

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY, FLORIDA

CASE NO. 05-2012-CF-035337-AXXX-XX

STATE OF FLORIDA,

Plaintiff,

vs.

BRANDON LEE BRADLEY, a.k.a.
BRANDON LEE BRANTLEY,

Defendant.

**DEFENDANT'S WRITTEN OBJECTION AND MOTION TO STRIKE THE STATE'S
NOTICE OF INTENT TO RELY UPON BUSINESS RECORD CERTIFICATION**

COMES NOW the Defendant, BRANDON LEE BRADLEY, a.k.a. BRANDON LEE BRANTLEY, by and through undersigned counsel and pursuant to Section 90.803(6)(c) of the Florida Statutes, and opposes the admissibility of cell phone records at the jury trial or hearing in the above-captioned matter.

In support of this objection, the Defendant states the following:

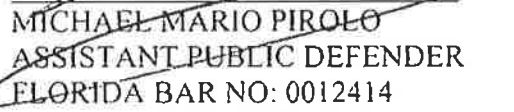
1. The State's Notice of Intent to Reply Upon Business Record Certification was served upon the Defendant on February 13, 2014.
2. The admissibility of the records would constitute hearsay. In addition, admissibility of said records would be contrary to the Defendant's right to confront witnesses as guaranteed by the 6th Amendment of the United States Constitution and Article I Section 16(a) of the Florida Constitution and the United States Supreme Court's ruling in Crawford v. Washington.

3. Admissibility by certificate would deprive the Defendant of his right to cross-examine witnesses. In addition, it would deprive the Defendant of life, liberty or property without the process of law as guaranteed by the 14th Amendment of the United States Constitution.

WHEREFORE, the Defendant respectfully requests this Honorable Court strike the State's Notice of Intent to Rely Upon Business Record Certification.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished electronically (by E-service) to the Office of the State Attorney, Viera, Brevard County, Florida, this 3rd day of March, 2014.



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