

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

**STATE OF FLORIDA,**  
Plaintiff,

CASE NO. 48- 2008-CF-15606

DIVISION: 99

vs.

**CASEY MARIE ANTHONY,**  
Defendant.

**ORDER ADDRESSING MOTIONS FOR APPROVAL OF INVESTIGATIVE HOURS**

THIS MATTER came before the Court for hearing on January 24, 2011 for consideration of Defendant's "Motion for Approval of Investigative Hours for the Penalty Phase" and "Third Motion for Additional Hours of Investigation" both filed on January 20, 2011. Upon hearing arguments of counsel from the defense, State Attorney, and the Justice Administrative Commission (hereinafter referred to as "JAC"), it is **ORDERED AND ADJUDGED:**

**I. Motion for Approval of Investigative Hours for the Penalty Phase:**

Per the prior hearing held on October 29, 2010 where this motion was initially addressed, Defendant requested authorization for a \$5,000 cap for a private investigator to provide services for the penalty phase such as locating and interviewing mitigation witnesses, documents, and other relevant evidence. The Court reserved ruling on this request pending defense counsel's submission to the Court of an itemized list of the investigative services needed in support of this request.

The Court finds that defense counsel has complied with the submission to the Court of the itemized list of investigative services and the \$5,000 cap for such investigative services is reasonable. Accordingly, this Motion for a \$5,000 cap for investigative services for the penalty phase is **GRANTED**.

**II. Defendant's Third Motion for Additional Hours of Investigation (for guilt phase):**

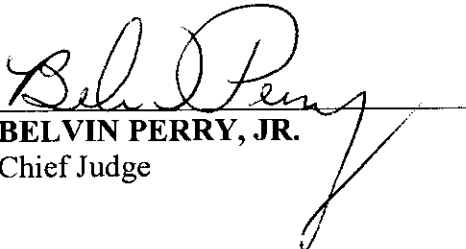
Defendant requests authorization for an additional 300 hours for in-state investigative services for the guilt phase including 106.2 hours for investigative services incurred that have not been paid for to date in excess of the prior approved caps. Per the prior hearings addressing the approval for additional hours for investigative services, the Court ordered that defense counsel coordinate with JAC to ensure that the past and future billings submitted for investigative services are in compliance with JAC's policies and procedures as to the approved rates and type of services that the investigator may bill for.

Per the instant hearing and upon review of this Motion and supporting documentation, the Court finds that defense counsel has coordinated with JAC sufficiently and finds that Defendant's request for additional hours for investigative services is justified. Further, approval of this request is justified in light of the severity of this case that "death is different" and in an effort to ensure that defense counsel is adequately prepared for the trial which is fast approaching beginning on May 9, 2011.

Accordingly, this Motion for approval of an additional 300 hours for in-state investigative services, including the 106.2 hours outstanding for the guilt phase is **GRANTED**. To clarify, in addition to the 106.2 hours previously incurred, an additional 193.80 hours for investigative services is approved and may be incurred for a total of 300 hours.

Defense counsel is reminded that, as with these Motions, any and all future motions for approval of investigative services, expert services, or any other costs, must be supported by detailed documentation justifying the request.

**DONE AND ORDERED** in chambers at Orlando, Orange County, Florida this 3/<sup>5<sup>th</sup></sup> day of January, 2011. Nunc pro tunc to January 24, 2011.

  
**BELVIN PERRY, JR.**  
Chief Judge

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been furnished by U.S. Mail or hand delivery, this 3/5<sup>th</sup> day of January, 2011 to:

- Jose Baez, Esquire, The Baez Law Firm, 522 Simpson Road, Kissimmee, Florida 34744
- J. Cheney Mason, Esquire, J. Cheney Mason, P.A., 390 North Orange Avenue, Suite 2100, Orlando, Florida 32801
- Ann Finnell, Esquire, Finnell, McGuinness, Nezami, & Andux, P.A., 233 E. Bay Street, Suite 601, Jacksonville, Florida 32202
- Linda Drane Burdick, Jeffrey L. Ashton, and Frank George, Assistant State Attorneys, Office of the State Attorney, 415 North Orange Avenue, Orlando, Florida 32801
- Bradley R. Bischoff, Assistant General Counsel, Justice Administrative Commission, Post Office Box 1654 (32302), 227 North Bronough Street, Suite 2100, Tallahassee, Florida 32301

  
Judicial Assistant