

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

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

MIGUEL ANGEL CORUJO MERCADO,

Appellant,

v.

Case No. 5D19-2241

STATE OF FLORIDA,

Appellee.

/

Decision filed October 6, 2020

Appeal from the Circuit Court
for Orange County,
Dan Traver, Judge.

James S. Purdy, Public Defender, and
Nancy Ryan, Assistant Public Defender,
Daytona Beach, for Appellant.

Ashley Moody, Attorney General,
Tallahassee, and L. Charlene Matthews,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

AFFIRMED.

COHEN, LAMBERT and HARRIS, JJ., concur.

**APPENDIX C – State’s Exhibit Metropolitan Bureau of
Investigation, Transcripts, October 27,
2017**

METROPOLITAN BUREAU OF INVESTIGATION
NINTH JUDICIAL CIRCUIT OF FLORIDA
ORLANDO, FLORIDA

MBI CASE NUMBER: 16N-2021

TRANSCRIPT FOR TARGET LINE: MERCADO_7530_W
INCOMING CALL INFORMATION

Session/Call #: 2294

DATE: 10/27/2017
START TIME: 16:04:17 EDT
STOP TIME: 16:24:33 EDT
DURATION: 00:20:16
IN DIGITS: 13215122408

OUT DIGITS:
SUBSCRIBER:
CLEAN NUMBER:
PARTICIPANTS: FROM: (321) 512-2408, RIVERA, HAROL RIVERA; TO: (407) 428-7530, MERCADO, MIGUEL ANGEL CORUJO
MONITORED BY: ELSIE PEREZ

TRANSLATED BY: YADIZ ORTIZ
TRANSCRIBED BY: YADIZ ORTIZ
[]: TRANSCRIBER'S NOTES
UI: UNINTELLIGIBLE
VO: VOICES OVERLAP

[START OF TRANSCRIPT]

[MM is having another conversation in the background]

MM: Hey, [UI]
HR: What's going on homie?
MM: Hey look what's going on, wait, wait. That what I was talking with you, well yesterday they told me that [UI]
HR: That what is what?
[MM acknowledges conversation with HR]

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MM: But tell me, man.
HR: What is going on homie?
MM: Here; I am on my way; they are taking me to the civilization because I just came from the other office.
HR: Okay; Look at me.
MM: No, I can't look at you. I'm listening.
HR: Well, listen to me. Three things.
MM: [LAUGHS]
HR: First of all, I know that I need the title so I can get the tag. Second [VO]
MM: That's what [VO]
HR: Second, I need [VO]
MM: I am going to get today [VO] uhuh.
HR: I need, I need the vacuum and third...[VO]
MM: [UI] in the car, is right here at the O.B.T. right now, close by you.
HR: Okay; and third is that there's a good job out there really good, at one thousand dollars [\$1,000] the zetita [NO TRANSLATION AVAILABLE] [VO]
MM: [UI]
HR: The zetita at one thousand dollars [\$1000] for you: I repeat; good work; a zeta, one thousand dollars [\$1000] and a ball one and a half, hundred, three hundred. I repeat [GIGGLES]
MM: Is it yours?
HR: Well [UI] [WEAK CELL SIGNAL] That's what it is.
MM: Uh, credit card?
HR: What?

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MM: Do you accept *credit card*? Credit card.
HR: Well, I have Barba; he takes ATM and food stamps.
MM: Huh?
HR: Barba takes anything... I am just trying to help out my cousin, trying to get it out, and it's good.
MM: Well, if he give it to me on credit?
HR: I told him about you to see... On credit?, let me see if I can talk to him to see what's up
MM: Tell him; I have at least half of a little zee or less, I have like seven left.
HR: But it's good, you hear me, it's the same one that came in last time; the one you saw that was very strong.
MM: Man, the one they gave me the night before last?
HR: Yeah but I am talking about the one I was getting before, when I used to get it with my kid's godfather. I used to give my kid's godfather some of that.
MM: Yes, those were very good.
HR: Really fucking good.
MM: The one that used to look like a cookie, that cracks like a cookie?
HR: It's better [REPEATS]
MM: It's better? Well alright. Uh, uh, baby, the wallet.
HR: Get on, get on that, take out the *credit card*.
MM: Huh?
HR: Use the credit card. [REPEATS]
MM: The credit card? Asshole, bring me, bring me something.
HR: Use the credit card, but that's why I squeeze you so you loosen up.

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MM: Ah, [VO]
HR: but it's good, one thousand dollars. [VO]
MM: At this moment I can't not give you the one thousand dollars [\$1000] because I have to pay a lot. I owe like \$10,000
HR: That you have \$10,000.
MM: No, that I owe.
HR: Okay....
MM: Uhuh. [BACKGROUND NOISE]
HR: Then, what I was going to say?
MM: No but, to pay for today.
HR: Yes, so is everybody... I have to pay Perquin, goddamn it, I had forgotten.
MM: I owe Perquin \$5,300.
HR: Is his work good?
MM: He is, uh, is commercial.
HR: And yours, does it smell like sealant?
MM: Yes.
HR: Don't lie to me old man.
MM: Dude, it's the same one; I told you [UI]
HR: Yes, but Perquin is doing something to me. [VO]
MM: [UI]
HR: He's treating you better than me.
MM: Why?
HR: Because he's always coming up with something, he'll give it to you *right thru* because you get mad at him.

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MM: No, no, because I [chuckles]. He was clear when we spoke. I told him, look Perquin...

HR: Don't laugh asshole [chuckle]

MM: I told him, Perquin that work is like this and like that, but some people said that is good.

HR: Tell him to treat me pretty, brother, to slow down in the sealer [IU] car

MM: He's not touching it, he's not touching it. He may put a sealer on top so it can smell. It didn't have any smell, remember?

HR: [IU] What was the other thing?, I had to tell you something else... Ahhh, I have a rifle .22 two-hundred \$200 I will give to you with *digital laser* and all.

MM: Still? Motherfucker, that rifle is old...

HR: I have it sold, take advantage.

MM: Uh, I am going to sell the one Perquin sold me.

HR: Which one?

MM: The R15 that Perquin sold me.

HR: How much?

MM: I am going to give it to him.

HR: No, but how much are you to sell it? I want to buy it?

MM: It's that what he's offering goes above the value of the money.

HR: Ah, hey, what an idiot, motherfucker. What he's offering you for a fifteen [15]?

MM: What do you think? Work, work.

HR: What? seven and a half?

MM: Work, work, man, his offer goes above the cartoons...[VO]

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HR: Of work?

MM: Yeah, he offered that to me so I don't have to say anything, imagine that.

HR: Damn! Man, send me a picture to look at it anyway.

MM: No, is that he offered me fifteen [15]

HR: Is it sold?

MM: No, not yet [VO]

HR: Fifteen [15] what? fifteen [15] chickens?

MM: Fifteen [15] chickens man.

HR: How much are fifteen [15] chickens at seventy-five (75)?

MM: Man, around a thousand and something dollars.

HR: Damn! so what's going on with Perquin, brother?

MM: Because, that rifle is under his name.

HR: That he wanted, I remember.

MM: Uhuh, [AFFIRMATIVE] That rifle is brand new from the box and then, it has all the cartoons.

HR: Okay.

MM: It has double handle to grab it.

HR: However it send it to me because you never showed it to me.

MM: I sent that to you, you don't remember the one that have all the lights?

HR: Oh, that's the one with the lights. Damn! But you have two sell me the other one.

MM: The other one, I just bought it and it's longer than this one.

HR: So the price will be higher.

MM: And then uhm, just a bit longer [LAUGHS] [VO]

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HR: [chuckle]
MM: Then, no I paid the same.
HR: Put a scope at the other one a good scope.
MM: The other one has a scope that you can't see the red dot laser on the other side.
HR: The same as my twenty-two. See, you should buy my rifle, brother.
MM: No, but with my laser you won't throw anybody on their legs.
HR: You think?
MM: You won't kill with that, is with the bullet.
HR: [HR & MM chuckle] Asshole, you are a charlatan... that kills, too the twenty-two is the most dangerous bullet.
MM: That's true is the most dangerous bullet.
HR: Hey, I am here at the shop waiting for Maki, and it seems like I stayed on reverse.
MM: I am on my way to Lee Vista right now.
HR: When are you going to bring the title? I need the hard tag and you can take it back
MM: Ok. I already spoke with Naki about that. Uh, I have to go later and pick up a car over there at Apopka.
HR: Uhuh, Okay.
MM: Then, at the same time I will do the trick because I bought a Maxima. Like the one I have?
HR: Ok, but the title. Are you going to give it to me?
MM: Uh, yes. I will bring it to you, I will bring it to you. Oh, but wait, I told you that I was going to take it to you.

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HR: Hey, so what was I going to say? Uh, When? When is it that I have to give you a payment, old man?
MM: Man, already, today.
HR: I already gave it to you on Saturday and it's bi-weekly, because, listen to me. I have the car sold to Barba. I sold it to him for two thousand dollars (\$2,000).
MM: Which one?
HR: Eh, the Camaro, like if it was mine, man.
MM: Damn, how dirty?
HR: [coughs] No motherfucker, the BM [CONTINUES COUGHING]
MM: Hey, crazyman, you smoking motherfucker? [VO]
HR: The BM, you remember the BM?... Some little dumb roaches there.
MM: Oh.
HR: Old man, the BM was a mess. Ah, you remember?
MM: The red one, yeah. Uhuh, yeah, yeah, tell me, the BM, the one you had given me.
HR: Eh, exactly and then I took it back.
MM: [laughs]
HR: Yeah, I financed it to him in five hundred dollars bi-weekly. He already gave me the first payment and then I have the dates set for the payments of the Camaro. What date is it that it's supposed to be, if it was Saturday, when is it?
MM: Saturday to saturday is [VO]
HR: And then still four days left. [VO] five.
MM: This saturday.
HR: No but it's bi-weekly.

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MM: That's why. That's next Saturday, not tomorrow.
HR: The other one.
MM: The other one.
HR: Okay, no so that I could tell this one.
MM: Well you know already. Are you in your car? [vo]
HR: Yeah, [UI][VO]
MM: Look, eh, [VO]
HR: Hey you go ahead and do your stuff, man [VO]
MM: I accept, I accept. No, I'm over here cruising man. They are driving me. I'm in the BMW.
HR: Yeah? you took it out?
MM: Man, yeah, it's ah, no, my BM.
HR: For that.
MM: It's detailed and it looks bad ass. It runs real smooth, man.
HR: Yeah, [UI]
MM: Man, I'm in love with the car again and [VO]
HR: Of the BM?
MM: Yeah, the truck [UI] man.
HR: They screwed him, real screwed, what that motherfucker does with his money.
MM: No, no, eh, no because remember that I told him, eh, he did me that favor of having you on the street. Ok. And I have on my mind, motherfucker, that's why I paid you ten thousand dollars. [VO]
HR: Man [VO]

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MM: And then I'd pay him five hundred dollars as a gift like that so he could have fun. And I even paid [UI] [VO] too
HR: Hell, you went off like fire.
MM: Yeah, no, I threw out more than twenty thousand dollars [VO]
HR: A whole lot, asshole.
MM: Yeah. But nothing, eh, they told me, hey, look since you did me a favor, he told me, look man, eh, you do me a favor, that little favor now, and you will always have me at your side when you need me. That's what he said to me.
HR: Okay, he said that?
MM: Yes.
HR: And, what are you? What do you think? [VO]
MM: I told him to give me the motorcycle.
HR: He has a motorcycle?
MM: Yes. A one thousand six hundred [VO]
HR: What motorcycle?
MM: A one thousand six hundred [VO]
HR: One thousand six hundred? [vo]
MM: Yes, but it's one of these chopper.
HR: Damn, but man, that has a hell of a motor. Take it that I will take it.
MM: Man, with complete chrome, [UI] it's a Yamaha [VO]
HR: Hey, yesterday [VO]
MM: Lonestar [VO]
HR: Yesterday, I went with two more of my friends, to Kissimmee, over there to hell, to a motorcycle festival that was at Kissimmee where the star is at, I

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had a blast, I even took a little side chick I had. Man, buy yourself that motorcycle and we go to where the have those festivals and eat beef croquets and everything. You have a good time. [UI]

MM: Motorcycle?

HR: On the motorcycle, right?

MM: Yeah, I don't like it.

HR: Why?

MM: Because, I always thought I'd fall and scrape myself all over.

HR: Man, mothefucker [UI]

MM: No because one time, I had an FZ really good that I had traded for a Miata C23 rotative that I had.

HR: At the island?

MM: No, eh, here in Massachusetts in Springfield.

HR: Okay?

MM: And then uh, but it was new. And then what happened, I started to ride a *scrambler*

HR: Uhuh?

MM: And the scrambler didn't have the CDA, it didn't have breaks [VO]

HR: Damn.

MM: A one hundred and twenty-five, yeah, man, that thing accelerated and in one wheel up, I said to [VO]

HR: The lift up.

MM: Yeah, man, I'm switching gears and the bitch is wheeling and then the little ride was over.

HR: Really? And then you crashed? [LAUGHS]

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MM: Man, no, asshole, but I had to throw myself off the fucking bike, Man, and the wheel burned my calf and everything and then comes along a buddy of mine, riding, he started laughing, he started laughing and all and when he hooked, when he brought it down, man, he has fallen right on his face and he scraped himself all on the floor. And that's where I laughed, mothefucker, right there, man [VO]

HR: Damn.

MM: They are laughing at me when he scraped himself so bad, but really ugly, ugly.

HR: But did you live? Did you live?

MM: No, him, he was all fucked up because all I had was the wheel burned my calf. [VO]

HR: Uhuh, uhuh, and you didn't die?

MM: No, I didn't die, mothefucker [VO]

HR: [LAUGHS]

MM: Nothing happened to me except for that. But, I was normal. Man, but that guy had his face really scraped, scraped, scraped, missing a teeth, his chest was scraped. Well, ugly, ugly.

HR: Yeah.

MM: And I was laughing.

HR: Yeah, without a tag and all [UI] Hey so I'm going to let you go old man that I'm going to [UI] I'm going to text you later to see if I have a zee.

MM: Look, see if you bring me that zee. Look, eh, I am on my way to Lee Vista, the new building of the [UI] of the people from over here.

HR: Okay?

MM: And then I was on John Young just now. And then [VO]

HR: Alright.

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MM: And then, it has nothing to do with me.
HR: Okay.
MM: And then, what else? I'm going to go down, I have to go to the connection to pay some money. I have to go to, I was going to go with him to see the new yard that I have but [VO]
HR: Hey, what did you do with that yard?
MM: That, uhu, I was going to go today to, to, make some adjustments but I told him to leave it for tomorrow because he wanted to accompany his daughter and I had a bunch of stuff to do. Like go to Apoka and all that shit. And work too because I fired my employee.
HR: Really, you have to do that now?
MM: Man, yeah, real fucked up.
HR: You're fucked man.
MM: Yeah, I'm fucked man.
HR: Man yeah.
MM: Man, that table is slavery.
HR: No, no, you don't have a life.
MM: No, no [vo]
HR: [UI] the work is ready and all.
MM: Man, yeah real fucked. That's, that's forget about life, forget about everything.
HR: I have this guy, I taught him and see he's working pretty good. I pay him five hundred dollars weekly. [VO]
MM: How much?
HR: Shhhh. [VO]
MM: five-hundred?

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HR: Five-hundred
MM: Weekly? asshole. Damn, asshole. [VO]
HR: Weekly. And I'm already moving fifty grams (50) every two days.
MM: Damn, you're doing good.
HR: No but selling little grams only.
MM: Ah, ah, ok, ok. No, no, I am, man, stay still, When was it that I got those hundred chickens, on when was that? [VO]
HR: But [STUTTERS] it's not that I'm doing [UI]
MM: Huh?
HR: Am I not doing [UI]
MM: Man, you are making it all. [vo]
HR: Ah, it's that it's [UI] [VO]
MM: You know how much I'm paying per table?
HR: Of course, it pays a hundred dollars every ten grams and you pay them at more.
MM: Eh, I pay twenty dollars a plate.
HR: Look, I pay a hundred dollars [UI] but forget about it everyone is happy, five hundred dollars.
MM: Five-hundred dollars asshole, man, well, the day that you, well tell him to make mine too.
HR: [laughs] ehe, that man doesn't have a life with me. There he is with no sleep and I'm like asshole that [UI]
MM: Damn, hell, asshole. For five-hundred dollars weekly he better be making all my [UI]
HR: I financed the car for five-hundred dollars bi-weekly, I don't know how he is going to pay me but [LAUGHS] [vo]

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MM: But wait a second, if you give him five-hundred dollars weekly, eh, what else does he make because that is not enough.

HR: Yeah, it's enough for him but he also rides in the cars too. If he's going to run and [VO]

MM: Ah, [UI] [vo]

HR: There's been a couple of times that he goes to the cars too, if I give him too much money then he wont want to ride in the cars. [VO]

MM: [LAUGHS] [vo]

HR: Asshole, I am pretty competent [vo]

MM: [LAUGHS]

HR: You got me wrong [VO]

MM: This man is too much. Damn, you just passed me asshole, I can't believe his mentality. Damn. [vo] [UI]

HR: [LAUGHS]

MM: Damn, you turned out more than the teacher. [vo]

HR: [LAUGHS]

MM: Yesterday, they were telling me, Emilia, that your son. And then uh, [SUTTERS] what's it called, your dog?

HR: The?

MM: Barbara?

HR: Yes.

MM: Her friend. [REPEATS]

HR: Ah, her friend, I feel like hitting that, I was just texting with her, we are even supposed to go out with the black girl that looks so hard. She wrote me yesterday at 4:00 AM and I didn't see the message. That's that she was probably drunk [VO]

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MM: Yeah, I saw them at the business, and I was like, hey what is that woman doing here?

HR: In what business?

MM: At Cheetos.

HR: Oh yeah, they go there.

MM: Not me, I didn't know anything. I met up with the guy, this one, with Michael, that he is the one that drives them everywhere, with the other one is the one that I was talking with, with Michael and that's where I saw her. [vo]

HR: We going to Cheeto's today?

MM: Man, I don't know man, because I don't know really?

HR: You don't want to? no?

MM: No, it's that since I'm so rushed [vo]

HR: Yeah, you don't know if you'll have enough time?

MM: Yeah, aha, I don't know [VO]

HR: That's just me thinking of shit. [UI]

MM: Huh?

HR: That's just me, I can't lose focus either. [vo]

MM: Avoid messes in that life [VO]

HR: No [VO]

MM: I was scraped by that. [VO]

HR: Yeah, pussy is what fucks it up.

MM: No man, you have to get one for you, exclusive pussy, for you [UI] [VO]

HR: It's that I'm looking for one relatively with low mileage because there are none left with zero miles. And then all the ones that I have gotten have erased their mileage completely [VO]

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MM: Damn man, you are very [UI] you are so dirty man.
HR: [LAUGHS]
MM: You're like when [UI]
HR: A rake like an asshole.
MM: Yeah, really a raker. [VO]
HR: Let me smoke
MM: Damn, man with the mileage erased and all.
HR: Two and three times with all of that.
MM: Oh, yuk. No, no.
HR: [Laughs]
MM: You have to get one with at least twenty thousand miles and [VO]
HR: Man, I don't want to they're all [UI]
MM: [Laughs] And if you change the oil?
HR: With a front transmission [VO]
MM: Damn, the shock absorbers exploded and all [LAUGHS] you put a little bit
of paint and go on.
HR: Damn. [LAUGHS]
MM: Damn, and that raking you got going on, no no, I didn't show you that.
HR: No, no, [UI]
MM: Aha, who are you hanging out with?
HR: Well, its Barba asshole, Barba [VO]
MM: Barba is the raker?
HR: Barba, barba [VO] I wasn't like this [VO]
MM: Uh, yeah, no, you're the type of guy that yeah, you're like that [vo]

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STATE/PLTF/PET	JOINT	RESP/DEFT
COURT		EXHIBITS
CASE NO.	17FG15059 AD	
DATE	10/18/19	IDENTIFICATION CG
DATE		EXHIBIT #
Tiffany Moore Russell, ORANGE COUNTY CLERK OF COURTS		
BY [initials] DEPUTY CLERK		
24-34 (1/16)		

UR

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HR: An altar boy.
MM: An altar boy, asshole...No an elegant guy and high-class, no and exigent.
HR: Yeah [laughs]
MM: If not man, you are not going to get [ui] and be careful that it's next to me [VO]
HR: [ui]
MM: Make sure that they fit all the requisites.
HR: [Laughs]
MM: She makes believe she's dumb but has the light on.
HR: Yeah, she has all the requisites.
MM: Hey, [UI]
HR: Look, and then I was going to tell you like at what time are you coming back after all your dealings with [UI]?
MM: Well, I'm here on Semoran right now, on the Goldenrod right now. Eh, I'm over here to go to where I told you to Lee vista. Lee Vista by where Car Max is where I'm going. The office is by [UI]
HR: At the new office there, ah you going to be over there a bit?
MM: Eh, there it is. Look at all the ones that are there. Eh, no, no, about how long does that take? But they're waiting for me already.
HR: Okay. No, well you work on that. I will see if I get you all of that and give it to you to bring it down to you.
MM: Oh, well alright because I have to go down over here, and right there we will talk and blah, blah, blah [vo]
HR: Exactly, we will see each other in a few minutes later.
MM: That's it.
HR: Go ahead man.

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MM: That's it. Good bye.

[END OF TRANSCRIPT]

yo



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APPENDIX D – Trial Transcripts

1 **MR. DIAZ:** Permission to publish State's 48?
 2 **THE COURT:** You may.
 3 (The exhibit was published to the jury.)
 4 (All in Spanish.)
 5 (CD was stopped.)

6 **BY MR. DIAZ:**

7 **Q.** Agent, what is a Z?
 8 **A.** A Z is reference to an ounce --
 9 **MR. BAGHDADI:** Judge, for the record, I was gonna
 10 renew our objection to this being expert testimony.
 11 **THE COURT:** Overruled.

12 **BY MR. DIAZ:**

13 **Q.** What is a Z?
 14 **A.** A Z is gonna be a street term for an ounce.
 15 **Q.** At a minimum, what is the quantity that they
 16 are -- that Harol is offering to provide to Miguel?
 17 **A.** At a minimum, one ounce.

18 **Q.** And an ounce is how much again?
 19 **A.** 28 grams.
 20 **Q.** And do they agree to the transaction?

21 **A.** Yes.

22 **MR. DIAZ:** Nothing further with regards to
 23 State's 48.

24 **BY MR. DIAZ:**

25 **Q.** Agent, I'm gonna call your attention now to

1 State's 49. That's Session 2294, line 7530. What's the

2 date of this call?

3 **A.** October 27, 2017.

4 **Q.** And who is the conversation between?

5 **A.** It's gonna be between Harol Rivera and Miguel
 6 Mercado.

7 **MR. DIAZ:** Judge, permission to publish
 8 State's 2294?

9 **THE COURT:** You may.

10 (The exhibit was published to the jury.)

11 (All in Spanish.)

12 (CD was stopped.)

13 **BY MR. DIAZ:**

14 **Q.** It's a longer call, so I'm gonna pause it and
 15 break it down along the way.

16 When they're referring to a Z, I think

17 Zadeda (ph), what are they referring to?

18 **A.** They're referring to an ounce.

19 **Q.** With regards to this purchase, it needs to be
 20 paid up front, correct?

21 **A.** Yes.

22 **Q.** Was he ever able to?

23 **A.** No.

24 **Q.** No. So they never came to an agreement.

25 **A.** No.

1 **C E R T I F I C A T E**
2
3

4 STATE OF FLORIDA:

5 COUNTY OF ORANGE:

6 I, Tracy Anderson, Official Court Reporter of the Ninth
 7 Judicial Circuit of Florida, do hereby certify, pursuant to
 8 Florida Rules of Judicial Administration 2.535(h)(3), that I
 9 was authorized to and did report in stenographic shorthand
 10 the foregoing proceedings, and that thereafter my
 11 stenographic shorthand notes were transcribed to typewritten
 12 form by the process of computer-aided transcription, and
 13 that the foregoing pages contain a true and correct
 14 transcription of my stenographic shorthand notes taken
 15 therein.

16 WITNESS my hand this 8th day of October, 2019, in the
 17 City of Orlando, County of Orange, State of Florida.

18
 19
 20 */S/ Tracy Anderson*
 21 TRACY ANDERSON, OCR
 22
 23
 24
 25

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**APPENDIX E – State’s Exhibit, Metropolitan Bureau of
Investigation, Transcripts, October 28, 2017**

STATE/PLTF/PET	JOINT	RESP/DEPT
COURT		EXHIBITS
CASE NO.	17CF5658-AO	
DATE	IDENTIFICATION	CM
DATE	EXHIBIT #	
TIFFANY MOORE-RUSSELL, ORANGE COUNTY CLERK OF COURTS BY <i>TMW</i> DEPUTY CLERK		
24-34 (1/16)		

METROPOLITAN BUREAU OF INVESTIGATION
NINTH JUDICIAL CIRCUIT OF FLORIDA
ORLANDO, FLORIDA

MBI CASE NUMBER: 16N-2021



TRANSCRIPT FOR TARGET LINE: MERCADO_7530_W

INCOMING CALL INFORMATION

Session/Call #: 2533

DATE: 10/28/2017
 START TIME: 14:20:06 EDT
 STOP TIME: 14:23:09 EDT
 DURATION: 00:03:03
 IN DIGITS: 13215122408
 OUT DIGITS:
 SUBSCRIBER:
 CLEAN NUMBER:
 PARTICIPANTS: FROM: (321) 512-2408, RIVERA, HAROL RIVERA; TO: (407) 428-7530, MERCADO, MIGUEL ANGEL CORUJO
 MONITORED BY: ELSIE PEREZ

TRANSLATED BY: WILLIAM AROCHO
 TRANSCRIBED BY: WILLIAM AROCHO

[START OF TRANSCRIPT]

MACM: Talk to me
 Rivera: Good morning, what's going on
 MACM: Here, I stood waiting for you all night
 Rivera: Hey look, old man damn save me with at least 5 grams I'll give it to you later when "Perquin" comes
 MACM: I'm going to talk to straight I have left, I'm going to tell you, I have um I have [Counting in background] If I have 15 that's a lot
 Rivera: Man, can you give me like at least 3 or something like that
 MACM: No, I'm going to, I'm going to spare you some but as long you give me them back we all good

Page 1 of 3

METROPOLITAN BUREAU OF INVESTIGATION
NINTH JUDICIAL CIRCUIT OF FLORIDA
ORLANDO, FLORIDA

MBI CASE NUMBER: 16N-2021

Rivera: Yeah, no I'm going to give you them right back
MACM: Ahh, no then theres no problem
Rivera: Its that umm, "Perquin" has 100 right the same you told me about.
"Perquin" has 25 saved apart for me but I'm calling him and he is not
answering and since I just woke up, and the two kiosk are empty.
MACM: Uh-huh
Rivera: Damn yeah bro, I'm going home now to grab the "Z" and then I'll head
towards you. Where do I see you?
MACM: Umm, Where you going?
Rivera: Towards you, to give you the "Z" and pick that up.
MACM: Ahhh, that's perfect, see that's even better, you already know [Laughs]
Rivera: [Laughs] Like the kid doesn't know what he's doing [Laughs]
MACM: [Laughs] Okay, umm where are you now
Rivera: I'm over here right now at John Young and Colonial, I'm going to head out
over to my house right now
MACM: I'm over here by Alafaya
Rivera: Where?
MACM: In Alafaya
Rivera: Alafaya, alafaya, alafaya, ummm
MACM: Over here on 50 up this way
Rivera: Umm, how you want to do this, I have to pick that up at the house over
there on Oak Ridge and I can see you there
MACM: Okay, that's real far for me, Ahh no no easy, umm
Rivera: I'm ready in like 15 minutes around there while I pick that up
MACM: How long

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METROPOLITAN BUREAU OF INVESTIGATION
NINTH JUDICIAL CIRCUIT OF FLORIDA
ORLANDO, FLORIDA

MBI CASE NUMBER: 16N-2021

Rivera: In like 15, 20 minutes to get there and pick that up
MACM: Yea, because I'm over there by Auto Zone umm and then I'll go to the
house and [UI] ummmmmmm, I'll leave you know the instructions, I'll
start with that and head that way
Rivera: All good, then while you do your things I will do mine and then we will
communicate within 20 minutes to see where we are at [Voices Overlap]
MACM: And then how many, how many you have for me one
Rivera: One yeah, I wanted to try two but I couldn't, I was going to stay short.
MACM: All good all good, one is better than none
Rivera: No these coming days, the parrot will shit new again
MACM: Oh yeah
Rivera: Yeah
MACM: Ahhh, okay [Talks In background]
Rivera: Well nothing, we'll do that then let's agree on that, I'll hit you up in like 20
MACM: All good bro, yeah
Rivera: Alright, man

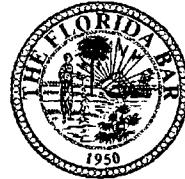
[END OF TRANSCRIPT]

WA
MF

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**APPENDIX F – The Florida Bar, Request for Assistance
(RFA No. 21-8133), Letter**



The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

February 2, 2021

Mr. Aaron Baghdadi
2 S Orange Ave Ste 300
Orlando, FL 32801-2637

Re: Mr. Miguel Mercado; RFA No. 21-8133

Dear Mr. Baghdadi:

The Attorney Consumer Assistance Program (ACAP) of The Florida Bar has received a request for assistance from the above indicated client. The nature of the request suggests that the individual is requesting a copy of his or her case file.

Rule 4-1.16 (d) of the Rules Regulating The Florida Bar provides: “[u]pon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client’s interest, such as . . . surrendering papers and property to which the client is entitled . . .”

Florida law establishes that the client case file is the property of the attorney. See e.g. Dowda & Fields, P.A v. Cobb, 452 So.2d 1140, 1142 (Fla. 5th DCA 1984). If the client wishes copies of the attorney’s case file, the attorney is entitled to be reimbursed for the reasonable cost of producing and shipping any such copies. Clients are entitled to the return of all original file materials which were provided by the client. The lawyer however, may retain papers and other property relating to or belonging to the client to the extent permitted by law.

Florida courts have found that indigent clients are entitled to transcripts and other record documents that have been prepared or obtained at public cost without charge, other than the cost of postage, which must be borne by the party seeking the records. This is not to say that there is a duty to transcribe proceedings that have previously not been transcribed, or a requirement to produce multiple copies. Further disputes about production of documents free of charge, involve a question of law and resolution of such issues must be left to the court system.

No disciplinary file has been opened at this time, but ACAP is requesting that you contact this client by February 11, 2021, in order that this matter might be resolved without further action.

Mr. Aaron Baghdadi
February 2, 2021
Page Two

By copy of this letter to Mr. Mercado, I am suggesting that if Mr. Mercado has not heard from you by the above date, that Mr. Mercado contact me. Should I fail to hear anything further from either of you within thirty days of the date of this letter, I will assume that the matter has been resolved. Pursuant to the Bar's records retention schedule, the computer record and file will be disposed of one year from the date of closing.

Thank you in advance for your efforts in assisting an expeditious and amicable resolution of this matter.

Sincerely,

Teresa S. Goodson

Teresa Goodson, Bar Counsel
Attorney Consumer Assistance Program
ACAP Hotline 866-352-0707

Encl.

cc: Mr. Miguel Mercado