

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

STATE OF FLORIDA,

CASE NO.: 2008-CF-015606-O

Plaintiff,

vs.

CASEY MARIE ANTHONY,

Defendant.

**ORDER GRANTING THE STATE'S MOTION FOR
AN IN CAMERA PROCEEDING AND DENYING AN EX PARTE HEARING**

Being duly advised in the premises, the State's Motion for In Camera Ex Parte Hearing is granted in part and denied in part. As reasons for the short hearing the State cites the fact that certain information has come into the possession of law enforcement, and that these materials must be turned over to the defense. The State seeks, under FRCP 3.220(k), to simply delay disclosure of these materials and alter its time for compliance. In other words, this is information that will come into the possession of the defense. The State merely seeks a delay, and under the Rule must show the Court good cause. To determine whether good cause exists for the delay, the Court will set this matter for an in camera proceeding, but not an ex parte hearing.

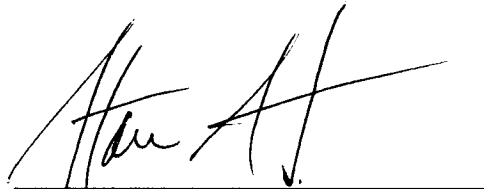
The defense objection is predicated upon the Court's denial of the Defendant's Motion to Seek an Ex Parte Hearing with this Court in March of 2009. In that motion the defense sought to subpoena certain records. The defense apparently sought to keep the target of the subpoena from being discovered, believing that this might result in a disclosure of the Defendant's theory of

defense. The Court denied the request for an ex parte hearing. No request for an in camera inspection was made.

In the State's motion dated February 3rd, 2010, the Court will grant the State's request to consider matters in camera. The State can file a written motion or request, under seal, and detail the good cause which underscores its request to delay disclosure of certain materials. In its motion/request, the State shall express the length of delay in disclosure that it is seeking, and the reasons therefore. Following the Court's review it will then either grant or deny the request.

Therefore, the Court is granting the State's request for an in camera review, but denying its request for an ex parte hearing on same.

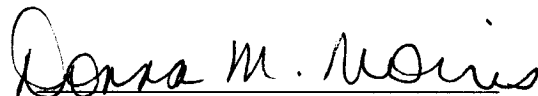
DONE AND ORDERED in Chambers, at Orlando, Orange County, Florida, this 17th day of February, 2010.



STAN STRICKLAND
Circuit Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order has been furnished via U.S. Mail or hand delivery to Linda Drane Burdick, Esquire, and Jeff Ashton, Esquire, Office of the State Attorney, 415 North Orange Avenue, Orlando, FL 32801; to Andrea Lyon, Esquire, Director, Center for Justice in Capital Cases, DePaul University College of Law, 1 East Jackson Blvd, Chicago, IL 60604; and to Jose Baez, Esquire, 522 Simpson Road, Kissimmee, FL 34744, on this 17th day of February, 2010.



Donna M. Morris
Judicial Assistant