

STANDING PRETRIAL ORDER
FOR CRIMINAL CASES IN JUDGE ELEANE SOSA-BRUZÓN'S DIVISION

Due to the disparity of practice and procedures in the various courtrooms within the Criminal Division of the County Court, and in an effort to promote uniformity, consistency and professionalism within this division, the Court hereby enters this Pretrial Order, which shall, consistent with the Florida Rules of Criminal Procedure, govern the manner and methods by which attorneys shall practice in this Court. For good cause shown, this Court may modify or waive these procedures on an individual basis.

Please copy Judge Sosa-Bruzón's Judicial Assistant, Marisol Ravelo, on all e-mails regarding court business. Her e-mail address is Mravelo@jud11.flcourt.org.

MOTIONS

All pretrial motions, except for motions for continuance, shall be in writing. Motions for continuance may be made *ore tenus* at Sounding. Motions can be set for hearing by contacting Judge Sosa-Bruzón's Judicial Assistant, Marisol Ravelo at (305) 349-5750 or at Mravelo@jud11.flcourts.org

Boiler-plate motions (including motions which fail to include a factual recitation or which simply provide "facts to be presented or argued at hearing") are not permitted and will be stricken as legally insufficient. Such motions will not satisfy this Court's requirements of a written motion.

A. MOTION TO SUPPRESS/IN LIMINE/TO EXCLUDE

1. All pretrial motions to suppress, motions in limine requiring an evidentiary hearing, and motions to exclude shall be filed and served upon opposing counsel at least five (5) days prior to trial. *See Powell v. State*, 717 So.2d 1050 (Fla. 5th DCA 1998).
2. Motions in limine which do not require an evidentiary hearing must be filed 24 hours before the trial date and a courtesy copy provided to the Court.
3. Motions to suppress, motions in limine, and motions to exclude shall clearly set forth the evidence sought to be suppressed or excluded, the specific reasons for the suppression, and a general statement of facts in support of the motion. *See Fla. R. Crim. P. 3.190(h)*. "Boilerplate" motions or motions devoid of specific supporting allegations will be stricken as legally insufficient.

B. DISCOVERY MOTIONS

1. Motions to Compel Discovery shall be written and shall certify that counsel has attempted in good faith to resolve the issues with opposing counsel but has been unable to do so. Said motion shall also describe what independent efforts counsel has made to obtain the discovery sought.
2. Discovery Motions (motions to compel, motions to take deposition, etc.) shall be filed and served a reasonable time before hearing, to permit opposing counsel an opportunity to respond and to prepare for hearing.
3. Motions to compel discovery should be filed within ten days after the discovery should have been produced. Motions to compel more complete discovery should be filed within ten days after the incomplete discovery was provided. Counsel shall act diligently to obtain the discovery sought and shall promptly notify opposing counsel of any outstanding discovery request. The failure to do so shall be considered in determining what remedy or sanction should be imposed for failure to provide discovery, including to which party a continuance should be charged.

C. STAND YOUR GROUND MOTIONS/ MOTIONS TO DISMISS

All "Stand Your Ground" motions for immunity and other motions to dismiss filed pursuant to Fla. R. Crim. P. 3.190(c) shall be filed and served upon opposing counsel at the earliest possible time during the pendency of the case. These motions shall be set for hearing at least five (5) days before trial is set to commence. Motions can be set for hearing by contacting Judge Sosa-Bruzón's Judicial Assistant, Marisol Ravelo at (305) 349-5750 or Mravelo@jud11.flcourts.org.

EFFICIENCY IN THE COURTROOM

In order for the division to operate in the most efficient way possible, attorneys must cooperate with each other and with the Court in handling cases in a professional manner. In that regard, please observe the following principles:

1. Attempt to contact opposing counsel to resolve discovery issues prior to asking for the Court's intervention. Attempt to contact the opposing attorney directly (by phone or in person) in addition to e-mail.
2. Provide the Court with copies of any motions which are lengthy, unusual, complex, or in which extensive case law is cited. Please provide these copies at least 24 hours in advance or by noon on Friday if the motion is to be heard on Monday. The Court will review the motions prior to the hearing and be in a better position to properly hear testimony and argument. Courtesy copies may be sent to the Court by e-mail. Judge Sosa-Bruzón's e-mail address is esosa-bruzon@jud11.flcourts.org and her judicial assistant's email is Mravelo@jud11.flcourts.org.
3. Please notify opposing counsel as soon as there is a change in the status of your case. For example, when a case is set for trial and the state learns an essential witness is unexpectedly out of town, or defense counsel determines the client will be accepting a plea, notify opposing counsel of this change in circumstances as soon as possible.

PLEAS

Negotiated pleas should be conveyed to, and fully discussed with, the defendant prior to announcing the plea to the Court. Such discussion should include the maximum and minimum penalties and the issues covered by Rule 3.172. If counsel wishes to address the Court on any issues regarding the plea (e.g., early termination of probation, length of stay to pay fine or costs), this should be done at the time the plea is first announced, not after the plea colloquy has been concluded.

DONE and ORDERED this 27th day of October, 2021.

JUDGE ELEANE SOSA-BRUZÓN

- Updated October 27th, 2021.