

**IN THE COUNTY COURT OF THE ELEVENTH JUDICIAL CIRCUIT OF
FLORIDA, IN AND FOR MIAMI-DADE COUNTY**

THE STATE OF FLORIDA,
Plaintiff,

CRIMINAL DIVISION
CASE NO.: _____

vs.

JUDGE: _____

_____,
Defendant.

**STIPULATED REQUEST PURSUANT TO RULE 3.116(d) FL. R. CRIM. PRO.
ALLOWING WITNESS TO TESTIFY THROUGH COMMUNICATION TECHNOLOGY**

COMES NOW, _____, a party in this cause and requests
this court allow witness: _____ to testify through
the use of communication technology in support of the STATE / DEFENSE Motion titled: _____

_____ which is set to be heard on: _____

before this court. In support thereof, the moving party affirms he/she has conferred with
_____ and he/she does not
object to the listed witness' testimony being taken using communication technology.

Pursuant to Rule 3.116(d) of the Florida Rules of Criminal Procedure, the moving party further
states the following facts support a good cause finding as to why the testimony should be allowed in this
form:

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I understand the Confrontation Clause guarantees every criminal defendant the right to physically confront accusers and/or witnesses that testify in a proceeding and/or at trial. I also understand the Confrontation Clause ensures (1) that the witness will give the testimony under oath, impressing upon the witness the seriousness of the matter and protecting against a lie by the possibility of penalty of perjury, (2) that the witness will be subject to cross-examination, and (3) that the trier of fact will have the chance to observe the demeanor of the witness, which aids the trier of fact in assessing credibility. I have discussed with my attorney the advantages, disadvantages, and possible consequences of waiving in-person testimony and agree to have testimony be conducted through communication technology.

DEFENDANT

DATE _____

I have discussed with the defendant the advantages, disadvantages, and possible consequences of waiving in-person testimony. He/she has freely, knowingly and voluntarily elected to waive in-person testimony.

COUNSEL FOR DEFENDANT

DATE _____