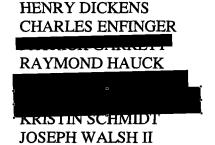
IN THE CIRCUIT COURT OF THE FOURTEEN JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR BAY COUNTY CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NO.: 06-4016CF

v.



06-4016CFMA 06-4016CFMB 06-4016CFMD 06-4016CFMF 06-4016CFMG

06-4016CFMH

STATE'S NOTICE OF AUTHORITY RELIED UPON IN OPPOSITION TO DEFENSE MOTIONS IN LIMINE

The State of Florida, by and through the undersigned Assistant State Attorney, intends to rely on the following legal authority in opposition to defense motions in limine filed in this case.

In opposition to the Motion in Limine Re: Jury Instructions: Non-Homicide I. Lesser Included Offenses, the State relies on the following:

Drotar v. State, 433 So.2d 1005, (Fla. 3rd DCA 1983) Walker v. State, 671 So.2d 817 (Fla. 4th DCA 1996) State v. Johnson, 601 So.2d 219 (Fla. 1992) Williams v. State, 957 So.2d 595 (Fla. 2007) Gallo v. State, 491 So.2d 541 (Fla. 1986)

In opposition to the Defendants' Proposed Jury Instruction Re: Excusable II. Homicide, the State relies on the following:

Florida Statute §782.03 Florida Standard Jury Instructions in Criminal Cases 7.1 I HEREBY CERTIFY that a copy of the foregoing has been furnished to Hoot Crawford, attorney for Henry Dickens, at 748 Jenks Avenue, P.O. Box 1103, Panama City, Florida 32402; Walter B. Smith, Deputy Public Defender, attorney for Charles Enfinger, at 115 East 4th Street, P.O. Box 580, Panama City, Florida 32402-0580;

James H. White, Jr., attorney for Raymond Hauck, at 229 McKenzie Avenue, Panama

City, Florida 32401;

327, Panama City, Florida 32402-0327; Jonathan Dingus, attorney for Henry McFadden, Jr., at 527 Jenks Avenue, Panama City, Florida 32401; Ashley Benedik, attorney for Kristin Schmidt, at 1004 Jenks Avenue, Panama City, Florida 32401; and Robert Pell, attorney for Joseph Walsh II, at 514 Magnolia Avenue, P.O. Box 651, Panama City, Florida 32401, via U.S. mail and facsimile, on this 28th day of August, 2007.

MARK A. OBER STATE A<u>TT</u>ORNEY

Michael C. Sinacore Assistant State Attorney Florida Bar #0868523