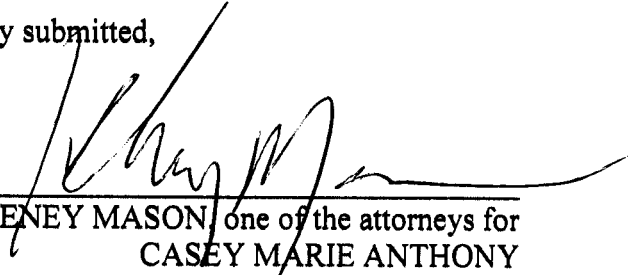


3. The U.S. Supreme Court upheld the Florida Capital Punishment statute on the erroneous assumption that the Florida Supreme Court would review and reweigh the aggravating and mitigating circumstances in a capital case, however, the Florida Supreme Court has expressly refused to do so, and does not do so.
4. The absence of written findings by a capital jury leaves the Florida Supreme Court unable to provide meaningful and intelligent review of a capital sentence and results in arbitrary, capricious, unreliable, and inconsistent appellate review of death sentences, in violation of Article I, § 2, 9, 16, 17, and 22 of the Florida Constitution and the Fifth, Sixth, Eighth, and Fourteenth Amendments to the United States Constitution.

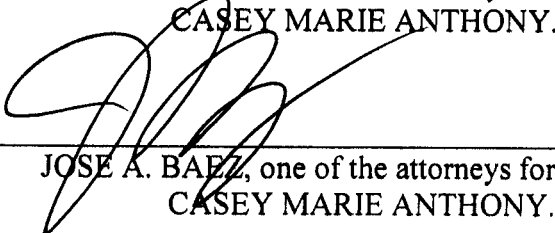
WHEREFORE, in the interests of Casey Marie Anthony's constitutional rights, the Defense respectfully asks this Honorable Court to:

- a. Order the Prosecution to file a written motion within thirty days of the filing of this motion and accompanying memorandum of law;
- b. Allow the defense ten business days from the Prosecution's filing of its response to file a reply.
- c. Set a hearing date, at which time this Honorable Court may hear arguments relating to the motions; and
- d. Grant her Motion to declare Florida's Capital Punishment Scheme Fla. Stat. § 921.141 Unconstitutional.
- e. In the alternative, Miss Anthony respectfully reserves the right to renew this motion at trial.

Respectfully submitted,


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CASEY MARIE ANTHONY


ANDREA D. LYON, one of the attorneys for
CASEY MARIE ANTHONY.


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Dated: 4/28, 2010.


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing has been furnished to the Office of the State Attorney, 415 North Orange Avenue, Orlando, Florida 32801; via facsimile and /or U.S. Mail on this 28 day of April, 2010.



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