

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

CASE NUMBER: 05-2012-CF-035337-AXXX-XX

STATE OF FLORIDA,

Plaintiff,

versus

BRANDON LEE BRADLEY

Defendant,

ORIGINAL

FILED IN T.V.L.-01
CLERK OF CIR. CT.
BREVARD CO. FL.

OCT 29 P 12:28

SCOTT ELLIS

TRANSCRIPT OF DIGITAL RECORDED STATUS CONFERENCE HEARING

The transcript of the Digital Recorded Proceedings taken in the above-styled cause, at the Moore Justice Center, 2825 Judge Fran Jamieson Way, Viera, Florida, on the 29th day of October, 2014 before the Honorable Morgan Reinman.

Case # 05-2012-CF-035337-AXXX-XX
Document Page # 487



23556800

RYAN REPORTING
REGISTERED PROFESSIONAL REPORTERS

1670 S. FISKE BOULEVARD
ROCKLEDGE, FLORIDA 32955

A P P E A R A N C E S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

JAMES MCMASTER, ESQ.,
Assistant State Attorney
State Attorney's Office
2725 Judge Fran Jamieson Way
Building D.
Viera, Florida 32940

Appearing for
Plaintiff

STACEY E. KIRCHER, ESQ.,
Attorney General's Office
444 Seabreeze Avenue
5th Floor
Viera, Florida 32940

Appearing for
Attorney General's
Office via
telephone

MICHAEL PIROLO, ESQ,
Assistant Public Defender
Public Defender's Office
2725 Judge Fran Jamieson Way
Building E
Viera, Florida 32940

Appearing for
Defendant via
telephone

KEVIN C. MCBRIDE, ESQ,
and
KIMBERLY BARDING
Office of The Clerk of Court
700 South Park Avenue
Building H
Titusville, Florida 32780

Appearing for
Clerk's Office

* * * * *

P R O C E E D I N G S

1
2 THE COURT: Okay. We have to make sure it's --
3 as long as we have it digitally recorded.

4 Miss Billie, you can go ahead and put
5 Mr. Pirolo and then I think is it Ms. Goin's? No, it
6 would be --

7 MS. GOIN: Carol Goin.

8 THE COURT: Ms. Kircher I think is by phone.
9 I'm trying to think who she told me. Miss Billie, if
10 you could put the telephone conference through.
11 Hopefully she's not having any issues with that. If
12 we need to use both phones, we can do that as well,
13 whatever you can work out.

14 MR. PIROLO: Judge, good morning.

15 THE COURT: Okay. Mr. Pirolo?

16 MR. PIROLO: Yes.

17 THE COURT: Okay. This is Judge Reinman,
18 we're -- we need to put one more conference call
19 through. Can you hear okay? Mr. Pirolo? Mr.
20 Pirolo?

21 Judge Reinman speaking.

22 MS. KIRCHER: Judge, this is Stacey Kircher
23 from the Attorney General's Office. Good morning.

24 THE COURT: Good morning. We need to put one
25 more call through, Ms. Kircher. So, if you'll hold

1 on just one second.

2 MS. KIRCHER: Yes, Judge.

3 THE COURT: Mr. Pirolo?

4 MR. PIROLO: Yes, I'm here.

5 THE COURT: Okay. It looks like I have
6 everyone on the line. Ms. Kircher, you're present on
7 behalf of the Attorney General's Office, correct?

8 MS. KIRCHER: Yes, Judge.

9 THE COURT: And Mr. Pirolo, you're present on
10 behalf of the attorney for Mr. Bradley, correct?

11 MR. PIROLO: Yes, Your Honor.

12 THE COURT: And Mr. Pirolo, are we waiving the
13 appearance of Mr. Bradley?

14 MR. PIROLO: Yes, we are, Your Honor.

15 THE COURT: Okay. And then I have -- if
16 everyone else who's present in the courtroom, if
17 they'll identify themselves for the record. We'll
18 start with Mr. McMaster.

19 MR. MCMASTER: Jim McMaster from the State
20 Attorney's Office.

21 MR. MCBRIDE: Kevin McBride for the Clerk.

22 MS. BARDING: Kimberly Barding for the Clerk.

23 MS. GOIN: Carol Goin for Ryan Reporting.

24 THE COURT: Okay. We had a status conference
25 previously in September and at that status conference

1 we discussed that -- the status of the record and
2 having the entire voir dire to be transcribed, and
3 then I did review the court file and it looks like
4 there was an extension that was requested and the
5 extension was granted and that extension was until
6 October the 28th. Ms. Goin's, can you tell the Court
7 for the record the status of the transcription?

8 MS. GOIN: Yes, the record is complete. We
9 submitted it to the Clerk's office to Kim Barding
10 yesterday afternoon.

11 THE COURT: Okay. And Ms. Barding, can you
12 confirm that?

13 MS. BARDING: Yes, ma'am.

14 THE COURT: Okay. Now, that's the only issue
15 that I knew to be outstanding with regard to this --
16 having the record complete and with regard to this
17 case. Is there anything else outstanding that the
18 Court needs to address on behalf of any party?

19 MR. MCMASTER: Not on behalf of the State.

20 MR. PIROLO: No, Your Honor.

21 MS. KIRCHER: Nothing from the State, Judge.

22 MR. MCMASTER: How long do you think it's going
23 to be?

24 MS. BARDING: How long?

25 MR. MCBRIDE: Before we send it.

1 MR. PIROLO: Nothing for Mr. Bradley, Your
2 Honor.

3 THE COURT: Okay. Hold on just a second.
4 Anything else?

5 MS. BARDING: I haven't prepared the record.
6 We received all the transcripts.

7 THE COURT: Okay.

8 MS. BARDING: So, I will prepare the record.
9 We had to send the transcripts out for scanning, I
10 should have them back today and I will work on
11 getting that record out. I should have it out no
12 later than Monday.

13 THE COURT: Okay. So, when you say out, you
14 mean to --

15 MS. BARDING: In the mail to all parties.

16 THE COURT: Okay. Okay. Because you would
17 have just gotten it yesterday probably.

18 MS. BARDING: Yes, late yesterday afternoon.

19 THE COURT: Okay. All right. Do we think
20 there's any further need for a status conference?
21 We'll check to make sure the record gets in. We'll
22 check Tuesday to make sure that everything was mailed
23 out, have Ms. Harding, my staff attorney, she'll do
24 that, and then it looks like the record is complete.
25 We'll do a written order with regard to that to note

1 this and it looks like at this point there will be no
2 further proceedings unless directed accordingly.
3 Anything else that we need it address?

4 MR. MCMASTER: No, Your Honor.

5 MS. KIRCHER: The only thing from us, Judge, is
6 if we could do an order to have this hearing
7 transcribed as appended to the record on appeal.

8 THE COURT: Do an order having this hearing
9 transcribed and this made a part of the record?

10 MS. KIRCHER: Yes, Judge.

11 THE COURT: Just for clarification, who's going
12 to pay for that transcription?

13 MS. KIRCHER: It would still be the duty of the
14 moving party, the designating party to prepare the
15 full record on appeal, Judge. That would be the
16 State's position.

17 THE COURT: Mr. Pirolo, do you wish to be
18 heard?

19 MR. PIROLO: Well, we're not asking for the
20 hearing to be transcribed, it's not part of the trial
21 proceedings and we're just paying for the whole
22 transcription of the trial.

23 THE COURT: You know --

24 MR. PIROLO: And jury selection.

25 THE COURT: Ms. Kircher, I don't -- based on my

1 recollection, we didn't have the last status
2 conference transcribed. Oh, they did?

3 MS. GOIN: We did.

4 THE COURT: They did. Okay. All right. I
5 think that it would be then -- I'm sure it won't be
6 that burdensome of an expense. So, I will do that
7 order and order that it be transcribed and that it be
8 part of the record.

9 MS. KIRCHER: Thank you, Judge. Nothing
10 further from the State.

11 THE COURT: Okay. Unless there's anything
12 directed, then there will be no further proceedings
13 in the lower court. Ms. Harding?

14 MS. GOIN: Well, on the transcription, are we
15 going to have digital recording or Ryan do the
16 transcription, or does Ryan -- and would it be -- you
17 need it in order to complete the record by Monday?

18 MS. BARDING: Yes, so that might delay me,
19 Judge. I have to --

20 MS. GOIN: It shouldn't delay you much. What
21 we'll do is we'll order a copy of the digital as soon
22 as we leave here. We should have it today. Michael
23 Kazoroski's pretty quick about turning it around.
24 I'll get it to a reporter today, we should be able to
25 get it to you by tomorrow.

1 MS. BARDING: Well, then I have to send it out
2 for scanning. So, that's going to delay me, Judge.
3 So, I probably will not be able to get the record out
4 on Monday.

5 THE COURT: Okay. How soon do you think?
6 Wednesday, by Wednesday for sure?

7 MS. BARDING: By Wednesday. By Wednesday.

8 THE COURT: Okay. So, instead of Monday, we'll
9 put Wednesday.

10 MS. BARDING: Thank you, Judge.

11 THE COURT: That way you shouldn't have any
12 problems meeting that deadline. Okay. Then unless I
13 hear anything else, that will conclude these
14 proceedings. Okay. I'm going to go ahead and
15 disconnect the line. Thank you, Mr. Pirolo, thank
16 you, Ms. Kircher.

17 MR. PIROLO: Thank you, Your Honor.

18 THE COURT: Thank you. Have a good day.

19 MR. PIROLO: You too.

20 THE COURT: All right. Thank you.

21 MS. BARDING: Thank you.

22 Thereupon the proceedings were concluded.)

23 * * * * *

24

25

C E R T I F I C A T E

STATE OF FLORIDA)
(SS:
COUNTY OF BREVARD)

I, JILL CASEY, Court Reporter and Notary Public, certify that I was authorized to and did transcribe the digital recording of the proceedings and that the transcript is a true and complete record of the digital recording of the proceedings to the best of my ability.

DATED this 29th day of October, 2014.



JILL CASEY
Court Reporter

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25