APPENDIX A

Supreme Court of Florida

TUESDAY, AUGUST 13, 2019

CASE NO.: SC19-1204
Lower Tribunal No(s).:
5D19-1371; 482016CF006177000AOX

DAVID MORAN vs. STATE OF FLORIDA

Petitioner(s) Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy
Test:

John A. Tomasino
Clerk, Supreme Court

td
Served:

WESLEY HAROLD HEIDT
DAVID MORAN
HON. GAIL A. ADAMS, JUDGE
HON. TIFFANY MOORE RUSSELL, CLERK
HON. JOANNE P. SIMMONS, CLERK

APPENDIX B

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

DAVID P. MORAN,

Petitioner,

v. CASE NO. 5D19-1371

STATE OF FLORIDA,

Respondent.
_____/

DATE: June 24, 2019

BY ORDER OF THE COURT:

ORDERED that the Petition for Writ of Prohibition, filed May 14, 2019, and the Amended Petitions, filed May 24, 2019, and June 19, 2019, are denied.

I hereby certify that the foregoing is
(a true copy of) the original Court order.

JOANNL P SIMMONS CLERK

Panel: Judges Evander, Wallis, Grosshans

cc:

Office of Attorney General
Hon. Gail A. Adams

David P. Moran
Hon. Keith A. Carsten

APPENDIX C

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

DAVID P. MORAN,

Petitioner,

v.

CASE NO. 5D19-1371

STATE OF FLORIDA,

Respondent.
_____/

DATE: July 31, 2019

BY ORDER OF THE COURT:

ORDERED that Petitioner's Motion for Clarification, filed July 3, 2019, is denied.

I hereby certify that the foregoing is
(a true copy of) the original Court order.

Joanne P. Simmons
JOANNE P. SIMMONS, CLERK

Panel: Judges Evander, Wallis, and Grosshans

cc:

Office of Attorney General David P. Moran

APPENDIX D

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

vs.

DAVID PATRICK MORAN,

Defendant.

_____/

CASE NO.: 2016-CF-6177-A-O
DIVISION: 10

ORDER DENYING MOTION TO DISQUALIFY

THIS MATTER came before the Court on Defendant's Motion to Disqualify Judge filed on April 8, 2019. After reviewing Defendant's Motion, the court file, and the record, the Court finds as follows:

Defendant requests that Judge Carsten be disqualified.

Based upon the foregoing, it is hereby **ORDERED AND ADJUDGED** that:

1. Defendant's Motion to Disqualify Judge is **DENIED**.
2. Defendant has **thirty (30) days** from the date of this Order in which to file a notice of appeal.

DONE AND ORDERED in Chambers at Orlando, Orange County, Florida, this 18 day of April, 2019.

GAIL A. ADAMS
Circuit Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this Order has been furnished by electronic mail, U.S. Mail or hand delivery to **David P. Moran,** DC# X97428, Columbia Correctional Institution, 216 S.E. Corrections Way, Lake City, Florida 32025; and **Office of the State Attorney, Postconviction Felony Unit**, 415 North Orange Avenue, Post Office Box 1673, Orlando, Florida 32801,PCF@sao9.org, on this 18 day of April, 2019.

Judicial Assistant

APPENDIX E

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA

CASE NO. 2016-CF-6177
DIVISION 10

STATE OF FLORIDA,
Plaintiff,

v.

DAVID P. MORAN,
Defendant.
_____/

ORDER GRANTING MOTION FOR
RECONSIDERATION AND/OR CLARIFICATION
OF THE MOTION TO DISQUALIFY JUDGE AND
ORDER DENYING MOTION TO REDUCE / MODIFY SENTENCE

This matter came before the Court for consideration of David P. Moran's Motion for Reconsideration and/or Clarification of the Motion to Disqualify Judge, Motion to Reduce / Modify Sentence, and Amended Information for Motion to Reduce / Modify Sentence, Motion to Disqualify Judge, and Request for Temporary Abeyance, all filed May 3, 2019.

On April 8, 2019, Defendant filed a Motion to Disqualify Judge alleging that Judge Keith Carsten erred in denying the motion for mistrial, motion to suppress, motion to reconsider the motion to suppress, and motion for judgment of acquittal filed in the above-styled case and opining that the Court was prejudiced against him. The undersigned judge now clarifies that effective January 2018, Judge Carsten has been assigned to a civil division of this Court and the undersigned has been assigned to all cases in Division 10, including motions filed in postconviction cases. Judge Carsten has had no involvement with the motions filed in this case since that time and none is anticipated in the foreseeable future.