signature: _____
--------------	---

**NOTE: For further distribution of this form, refer to Sheriff's Policy Manual.**

ACE #





**IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN  
AND FOR BROWARD COUNTY, FLORIDA**

CASE NO: 13005914CF10A  
JUDGE: BERNARD BOBER

STATE OF FLORIDA

v.

STEVEN VILLALONA

Plaintiff

Defendant

**STATE'S DISCOVERY  
EXHIBIT**

**CO-DEFENDANTS**

Name: MIGUELINA PEREZ

Case No: 13003429CF10A

COMES NOW the State of Florida, by and through the undersigned Assistant State Attorney, and pursuant to the provisions of Rule 3.220, Florida Rules of Criminal Procedure and in recognition of the Defendant's election to participate in discovery, submits the following information:

1. The names and addresses of all persons presently known to the prosecutor to have information that may be relevant to any offense charged, or any defense thereto are:

A &	=> AMBROSE, SCOTT T	2601 W. BROWARD BLVD. FORT LAUDERDALE, FL 33312
A &	=> CONDOLEO, PAUL	2601 W. BROWARD BLVD. FORT LAUDERDALE, FL 33312
A &	=> DAMIANO, JOSEPH	2601 W. BROWARD BLVD. FORT LAUDERDALE, FL 33312
A &	=> HARRIS, DONALD	701 SW 71 AVENUE NORTH LAUDERDALE, FL 33068
A &	=> HENDRICK, JASON	2601 W. BROWARD BLVD. FORT LAUDERDALE, FL 33312
A &	=> HYATT, RYAN A	2601 W. BROWARD BLVD. FORT LAUDERDALE, FL 33312
A &	=> LACERRA, GREGORY	2601 W. BROWARD BLVD. FORT LAUDERDALE, FL 33312
A &	=> LACERRA, GREGORY	2601 W. BROWARD BLVD. FORT LAUDERDALE, FL 33312
A &	=> LEWIS, EUGENE	6279 W OAKLAND PARK BLVD LAUDERHILL, FL 33313
A &	=> LOPEZ, HENRY	2601 W. BROWARD BLVD. FORT LAUDERDALE, FL 33312
A &	=> MACDOUGALL, EDWARD J	2601 W. BROWARD BLVD. FORT LAUDERDALE, FL 33312
A &	=> MALIK, MUSTAFFA	6279 W OAKLAND PARK BLVD LAUDERHILL, FL 33313
A &	=> MEALER, JERRY	2601 W. BROWARD BLVD. FORT LAUDERDALE, FL 33312

F26.

The State incorporates by reference any individual(s) listed in the police report(s), any witness statement(s) and depositions(s) relevant to the offenses charged herein.

STATE'S DISCOVERY EXHIBIT  
STATE v. STEVEN VILLALONA

Page 2 of 2  
Case: 13005914CF10A

A => MERCEDES, JEAN  
A => NORTHERN, SHEDRICK  
A => PEREZ, MIGUELINA  
A => QUINONES, EDUARDO  
A => REYES, AGENT MABEL  
A => SANCHEZ, FRANK  
A => THOMAS, JAMES D  
A => WILLITS, AGENT AJ  
14190 STATE ROAD 84  
DAVIE, FL 33325  
300 INTERNATIONAL PKWY  
SUITE 424  
HEATHROW, FL 32746  
2601 W. BROWARD BLVD.  
FORT LAUDERDALE, FL 33312  
2601 W. BROWARD BLVD.  
FORT LAUDERDALE, FL 33312  
300 INTERNATIONAL PKWY  
SUITE 424  
HEATHROW, FL 32746

F27.

Page 1

IN THE CIRCUIT COURT OF THE 17TH  
JUDICIAL CIRCUIT IN AND FOR BROWARD  
COUNTY, FLORIDA

FELONY DIVISION

CASE NO.: 13-005914CF10A

STATE OF FLORIDA,

PLAINTIFF,

VS.

STEVEN VILLALONA,

DEFENDANT,

10

**ORIGINAL**

The above-entitled cause came on for  
hearing before the Honorable Andrew Siegel, Judge of  
the above-styled court, at the Judicial Complex, 201 SE  
6th Street, Fort Lauderdale, Florida, on April 29th,  
2015, commencing on or about 10:55 a.m.

-----  
F28.

1

BROWARD STATE ATTORNEY'S OFFICE

2

BY: MR. JONATHAN GOODMAN

3

ASSISTANT STATE ATTORNEY IN CHARGE  
201 SE 6th Street  
Fort Lauderdale, Florida 33301

5

On behalf of the State of Florida

6

7

BY: MR. STEVEN VILLALONA PRO SE

8

On behalf of the Defendant

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F29.

1 (Thereupon, the following proceedings were had:)

2 MR. GOODMAN: Good morning, Your Honor.

3 THE COURT: Good morning.

4 MR. GOODMAN: Jonathan Goodman on behalf of the  
5 State.

6 MR. VILLALONA: Steven Villalona pro se.

7 THE COURT: Mr. Villalona, I tell you every  
8 single time you have a right to have a lawyer.

9 MR. VILLALONA: I understand.

10 THE COURT: And you don't want a lawyer, still?

11 MR. VILLALONA: No, I don't want a lawyer.

12 THE COURT: You need to put FK Division on your  
13 stuff from now on. It's not FD anymore, just so you  
14 know, 'cause sometimes it'll be rerouted the wrong  
15 way if it says FD.

16 Okay. So it's your motion to dismiss.

17 MR. VILLALONA: Correct.

18 THE COURT: Go ahead, make your argument.

19 MR. VILLALONA: Excuse me?

20 THE COURT: Are you going to make your argument  
21 or are you just going to rely on those cases that  
22 you --

23 MR. VILLALONA: I'm going to make an argument.

24 THE COURT: Okay. Go ahead.

25 MR. VILLALONA: Your Honor, I believe my federal

F30.

1       constitutional right to a speedy trial has been  
2       violated because the length of delay in prosecution.  
3       It is unreasonable. As a result of the delay the  
4       State of Florida has gained an unfair advantage over  
5       Defense.

6       My contention is that my rights to a speedy trial  
7       under the Sixth Amendment has a catch or was  
8       activated on the day that I was formally accused by  
9       A.J. Willis a special agent for the DEA. He filed a  
10      complaint on October 4th. And this is a joint  
11      prosecution. The State is cooperating with the DEA  
12      agents. Metro Broward Drug Task Force are in  
13      collusion with each other.

14       According to the arresting affidavit, there was  
15      determined that DEA followed me down from Orlando and  
16      a brief discussion and -- was had and they came to an  
17      agreement to postpone the reverse sting operation  
18      here in Broward County. As of October 3rd I never  
19      returned to Broward County, and I was arrested in  
20      Orlando. I have the complaint form here. Mr. A.J.  
21      Willis is also listed as a class A witness by the  
22      State.

23       If the Court would like to see the complaint  
24      form.

25       THE COURT: Mr. Hargrove is going to get that for

F31.

1 me.

2 MR. VILLALONA: This coupled with other evidence  
3 that suggests that the State has known my  
4 whereabouts. It is my contention there, I believe,  
5 because before the warrant was issued, they submitted  
6 an FCIC/NCIC wanted person's entry Word form. In  
7 this form the State of Florida entered my FBI number  
8 and my Department of Corrections number, which leads  
9 me to believe that he knew where I was at before I  
10 was -- even the warrant was issued.

11 THE COURT: Okay.

12 MR. VILLALONA: So if the date that my Sixth  
13 Amendment right to a speedy trial is activated on  
14 October 3rd, 2011, the total length of delay in  
15 prosecution is 43 months.

16 "The length of the delay is to some extent a  
17 triggering mechanism. Until there is some delay  
18 which is presumptively prejudicial, there is no  
19 necessity for inquiry into the other factors that go  
20 into the balance."

21 In *Barker v. Wingo*, the United States Supreme  
22 Court addressed the need for guidelines as an aid in  
23 determining whether the Sixth Amendment right to a  
24 speedy trial had been violated. Recognizing that a  
25 proper analysis of the speedy trial claim must depend

F32.

1       on particular circumstances involved in a given case  
2       and also recognizing the severe remedy of dismissal  
3       applied when the right is violated, the Court  
4       rejected suggestions that a regular approach should  
5       be applied, opting instead for a balancing test in  
6       which both the conduct of the prosecution and the  
7       defendant are weighed.

8           The Court identified appropriate factors for  
9       consideration and explained the required analysis as  
10      follows: "A balancing test necessarily compels the  
11      court to approach speedy trial cases on an ad hoc  
12      basis. We can do little more than identify some of  
13      the factors which courts should assess in determining  
14      whether a particular defendant has been deprived of  
15      his right. Though some might express them in  
16      different ways, we identify four such factors:  
17      Length of delay, the reason for the delay, the  
18      defendant's assertion of his right, and prejudice to  
19      the defendant."

20           Well, Your Honor, since length of delay is 43  
21      months, I believe that that's unreasonable given the  
22      simplicity of this case in that I only have one  
23      codefendant. All the evidence was obtained the same  
24      day the alleged offense occurred.

25           Although the State has listed 20 witnesses, 17 of

F33.

1 the 20 witnesses are law enforcement officers. Of  
2 the 17 law enforcement officers, 15 work for this  
3 county. So all the testimony from the witnesses  
4 could have been obtained that same day. The evidence  
5 could have been obtained -- was obtained that same  
6 day. I only have one codefendant and the alleged  
7 offense only occurred in a time span of two days.

8 For those reasons I believe that this case is  
9 relatively simple and it could have been resolved  
10 within four months, four months it could have been  
11 resolved. And because it's forty-three months, I  
12 believe that once it passed four months, the other  
13 thirty-nine months should be presumed to be  
14 prejudicial to the defendant.

15 And nevertheless because of the imposition of the  
16 right to a speedy trial, the length of delay that  
17 would provoke such an inquiry is necessarily  
18 dependent upon the particular circumstances that I  
19 just mentioned; to take, for example, the delay that  
20 can be calibrated for ordinary street crimes  
21 considerably less for a serious complex conspiracy  
22 charge.

23 Like I just finished saying, Your Honor, that I  
24 believe this case is relatively simple and closely  
25 related to the length of delay is a reason the

1 government assigns to justify the delay, hereto  
2 different weights should be assigned to different  
3 reasons. A deliberate attempt to delay the trial in  
4 order to hamper the Defense should be weighed heavily  
5 against the government. A more neutral reason such  
6 as negligence or overcrowded courts should be weighed  
7 less heavily but, nevertheless, should be considered  
8 since the ultimate responsibility for such  
9 circumstances must rest with the government rather  
10 than with the defendant.

11 Finally, a valid reason such as a missing witness  
12 would serve to justify appropriate delay. Your  
13 Honor, the third factor -- well, the reason for the  
14 delay, Your Honor, the second factor, the reason for  
15 delay, Your Honor, I believe the government delayed  
16 this case to gain a tactical advantage over the  
17 Defense.

18 The reason that I assert that is because there is  
19 no justification for it taking 43 months to come  
20 here. Your Honor, I was never notified that the  
21 charges were pending. I believe the State has the  
22 burden of prosecuting. They are binded (sic) to  
23 prosecute. I don't have to knock on the Court's door  
24 to bring myself to justice or to prosecute myself.  
25 And at the end of the day it was me who filed the

1 motion pursuant to the Interstate Agreement on  
2 Detainers Act to produce my body before this Court  
3 for trial.

4 The reasons why I did that will be explained in  
5 my fourth -- in the fourth factor that is to be  
6 considered. Another reason why I believe the State  
7 tactically made a tactical decision of delaying this  
8 case is the date of the warrant was signed by  
9 Honorable Judge Usan was September 19th, 2012.  
10 However, it was not until March 13th, 2013, that they  
11 actually executed the warrant. That's 175 days that  
12 the charges were pending and no action was taken.  
13 What is more, the information was filed three weeks  
14 after. The information was filed 196 days after the  
15 warrant was issued by Honorable Judge Usan.

16 Your Honor, there is no reason for this delay.  
17 What I believe that the State was trying to convey by  
18 delaying the execution of the warrant is that they  
19 weren't going to prosecute me. Your Honor, there is  
20 no legal difference between the State announcing no  
21 action and inaction on the State's behalf. So by the  
22 State announcing no action, the prosecutors -- I  
23 mean, the prison officials saw the warrant. They  
24 didn't even feel it was necessary to inform me of the  
25 warrant. They saw the warrant and they saw that the

F36.

1       State delayed 175 days to execute it and they didn't  
2       feel it was necessary.

3           But, Your Honor, the effects of the warrant on me  
4       had a -- affected my time in prison which I would  
5       describe in my fourth reason, the fourth factor.

6       Another possible reason that I believe the State  
7       delayed this case is because they didn't have enough  
8       evidence. They didn't have enough evidence to  
9       convict me. I was never physically arrested. Yeah,  
10       and it's for those reasons that I believe the State  
11       tactically delayed.

12       And also, Your Honor, they knew what it meant for  
13       me to be incarcerated in a different jurisdiction.  
14       They knew as of October 3rd, 2011, that I was going  
15       to be incarcerated by the feds, by the DEA agents.  
16       Your Honor, it's obvious what it means to be  
17       incarcerated. They knew that my financial resources  
18       were going to substantially dwindle. They knew that  
19       I was not going be able to contact witnesses. I was  
20       not going to be able to gather up my defenses.

21       And what is more they never even informed me of  
22       the pending charges so -- so to know who your  
23       opponent is before your opponent knows that you are  
24       even an opponent offers to the State a substantial  
25       advantage in this case. And that is the reasons why

1 I believe the State tactically made tactical  
2 decisions in delaying this case and it has assumed 43  
3 months.

4 The next reason -- I mean, the next factor to be  
5 considered is the defendant's responsibility to  
6 assert his right. Whether and how a defendant  
7 asserts his right is closely related to the other  
8 factors we had mentioned. The strength of his  
9 efforts will be affected by the length of delay, to  
10 some extent by the reason for the delay, and most  
11 particularly by the personal prejudice which is not  
12 always readily identifiable that he experiences.

13 The more serious the deprivation the more likely  
14 the defendant is to complain. The defendant's  
15 assertion of his speedy trial right, then, is  
16 entitled to strong evidentiary weight in determining  
17 whether the defendant is being deprived of the right.  
18 We emphasize that the failure to assert the right  
19 will make it difficult for a defendant to prove that  
20 he was denied a speedy trial.

21 Your Honor, I have the burden of asserting my  
22 right to a speedy trial. However, it is the State's  
23 burden to inform me that the charges are pending. I  
24 should not be taxed for not asserting my right to a  
25 speedy trial if I'm not informed that the charges are

1 pending. Also, Your Honor, the motion that I filed  
2 on June 26th, 2014, unequivocally states my intent of  
3 resolving this issue. Your Honor, I cannot more  
4 emphatically state my desire of obtaining a speedy  
5 resolution in this matter than putting a motion  
6 before the Court requesting such. For that reason I  
7 believe that I'm not to be taxed for not asserting my  
8 right to a speedy trial.

9 The last factor, the fourth factor, is prejudice  
10 to the defendant. The prejudice, of course, should  
11 be assessed in the light of the interest of the  
12 defendant which the speedy trial right was designed  
13 to protect. The Court has identified three such  
14 factors: To prevent oppressive pretrial  
15 incarceration; to minimize anxiety and concern of the  
16 accused; and to limit the possibility that the  
17 defense will be impaired.

18 Of these, the most serious is the last, because  
19 the inability of a defendant adequately to prepare  
20 his case skews the fairness of the entire system. If  
21 witnesses die or disappear during a delay, the  
22 prejudice is obvious. There is also prejudice if  
23 defense witnesses are unable to recall accurately  
24 events of the distant past. Loss of memory, however,  
25 is not always reflected in the record because what

1 has been forgotten can rarely be shown.

2                   The Supreme Court regarding other factors  
3                   identified the book as either a necessary or  
4                   sufficient condition to the finding of the  
5                   deprivation of the right to a speedy trial. Rather,  
6                   they are related factors and must be considered  
7                   together with such other circumstances as may be  
8                   relevant. In sum, these factors have no talismanic  
9                   qualities. Courts must still engage in a difficult  
10                  and sensitive balancing process. And because we are  
11                  dealing with a fundamental right of the accused, this  
12                  process must be carried out with full recognition  
13                  that the accused's interest in a speedy trial is  
14                  specifically affirmed in the Constitution.

15                  The Sixth Amendment speedy trial analysis  
16                  prescribed by Barker bears a strong resemblance to  
17                  the totality of the circumstances analysis applied in  
18                  the conflicts of the Fourth and Fifth Amendment  
19                  suppression issue. Unlike the situation in the cases  
20                  of the Fourth and Fifth Amendment suppression issues,  
21                  the material facts involved in the Sixth Amendment  
22                  speedy trial are rarely in dispute. When they are in  
23                  dispute, however, the trial courts finding of fact  
24                  must be accepted so long as they are supported by  
25                  confident, substantial evidence.

F40.

1           Your Honor, I believe I have provided the Court --  
2           with substantial evidence that the State has known my  
3           whereabouts, has purposely delayed this case, and has  
4           not informed me of the pending of charges. And the  
5           Court should rely on the prosecutors and defendants  
6           to assist the Court in going to the considerations of  
7           decisional law so you can -- so the Court can  
8           properly apply the Sixth Amendment speedy trial law  
9           in light of the particular, factual circumstances of  
10           the case under consideration.

11           Although all four factors are weighed by the  
12           Court in deciding the Sixth Amendment speedy trial  
13           issue, the fourth Barker factor, prejudice to the  
14           defendant, appears to carry particular significance  
15           in the decisional law. Indeed, a defendant is  
16           apparently -- prior to demonstrate the third form of  
17           reference in Barker, actual prejudice, in presenting  
18           the Defense as a consequence of the delay in order to  
19           succeed on its claim.

20           The United States Supreme Court has been somewhat  
21           consistent in explaining whether the defendant is  
22           required to show that the delay has actually resulted  
23           in this form of prejudice. None of the four factors  
24           as either a necessary or sufficient condition to the  
25           finding of deprivation of the speedy trial right.

F41.

1 Your Honor, the last factor of prejudice to the  
2 defense is seen in three subcategories. The first  
3 one is oppressive pretrial incarceration. Your  
4 Honor, in Smith vs. Hooey -- one second -- general  
5 solicitor wrote a memo to the Supreme Court and in  
6 the memo, Your Honor, the general solicitor stated to  
7 the court that it is the purpose and intent of the  
8 bureau -- the Federal Bureau of Prisons to cooperate  
9 with the State. And in some cases the Federal Bureau  
10 of Prisons removed an inmate to a facility close to  
11 the site of prosecution to reduce the cost to the  
12 State.

13 From a logistical standpoint and under the  
14 Interstate Agreement of Detainers it cannot have been  
15 any more convenient for Mr. Goodman to prosecute me  
16 because I was in FDC Miami. I've been told that's  
17 less than a 25-minute drive for Mr. Goodman. To  
18 inform the prison officials of his desire in  
19 prosecuting, all he would have to done was place a  
20 phone call to 305 and he would have accomplished his  
21 goal of informing me of that.

22 But, Your Honor, the point there is that I was  
23 placed in FDC Miami, Your Honor. I was sentenced to  
24 fifteen years. An inmate that is sentenced to  
25 fifteen years is not supposed to be housed at FDC

F42.

1       Miami. Now, this is where the case takes a little  
2       twist because it's unusual to house an inmate that  
3       has been sentenced to fifteen years in FDC Miami  
4       because FDC Miami's scope is to be a launching pad  
5       into the society, into the community.

6           All the prisoners there are about to reenter  
7       society so they join a reentry program such as the  
8       residential drug and alcohol program, halfway houses,  
9       and -- they have a short amount of time. I, on the  
10      other hand, was sentenced to fifteen years. But  
11      since the Federal Bureau of Prisons wanted to  
12      cooperate with the State, they designated me there.

13           Now, the result of that, Your Honor, is  
14       oppressive, in that, everyone around me, Your Honor,  
15       is getting ready to reenter society. Everyone around  
16       me is getting ready for the halfway house. Everyone  
17       around me is basically improving themselves.

18           And for me it was like I was standing in a line,  
19       and once I get to the front of the line, for some  
20       unexplained reason I would have to go to the back of  
21       the line. And that's the cruel and unusual part  
22       because it wasn't the fact the effect of the theater.  
23       It was because I was already placed there. The  
24       theater had its own effects which I will get into in a  
25       few moments.

F43.

1           But, Your Honor, it's difficult to say. The only  
2       way I can possibly explain it would be tying a carrot  
3       to a string, tying the string to a stick, riding a  
4       horse and holding the stick with the carrot in front  
5       of the horse just to see how far the horse can carry  
6       you. And just not feeding the horse and just riding  
7       the horse until it falls and you just don't give it  
8       any food. You just want to see how far the horse can  
9       carry you. That's what it felt like when I was at  
10      FDC Miami.

11           I couldn't take it anymore so what I did was file  
12       a motion pursuant to Florida State Statute 941.45,  
13       the Interstate Agreement on Detainers, so I can  
14       produce my own body before the Court so that the  
15       punishment, the cruel and unusual pretrial  
16       incarceration, will end. Your Honor, I was  
17       essentially forced to prosecute myself. I was forced  
18       to come here. I filed the motion to come here. It  
19       was not what Mr. Goodman done (sic).

20           Mr. Goodman has done nothing. Nothing at all.  
21       He had the warrant. The warrant wasn't issued and he  
22       just logged his detainer. For the State of Florida  
23       to log the detainer and not do anything makes no  
24       sense. It makes no sense for them not to continue a  
25       prosecution.

F44.

1           Your Honor, so as a result of the detainer being  
2       logged on me, my custody level was bumped up. I went  
3       to FCC Coleman facility. There, the inmates have  
4       longer sentences and -- Your Honor, I'm 6'4, 230  
5       pounds. It offers me a substantial benefit on the  
6       basketball court and on the football court.

7           However, Your Honor, when I'm in prison, people  
8       look at me and they don't think, oh, I want him on my  
9       basketball team. What they think is, oh, I want him  
10       to join my gang. And that has caused me anxiety  
11       because people look at me, where I sit, where I eat,  
12       who I talk to. And I was -- I did not want to  
13       experience a bump up in custody. And that's what the  
14       detainer done (sic).

15       Also, Your Honor, while I was at FDC Miami every  
16       time I would get on an elevator, I was told to face  
17       the back of the elevator for several reasons. They  
18       don't want inmates talking to other civilians, but  
19       I've grown accustomed to that, and there is other  
20       things that I've grown accustomed to. And my anxiety  
21       and concern is that certain things that I've grown  
22       accustomed to will be reflected when I reenter  
23       society.

24       Your Honor, I can remember the day I had a  
25       Faretta hearing in a previous court. I was going

F45.

1 back to the jail. I was in the elevator and it felt  
2 awkward for me. It felt awkward in the sense that I  
3 wasn't facing the back of the elevator. That is  
4 exactly what I do not want to feel. I don't want to  
5 be in a position where it's perfectly normal for  
6 everyone and it's awkward for me. And when I do  
7 something to make myself feel normal, everyone looks  
8 at me like I'm awkward. That is what I'm going to be  
9 subjected to as a result of the detainer being logged  
10 on me because the ultimate result of the detainer is  
11 that I cannot participate in a halfway house. I  
12 cannot participate in a residential drug and alcohol  
13 program, and I cannot obtain a better job.

14 Your Honor, while I was in FDC Miami, I had the  
15 opportunity to work in the storage department and  
16 learn how to operate the forklift. That's an  
17 opportunity that I would never have because the State  
18 of Florida has logged a detainer against me. Your  
19 Honor, also, there is other things that I've grown  
20 accustomed to that I wish to shed myself of before I  
21 reenter society. And I can't remember everything  
22 that is oppressive because, frankly, I've gotten used  
23 to it. I'm afraid to reenter society. I'm scared to  
24 live with my mother or my sister and subject them to  
25 the things that I have adapted to in prison.

1           The last factor, Your Honor, is prejudice to  
2           Defense. Well, it has come to my attention on  
3           October 2nd, the date that I entered the plea of not  
4           guilty, that the State raised an issue that Miguelina  
5           Perez has mental health issues. Well, how has her  
6           mental health issues developed as a result of this  
7           delay? How was her competence prior? Well, just the  
8           fact that the Court questioned her mental health  
9           makes me want to inquire as to how her health has  
10           been ameliorated, her mental health has been  
11           ameliorated, delay. Because that probably could have  
12           been another tactical decision by the State to delay  
13           the case so her health can deteriorate. She didn't  
14           go to trial. Miguelina Perez did nothing to impede  
15           the prosecution.

16           And another prejudice to the Defense, Your Honor,  
17           is that the State has not complied with the rules of  
18           discovery. Since the beginning, since when I got  
19           here, October 2nd, the State has not produced  
20           discovery. The information was filed April 4th,  
21           2013. All the evidence was available to the State,  
22           yet the State has not provided any discovery. I'm on  
23           my second motion to compel discovery. The evidence  
24           -- I have to rely on what the State provides me. I  
25           can't even rely on my own evidence because I was

1           incarcerated all this time.

2           It's obvious that the State has an advantage in  
3           me being incarcerated in a different jurisdiction  
4           without even knowing that the charges are pending.

5           That has to offer the State an advantage. Also, Your  
6           Honor, my financial resources has substantially  
7           dwindled. For the last 42 months, Your Honor, I have  
8           been washing dishes for 15 pennies an hour. Your  
9           Honor, it would take me five months to afford the  
10           services of the Law Offices of the Public Defender.  
11           My financial -- if I would have known that the State  
12           was going to prosecute me, maybe I would have put  
13           aside \$10,000 or \$5,000 and retain a lawyer.

14           Your Honor, another thing that has hampered my  
15           ability to defend myself is I was never physically  
16           arrested. I don't know who the police officers are.  
17           The police officers most likely are not going to  
18           remember me. How many drug transactions have the  
19           Metro Broward Drug Task Force accomplished from  
20           October 3rd, 2011, till now? What is the possibility  
21           that they are going to remember me, that they are  
22           going to have any possible recollection of me, of the  
23           events that happened? None. And that's what the  
24           State is hoping for. That's -- they want to hamper  
25           the Defense.

1           That's the only possible reason that I can  
2       believe that this has taken 43 months, that they  
3       didn't execute the warrant because they wanted to  
4       avoid the Florida Rules of Criminal Procedure rule  
5       3.191. That's the only way they can possibly violate  
6       my constitutional right by going under the rule of  
7       3.191.

8           Lastly, Your Honor, my cell phone, a crucial  
9       piece of evidence, Your Honor. If I had my cell  
10      phone, my iPhone, I would be able to orient myself in  
11      that I have a daily planner. I take pictures on my  
12      phone. And allegedly in the arresting affidavit, the  
13      State claims that I had taken pictures of money, and  
14      that I -- there was a lot of transactions going on  
15      with the phone. Well, where is my cell phone? It's  
16      a crucial piece of evidence, and it's missing as a  
17      result of the delay.

18           In conclusion, Your Honor, I believe the charges  
19      against me should be dismissed with prejudice because  
20      the State of Florida made deliberate choices to delay  
21      prosecution, and as a result of the choices that the  
22      State has made, I've been subjected to oppressive  
23      pretrial incarceration. I've been subjected to  
24      anxiety and concern, and my ability to present a  
25      defense has substantially been hampered. Because of

1 the those reasons I pray that this Court will dismiss  
2 the information with prejudice.

3 THE COURT: From the State, Mr. Goodman.

4 MR. GOODMAN: Good morning, Your Honor.

5 This case was originally filed as a noncustody.  
6 The reason for the delay is, as Mr. Villalona said,  
7 there was a reverse sting operation that was planned,  
8 and for reasons that -- for reasons of -- I guess the  
9 best way I can describe it without getting into too  
10 much detail is without communicating between police  
11 agencies, DA Orlando followed Mr. Villalona and  
12 Ms. Miguelina Perez down and requested that the  
13 Broward Drug Task Force not make an arrest in the  
14 case or continue the reverse sting. That's the  
15 reason why it was called off.

16 If you look at the charge that is filed, Judge,  
17 it has to do with a conspiracy to traffic in cocaine.  
18 It's not an actual trafficking charge. It's  
19 conspiracy. And the dates range from August 29th,  
20 2011, including and through September 21st of 2012.

21 This case was actually filed in 2013 in April.  
22 Both individuals were -- arrest warrants were issued  
23 for both of those individuals. Ms. Perez was  
24 arrested before Mr. Villalona, and the reason why is  
25 Mr. Villalona is really the basis for the cause of

1 the delay in this case as he was -- as he's indicated  
2 several times -- sentenced to 15 years' Florida --  
3 federal prison. At this point his detainer was  
4 logged. He was never physically arrested; therefore,  
5 the speedy trial clock has not started to run yet.  
6 It was not a -- he was not -- the detainer was just  
7 filed. It was never served on him.

8 What then Mr. Villalona did after being sentenced  
9 and realizing that he was not able to get into some  
10 of the programs that he discussed went ahead and  
11 wrote a letter to the Clerk's office requesting  
12 disposition of his charges. However, that's not in  
13 compliance with the rules governing the Interstate  
14 Act of bringing him back. Once that was denied he  
15 did go through the proper means and did file with the  
16 warden and interstate -- or IAD agreement and was  
17 ultimately brought back.

18 At that time he was served and brought back and  
19 then that's when, based on the Rules of Criminal  
20 Procedure, that's when the State's time clock for  
21 speedy trial started to run. There was some  
22 discussion back and forth, in between in Judge  
23 Bober's division as to what was going on with this.  
24 We gave the defendant the benefit of the doubt and  
25 started the clock a little early. State was prepared

F51.

1 for trial at the beginning of January. Mr. Villalona  
2 then took a Defense continuance and waived his right  
3 to speedy trial on the record.

4 And, Judge, based on these facts there has been  
5 no prejudice based on the Defense. You know, I'm  
6 going to cite to the Defense cases that he so  
7 provided -- or gave us the cites to last week. One  
8 of the main things in common -- well, actually,  
9 Judge, these cases are completely different factually  
10 from what defendant has gone through.

11 The first one was defendant -- this is State vs.  
12 Jenkins. It would be 899 So.2d 1238. The defendant  
13 was charged with exploitation of elderly or disabled  
14 adult, grand theft, and fraudulent used of a credit  
15 card and moved to dismiss the grounds. Judge Gold  
16 agreed with that. State appealed and the District  
17 Court held in the Fourth District that defendant's  
18 speedy trial rights were not violated absent showing  
19 of actual prejudice.

20 And I think the one thing that you have not yet  
21 heard from Mr. Villalona is any sort of actual  
22 prejudice. The court in this case goes on to  
23 indicate that Prejudice should be determined in light  
24 of the purpose of the speedy trial rule. It was  
25 designed to prevent oppressive pretrial

1       incarceration, minimize the accused's anxiety and  
2       concern, and limit the possibility of impairing the  
3       defense.

4           To demonstrate prejudice, "an accused must offer  
5       some explanation of how a missing witness' testimony  
6       would be favorable and material" before it is viewed  
7       as prejudicial. Moreover, vague assertions of faded  
8       memory, without connecting it to a material fact, are  
9       insufficient to constitute actual prejudice.

10          Judge, I can tell you that the State in  
11       preparation for this trial did a pretrial conference  
12       of all the officers. They remember Mr. Villalona  
13       very vividly. As a matter, Judge, Mr. Villalona  
14       complained about discovery the last time we were  
15       here. You asked me to make copies of discs for him.  
16       As Mr. Villalona, once he gets a chance to view this,  
17       will see himself on video, you know, using narcotics  
18       and going on his cell phone. As he said where is the  
19       evidence? It's all on video, Judge.

20          THE COURT: How many discs are there?

21          MR. GOODMAN: There are seven discs.

22          THE COURT: Okay.

23          MR. GOODMAN: May I approach with these?

24          THE COURT: Yes.

25          MR. VILLALONA: Your Honor?

F53.

1 MR. GOODMAN: Let the record reflect also that  
2 the State has also provided the defendant, now, both  
3 times that we've been in front of Your Honor and had  
4 him personally served by one of our investigators,  
5 our office, with discovery on this case. This is the  
6 third time we're sending this over. This is the  
7 first time he's getting the discs because before they  
8 wouldn't allow us to admit it. And based on our  
9 conversation last week, Your Honor, I believe that  
10 you can actually write an order for that.

11 THE COURT: Okay.

12 MR. GOODMAN: So, furthermore, Judge, I don't  
13 think anything in this case other than defendant's  
14 own conduct have been prejudicial to him. He's been  
15 sentenced to fifteen years federally for very similar  
16 charges as to this. The State logged a detainer on  
17 him which is appropriate based on these kind of  
18 cases. It was also a noncustody arrest. I know  
19 Mr. Villalona talked about that. But as the Court  
20 and the State are well aware that an arrest and  
21 speedy trial rights don't start running until the  
22 defendant is actually arrested.

23 That didn't happen until he was brought back here  
24 and that's when the clock started to run. Judge, the  
25 State was prepared to go to trial within that time

F54.

1 frame. Mr. Villalona waived his speedy trial rights.  
2 That was done on January 12th of 2015 in front of  
3 Judge Bober on the record. And at that point, Judge,  
4 the State was prepared for trial and prepared to go  
5 forward on a case against Mr. Villalona to eliminate  
6 any of his concerns about going forward.

7 At that point Mr. Villalona thought better of it  
8 and decided that he was not ready for trial and,  
9 therefore, requested a Defense charge continuance and  
10 waiver of speedy trial, which based on the case law  
11 that defendant even proved is one of the mitigating  
12 factors involved in whether or not the case is  
13 dismissed.

14 Understandably, the defendant has been prejudiced  
15 -- I mean, I don't think you can say that he wasn't  
16 in the sense that he's been incarcerated because of  
17 his federal conviction and he's going to be in prison  
18 for fifteen years. I think that the cases are pretty  
19 clear that incarceration can affect a defendant's  
20 ability to prepare for trial. That's part of the  
21 basis as to why Your Honor and Judge Bober  
22 continually asked the defendant if he would like an  
23 attorney.

24 Understandably, that's the defendant's own  
25 decision as to what it's doing or going forward, but

1 that having an attorney would drastically help  
2 Mr. Villalona prepare for his case and his trial and  
3 to go through the discovery process which he feels is  
4 so prejudiced.

5 Regardless of the fact of this case, Judge, he's  
6 also -- as he's been sentenced to fifteen years, he's  
7 not free to go out and conduct an investigation, even  
8 if Your Honor decided to release him ROR or give him  
9 a bond. He would not be able -- he would not be  
10 entitled to release anyways until, you know, fifteen  
11 years from today.

12 Judge, the Defense has failed, utterly failed, to  
13 establish any sort of actual prejudice. There is not  
14 even a Defense witness listed in this case, Judge.  
15 There is no prejudice. And the one case that he  
16 cites Barker vs. Wingo, 92 S. Ct. 2182, indicated --  
17 and this is -- it states that Supreme Court Justice,  
18 Mr. Justice Powell, held that where a defendant was  
19 not seriously prejudiced by more than a five-year  
20 delay between arrest and trial, a defendant did not  
21 want a speedy trial, defendant's Sixth Amendment  
22 right to speedy trial was not violated even though  
23 more than four years of the period was attributable  
24 to the prosecution's failure or inability to try to  
25 have -- or try to have codefendant testimony at

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1 trial.

2 Judge, this is five years, four years case.

3 Mr. Villalona has never served his right to a speedy  
4 trial. As a matter of fact he's waived it. All we  
5 hear about a speedy trial is that it was violated  
6 postwaiver. He has not asserted that he wanted a  
7 speedy trial. There's not been a notice of  
8 expiration filed. There's not been a demand for  
9 speedy trial filed at all. There has been -- other  
10 than a couple of motions to dismiss the information  
11 based on length of delay, there's been no -- the  
12 defendant has not requested that a speedy trial  
13 rights be preserved. As a matter of fact, as I've  
14 said multiple times, he did waive them.

15 Finally, Judge, just in this case, this case  
16 Barker vs. Wingo went on to say, The amorphous  
17 quality of the right also leads to the  
18 unsatisfactorily severe remedy of dismissal of the  
19 indictment when the right has been deprived. This is  
20 indeed a serious consequence because it means that a  
21 defendant who may be guilty of a serious crime will  
22 go free, without having been tried. Such a remedy is  
23 more serious than an exclusionary rule or a reversal  
24 for a new trial.

25 So this is a very, very high standard, Judge, and

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1 it's not something to be dealt with lightly. And I  
2 don't think that based on defendant's argument  
3 whatever minimal evidence that he's presented here in  
4 court today can at least come to even meet that  
5 level.

6 Finally, at the end of this case, Judge, the  
7 Supreme Court indicated that, We do not hold that  
8 there may never be a situation in which an indictment  
9 may be dismissed on speedy trial grounds where the  
10 defendant has failed to object to continuances, which  
11 hasn't been done in this case because the State  
12 hasn't taken a continuance.

13 MR. VILLALONA: Objection, Your Honor, the State  
14 did take a continuance on I believe --

15 MR. GOODMAN: Actually that is correct. That is  
16 correct. I did take a continuance but it was within  
17 the speedy trial right and defendant waived speedy  
18 after the fact.

19 But bar -- There may be a situation in which the  
20 defendant was represented by incompetent counsel, was  
21 severely prejudiced, or even cases in which the  
22 continuances were granted ex parte. But barring  
23 extraordinary circumstances, we would be reluctant  
24 indeed to rule that a defendant was denied his  
25 constitutional right on a record that strongly

1       indicates, as does this one, that the defendant did  
2       not want a speedy trial.

3            Judge, I think that sums up this case. I think  
4       the defendant is trying to make these motions to  
5       avoid charges. The State did everything under its  
6       obligation. Once a detainer was filed we knew where  
7       the defendant was. And as you are well aware of,  
8       Your Honor, the federal government just doesn't  
9       release individuals that easily, make a phone call,  
10      call down to Miami and say, hey, can we have Steven  
11      Villalona. That's not the process. It takes a lot  
12      longer to do that.

13       And the government would not release  
14      Mr. Villalona if they were in the middle of -- or  
15      closing down on their case. The detainer was filed.  
16      We knew where he was. We were just waiting for that  
17      case to resolve. Once it was done, Mr. Villalona  
18      took the action to file his IAD, and at that point we  
19      brought him back, complied with all the rules, and  
20      the defendant waived his speedy trial right, Judge,  
21      and we are now in front of you. So any delay at this  
22      point has been attributed to the Defense.

23       MR. VILLALONA: Your Honor?

24       THE COURT: Sure. Briefly.

25       MR. VILLALONA: I waived my right to a speedy

1 trial under the Florida Rules of Criminal Procedure,  
2 3.191. When that happens my right to a speedy trial  
3 to the Sixth Amendment is supplanted. I believe it  
4 was a Fourth DCA case, Geico vs. Perly (spelling)  
5 that -- it was ruled in that court.

6 Also, Your Honor, the State has produced I  
7 believe a total of nine discs or seven?

8 THE COURT: Seven discs.

9 MR. VILLALONA: Yeah, well, the total amount of  
10 disks that the State has in their property receipts  
11 is 13, so 7 minus 13 will leave 6 discs missing, and  
12 that's almost half of the evidence.

13 MR. GOODMAN: Judge, as you are aware, there are  
14 sometimes multiple recordings contained on a disc.  
15 All the discs that the State has in their property,  
16 all the discs that the police have in their property  
17 is contained which I handed over today.

18 THE COURT: All the videos --

19 MR. GOODMAN: All the videos --

20 THE COURT: -- or all the audios.

21 MR. GOODMAN: -- all the audios, everything that  
22 I have and the police have in their possession I've  
23 provided.

24 THE COURT: Okay.

25 MR. VILLALONA: All right, Your Honor. And also

1        pictures of the 2 kilograms, does the State of  
2        Florida still have 2 kilograms in their property? I  
3        can say I never saw 2 kilograms. Maybe if the State  
4        had pictures to provide, maybe I can see what 2  
5        kilograms they are talking about.

6                THE COURT: That's one of the limitations that  
7        you have being in custody is not being able to view  
8        the evidence.

9                MR. VILLALONA: Also, Your Honor, I believe the  
10       State has not provided any justification for the  
11       length of delay between the warrant being issued and  
12       it being executed, because when the warrant was  
13       issued, the case was over with with the feds. And  
14       the fact that I'm sentenced to fifteen years in fed  
15       does not hold any weight here. I still have my right  
16       to a trial here.

17               THE COURT: Okay. Anything else?

18               MR. VILLALONA: Your Honor, I --

19               THE COURT: Finish with your motion to dismiss.

20               MR. VILLALONA: Excuse me?

21               THE COURT: Just as your motion to dismiss first.

22               MR. VILLALONA: I didn't understand that.

23               THE COURT: Just as your motion to dismiss.

24       Anything else?

25               MR. VILLALONA: I've been subjected --

1                   THE COURT: Well, no, you don't have to repeat  
2                   yourself. I'm just asking if any other new argument.

3                   With that the Court's going to deny the motion to  
4                   dismiss.

5                   And as to the videos, here's the way it works is  
6                   the original videos are going to go down with your --  
7                   go down with you to the -- wherever they -- I don't  
8                   know how they go. When they send you downstairs,  
9                   there is an order that I need you to stamp my name to  
10                   the order and then show Mr. Villalona -- or you got  
11                   to take the staple out for Mr. Villalona -- give  
12                   Mr. Goodman his copy of the order.

13                   And, then, you now have the -- the discs are sent  
14                   down. Those go to BSO to place in his property. I  
15                   don't know how they do it.

16                   THE COURT CLERK: I keep the original. I took  
17                   the staple out.

18                   THE COURT: He doesn't get them. They go down  
19                   with him.

20                   THE COURT CLERK: Yeah, I know.

21                   THE COURT: I don't know how they do it.

22                   MR. VILLALONA: Your Honor, I have --

23                   THE COURT: Hold on. Hold on. Let me -- one  
24                   thing at a time.

25                   You need another copy of the order, or no?

1                   THE COURT CLERK: No, Judge, I'll certify this.

2                   THE COURT: You can give Mr. Villalona a copy.

3                   THE COURT CLERK: Okay. So we are going to need  
4                   another one.

5                   -(An off-the-record discussion was had.)-

6                   MR. VILLALONA: Your Honor, I'd like to know the  
7                   reason why my motion was denied.

8                   THE COURT: On its merits. I don't believe your  
9                   speedy rights were violated, your speedy trial rights  
10                   were violated, based upon the arguments that you  
11                   made -- or I don't find them -- I won't say I don't  
12                   believe it -- I don't find that they were.

13                   MR. VILLALONA: Your Honor, I have a motion to  
14                   transport back to prison. Miguelina Perez has been  
15                   shipped off to prison, I believe, by the State. I'm  
16                   going to have to bring her back to Broward County.  
17                   I'm going to ask that --

18                   THE COURT: For what?

19                   MR. VILLALONA: Well, I would like to deposition  
20                   her because the State has the burden of proving a  
21                   second non-police person as part of the agreement so  
22                   I want to see what information she has to offer.  
23                   Also I'd like to renew my motion for -- to compel the  
24                   confidential informant's identity. And I would  
25                   like --

1           THE COURT: Those were already dealt with --  
2           those dealt with --

3           MR. GOODMAN: I don't believe the motion to  
4           disclose the CI was, Judge, but I can tell you this,  
5           that Mr. Villalona had minimal, minimal contacts, if  
6           any, with the CI.

7           THE COURT: Well, he'd still have to argue  
8           whatever he wishes to argue.

9           MR. GOODMAN: I'm just letting the Court know.

10           THE COURT: Okay. I'm going to tell you the same  
11           thing that I know that every other judge that you've  
12           been before has told you with regard to representing  
13           yourself, and that is you are severely limited in  
14           that one of the arguments that you made on your  
15           behalf is your limitations but with regard to being  
16           able to do the things that you need to do being that  
17           you are limited to do the things that you need to do  
18           while you are in federal custody before you asked to  
19           come back here to resolve the case. Even though you  
20           are back here, you are still limited. I don't know  
21           that you are going to be able to take depositions. I  
22           don't know that you're going to be able to --

23           MR. VILLALONA: Well, at this point --

24           THE COURT: I'm just saying to you. I'm just  
25           telling you, you know, there is a ton of case law out

1       there that says that the limitations that you have on  
2       you as far as preparing your case for trial because  
3       you've chosen to represent yourself are limitations  
4       that are self-imposed because you chose to represent  
5       yourself. I'm not telling you you don't have the  
6       right to represent yourself. I wholeheartedly  
7       recognize that you wish to do it and I have no  
8       problem with you doing it, so it's clear. It's just  
9       that some of the things that you wish to do, you are  
10      not going to be able to do because you're in custody.

11            MR. VILLALONA: Okay. I understand that, Your  
12            Honor. But when I go back to FCC Coleman -- I'm on  
13            appeal over there, actually, and --

14            THE COURT: If I send you back there, I can't --  
15            if you go back there, you are stuck there, and you  
16            can't address your case here at all.

17            MR. VILLALONA: Can we just -- because I'd like  
18            to appeal this decision to the Fourth DCA.

19            THE COURT: Well, you can do that. That's not a  
20            problem. But I'm saying to you is the problem -- and  
21            I don't know that you can because it may not be  
22            something that you have the authority to appeal, even  
23            though you have the authority to take a petition on  
24            it, but as to whether or not they would accept it or  
25            deal with it at this point in time, that's a

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1 different story. I'm just saying to you if I send  
2 you back or work out for you to go back to -- back to  
3 federal --

4 MR. VILLALONA: Yeah.

5 THE COURT: -- they won't bring you back here.

6 MR. VILLALONA: Well, I'll come back on bond  
7 procedures because the detainer is still logged  
8 against me and they'll just come back and pick me up.

9 THE COURT: I don't know that that occurs. I'm  
10 not slowing it up to tell you yes or no. I'd have to  
11 find out. But my understanding is once I lose you on  
12 original request -- a original request, my  
13 understanding is, has to be approved by the warden  
14 for you to be able to come here. Generally speaking,  
15 it's being approved. However, I don't know that it  
16 would be approved at the same time. I don't know  
17 that that's where they are going to detain. I can't  
18 tell you that if I send you back there you're ever  
19 coming back here until the end of your sentence. I  
20 don't know the answer to that question.

21 But before you ask me to do that, maybe you  
22 better research it to make sure that you know the  
23 answer to the question because I have no problem  
24 sending you back if you want to go back. I just  
25 don't know if you're going to be able to come back.

1                   MR. VILLALONA: Well, the detainer is not logged  
2 off of me.

3                   THE COURT: I understand this. I don't know the  
4 answer to the question and you better do some  
5 research before you ask me to do it because --

6                   MR. VILLALONA: I believe I'll come back here.

7                   THE COURT: That's up to you. If you want to go  
8 back to the federal system, I have no problem  
9 releasing you back to --

10                  MR. GOODMAN: Then I'm just going to object for  
11 the record, Judge. I don't want to lose him.

12                  THE COURT: Okay.

13                  MR. VILLALONA: I'll come back. I'll ask for a  
14 bond, a reduction of bond. I'll have -- I'll have  
15 the opportunity to retain a lawyer. I'll come back  
16 in my civilian clothes.

17                  THE COURT: Fifteen years from now.

18                  MR. VILLALONA: Well, that's -- Your Honor,  
19 that's on appeal right now.

20                  THE COURT: Okay. Assuming the worst, God  
21 forbid, as you would say, assuming the worst, it  
22 would be fifteen years from now that you would come  
23 back.

24                  MR. VILLALONA: No.

25                  THE COURT: Assuming the worst.

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1                   MR. VILLALONA: Then Mr. Goodman will still get  
2                   me. It's not like Mr. Goodman has made any effort to  
3                   bring me here. It was me who decided to come here.  
4                   I decided to come here, ultimately, at the end of the  
5                   day. I filed a motion to come here to resolve this  
6                   issue. Ultimately, before I go home, I must stand  
7                   before this Court.

8                   THE COURT: Okay. Well, let me --

9                   Do you have a motion? Is that what you have?

10                  MR. VILLALONA: Yes.

11                  THE COURT: Let me take a look at your motion and  
12                  I'll make a decision within the next few days because  
13                  I don't know the answer to the question. I don't  
14                  know that you could ever come back until the end of  
15                  your particular sentence and I don't know that the  
16                  State might be prejudiced at this point in time you  
17                  being back here. I don't know.

18                  MR. VILLALONA: Well, if they haven't been  
19                  prejudiced by the last forty-three months that  
20                  they've had the evidence, why move -- what's another  
21                  four or five months?

22                  THE COURT: Four or five months?

23                  MR. VILLALONA: Less. Even less, probably two.

24                  THE COURT: You are assuming you are going to be  
25                  reversed on appeal.

1 MR. VILLALONA: Yeah.  
2 THE COURT: You're assuming.  
3 MR. VILLALONA: Well, what the record reflects.  
4 THE COURT: What if you are not?  
5 MR. VILLALONA: Well, then I'll be here.  
6 THE COURT: Fifteen years from now.  
7 MR. VILLALONA: It's not like Mr. Goodman's made  
8 any effort to get me.  
9 THE COURT: Well, we'll figure out what -- okay.  
10 MR. GOODMAN: Do you want to set a status in a  
11 couple of days to make a ruling on that?  
12 THE COURT: I do. Let me set --  
13 THE COURT CLERK: Counsel, you have a calendar  
14 call set for May 7th.  
15 THE COURT: Okay. Leave it on for May.  
16 On for May 7th?  
17 THE COURT CLERK: Yeah.  
18 THE COURT: Leave it on for May 7th. We'll  
19 figure out by then what to do.  
20 MR. GOODMAN: Thank you, Your Honor.  
21 (Whereupon, the hearing concluded at 11:47 a.m.)  
22  
23  
24  
25

1 CERTIFICATE OF COURT REPORTER

2

3 STATE OF FLORIDA

4 COUNTY OF BROWARD

5

6 I, CHARLES DELBRIDGE, Court Reporter, do hereby  
7 certify that the foregoing transcript is a true and  
8 accurate record of my stenographic notes of the  
9 proceedings had and testimony taken in the above-styled  
10 cause.

11 IN WITNESS WHEREOF, I have hereunto set my hand  
12 in the City of Fort Lauderdale, Broward County, Florida,  
13 this 18th day of August, 2017.

14

15

16

17

18

19

20

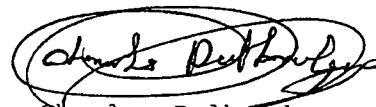
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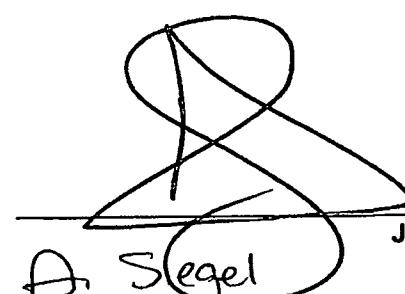
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Charles Delbridge  
Court Reporter  
Notary Public  
Commission No.: FF221241  
Expires: 04/15/2019

F70.

<input checked="" type="checkbox"/> 17th Judicial Circuit in and for Broward County <input type="checkbox"/> In the County Court in and for Broward County		<b>ORDER</b>	CLOCK IN Filed in Open Court,
DIVISION: <input checked="" type="checkbox"/> Criminal <input type="checkbox"/> Traffic <input type="checkbox"/> Other	ON <u>APR 29 2015</u>		BY <u>W</u>
THE STATE OF FLORIDA VS.  <u>Steven Villalona</u>		DEFENDANT	CASE NUMBER <u>13-5914CF10A</u>
CHARGE <u>1. Conspiracy Traffic in Cocaine</u>			
DEFENSE MOTION TO <u>Dismiss</u> IS HEREBY <u>Denied</u> . FOR REASONS AS STATED ON THE RECORD			
IN OPEN COURT.			
DONE AND ORDERED THIS <u>29</u> DAY OF <u>April</u> , 20 <u>15</u> , IN			
BROWARD COUNTY, FLORIDA.			
 JUDGE <u>A. Siegel</u>			
COPIES: BSO - SAO			
F71.			
ICC 112-19 ORDER DEFENSE MOTION			

**IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA**

**STATE OF FLORIDA,  
Plaintiff,**

**v.**

**STEVEN VILLALONA,  
Defendant.**

**CASE No. : 13-005914 CF 10A  
JUDGE : ANDREW L. SIEGEL**

Filed in Open Court,  
CLERK OF THE CIRCUIT COURT  
ON APR 29 2015  
BY u

**ORDER PLACING DISCOVERY AUDIO/VIDEO RECORDINGS  
IN DEFENDANT'S PROPERTY**

THIS CAUSE, having come before this Court on April 29, 2015 and the State of Florida having provided to the Defendant certain Audio/Video recordings pursuant to the rules of Criminal procedure and being otherwise duly advised in the premises,

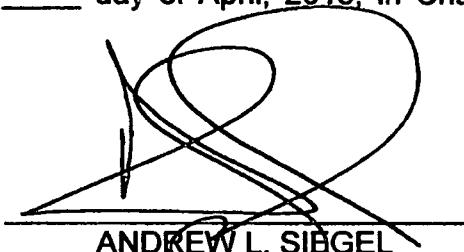
1. The Defendant is representing himself in the proceeding and as such shall act as his attorney pro se.
2. The Defendant is in custody of the Broward Sheriff's Office.
3. Certain DVD/CD recordings have been produced by the State of Florida, pursuant to the rules of criminal procedure, in response to the Defendant's notice to participate in discovery and his demand for discovery. There are seven (7) discs which are numbered 1 through 7.
4. The Defendant needs to have access to the DVD/CD recordings, from time to time, for his to prepare for trial while in custody.

Accordingly, it is,

ORDERED AND ADJUDGED, the Broward Sheriff's Office is directed to place the seven (7) DVD/CD recordings in the Defendant's property and make them available to the Defendant for listening/viewing, so the Defendant can prepare for trial.

This Order is not to be construed as requiring the Broward Sheriff's Office to allow the Defendant to keep the DVD/CD recordings with his at all times.

DONE AND ORDERED on this 29 day of April, 2015, in Chambers, Fort Lauderdale, Broward County, Florida.



ANDREW L. SIEGEL  
CIRCUIT JUDGE

Copies to:

Mr. Goodman, Esq.  
Office of the State Attorney

Steven Villalona, Pro se Defendant

CASE NO: 13-5914CF10A  
JUDGE: BOBER

State of Florida

Plaintiff, : STATE'S SUPPLEMENTAL DISCOVERY  
:   
v. :  
:   
STEVEN VILLALONA, :  
:   
Defendant :  
-----

COMES NOW the State of Florida, by and through the undersigned Assistant State Attorney, and pursuant to the provisions of Rule 3.220(b)(1)(A) of the Florida Rules of Criminal Procedure, as supplement to the State's previous submission(s) of discovery herein, submits the following amendment(s) or addition(s):

Audio CD: 9-17-12 Miguelina Perez controlled phone calls #11331  
Audio CD: 9-21-11 to 2-10-12 U/C calls

Audio CD: 9-20-11 (JT9110-TS11594)

Audio CD: 9-20-11 (JT9110-TS11014)

Audio CD: 9-20-11 (JT9110-TS10512)

DVD: 9-21-11 (JT9110-TS10517) C/I

DVD: 9-20-11 Video of Flash

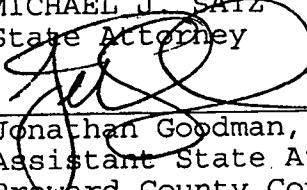
DVD: 9-21-11 Part I C/I Audio/Video

DVD: 9-21-11 Part II C/I Audio/Video

I HEREBY CERTIFY that a true copy hereof has been furnished by U.S. Mail/Hand Delivery/Electronic Filing this 2<sup>nd</sup> day of **January**, A.D. 2015, to Attorney for Defendant named below: James Rubin, Assistant Public Defender.

MICHAEL J. SATZ  
State Attorney

By:

  
Jonathan Goodman, ESQ.  
Assistant State Attorney FL Bar #58709  
Broward County Courthouse  
201 Southeast 6th Street, Suite 585  
Fort Lauderdale, Florida 33301-3360  
(954) 831-7137

F74.