

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

CASE NUMBER 2008-CF-15606

STATE OF FLORIDA,
Plaintiff,

v.

CASEY MARIE ANTHONY,
Defendant.

ORDER ON OMNIBUS MOTION TO EXCLUDE
HEARSAY EVIDENCE GOSSIP AND INNUENDO AND
MOTION IN LIMINE TO EXCLUDE LAY OPINION TESTIMONY

This matter came to be heard on May 10, 2010 on the Omnibus Motion to Exclude Hearsay Evidence, Gossip, and Innuendo and the Motion in Limine to Exclude Lay Opinion Testimony, filed March 8, 2010. The defense asked the Court to direct the state to decide what evidence and statements it intended to use and to conduct a hearing at that time. The Court observed that both of these Motions equate to a request for a mini-trial and noted that many of these issues constitute hearsay objections that would be more appropriately addressed at trial. The state agreed to review the statements and stipulate to those which are inadmissible. The Court heard initial argument on the admissibility of the two recorded 911 telephone calls but otherwise found the issues raised in these Motions to be premature and lacking in specificity.

It is hereby ORDERED AND ADJUDGED:

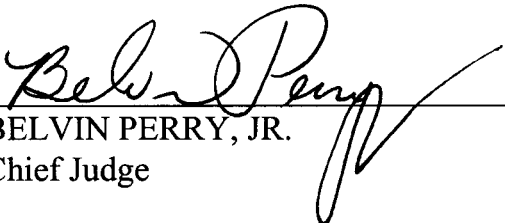
1. The Court reserves ruling regarding the admissibility of the two 911 calls.

2. The state shall file a written response by June 10, 2010 at 4:00 p.m. setting forth its theory of admissibility regarding these calls, and the defense shall file a reply by June 21, 2010 at 4:00 p.m.

3. Otherwise, the defense shall narrow the focus of these motions to address specific and particular matters.

4. The Amended Order Setting Discovery, Motion and Hearing Deadlines and Trial Date, entered on May 7, 2010, provides that the deadline for all motions is December 31, 2010.

DONE AND ORDERED in chambers at Orlando, Orange County, Florida this 10th day of May 2010.


BELVIN PERRY, JR.
Chief Judge

Certificate of Service

I certify that a copy of the foregoing Order on the Omnibus Motion to Exclude Hearsay Evidence, Gossip, and Innuendo and the Motion in Limine to Exclude Lay Opinion Testimony has been provided this 11th day of May 2010 to the following:

- Linda Drane Burdick, Jeffrey L. Ashton, and Frank George, Assistant State Attorneys, 415 North Orange Avenue, Orlando, Florida 32801
- 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
- Andrea Lyon, Esquire, Director, Center for Justice in Capital Cases, DePaul University College of Law, 1 East Jackson Boulevard, Chicago, Illinois 60604
- Linda Kenney Baden, Esquire, 15 West 53rd Street, Suite 18B, New York, New York 10019



Judicial Assistant