

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

Case Number: 09-004654CF10A

Division: FX- Paul L. Backman

Sup. Ct. #: 15-391

STATE OF FLORIDA

v.

James Herard  
\_\_\_\_\_

**ORDER APPOINTING COUNSEL FOR AN INDIGENT DEFENDANT**

THIS MATTER IS before the Court for appointment of counsel for an indigent defendant. The defendant, James Herard, has complied with the legal requirements to be determined indigent by ☐ the Clerk of Court/☒ the Court. It is therefore

ORDERED as follows:

1. ☐ The Public Defender for the Seventeenth Judicial Circuit is appointed to represent the defendant. The Public Defender for the Seventeenth Judicial Circuit may designate an Assistant Public Defender as counsel for the defendant. **OR**

☐ The Criminal and Civil Regional Counsel whose territory includes the Seventeenth Judicial Circuit is appointed to represent the defendant because:

- ☐ the Public Defender is precluded by law from representing the defendant.
- ☐ the Public Defender has filed a motion to withdraw and an order granting the withdrawal was entered by the court.

The Criminal and Civil Regional Counsel whose territory includes the Seventeenth Judicial Circuit may designate an Assistant Criminal and Civil Regional Counsel as counsel for the defendant. **OR**

☒ Richard Rosenbaum is appointed as private court appointed counsel to represent the defendant because:

- ☒ the Public Defender is precluded by law from representing the defendant.
- ☐ the Public Defender has filed a motion to withdraw and an order granting the withdrawal was entered by the court.
- ☒ Criminal and Civil Regional Counsel is precluded by law from representing the defendant.
- ☐ Criminal and Civil Regional Counsel has filed a motion to withdraw and an order granting the withdrawal was entered by the court.
- ☐ Other \_\_\_\_\_

2. The type of case appointed is as follows:

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Post conviction     | <input type="checkbox"/> Capital - 1st Degree Murder (Lead Counsel)     | <input type="checkbox"/> Capital - 1st Degree Murder (Co Counsel a/k/a Second Chair) |
| <input type="checkbox"/> Extradition         | <input type="checkbox"/> Felony - Life                                  | <input type="checkbox"/> Felony - PBL (death penalty waived)                         |
| <input type="checkbox"/> Felony - 1st Degree | <input type="checkbox"/> Felony - 2nd Degree                            | <input type="checkbox"/> Felony - 3rd Degree   |
| <input type="checkbox"/> Felony - Appeals    | <input type="checkbox"/> Violation of Probation- Felony (includes VOCC) | <input checked="" type="checkbox"/> Capital Appeal                                   |

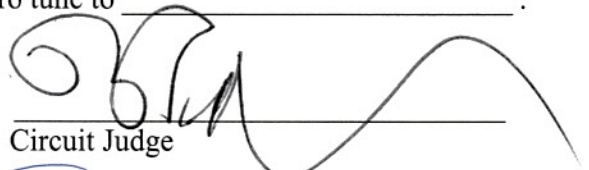
3. The selection of the name of private court appointed counsel for the defendant by the Clerk of Court from the Registry is ☐ in rotating order/ ☒ not in rotating order because

Capital Appeal requiring an expert in that field as the defendant is on death row.

DONE AND ORDERED at Fort Lauderdale, Broward County, Florida,

☐ this 14<sup>th</sup> day of June, 20 16

☐ this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_, nunc pro tunc to \_\_\_\_\_.

  
Circuit Judge

Paul H. Backman  
Printed Name of Circuit Judge

Name of Attorney

Richard L. Rosenbaum, Esq.

Florida Bar #

394688

Address

315 S.E. 7<sup>th</sup> Street Ste 300

FT. Laud., FL 33301-3158

Telephone Number

954-522-7007

Original (White) - Clerk; Green - Public Defender/Regional Counsel/Private Court Appointed Attorney; Canary - Defendant