

IN THE CIRCUIT COURT OF THE FOURTH
JUDICIAL CIRCUIT, IN AND FOR DUVAL
COUNTY, FLORIDA.

CASE NO.:16-2013-CF-005781-AXXX-MA

DIVISION: CR-D

STATE OF FLORIDA

VS.

DONALD SMITH

**DEFENDANT'S SECOND MOTION FOR CONTINUANCE OF HEARING ON
MOTION TO SUPPRESS**

Defendant, Donald Smith, by and through the undersigned attorney, pursuant to the Florida Rules of Criminal Procedure, respectfully requests a continuance of the hearing on Defendant's Motion to Suppress, currently set for May 4, 2016 and as grounds therefore, states the following:

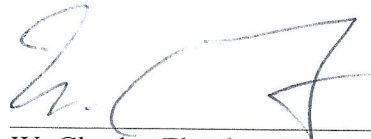
1. Undersigned counsel is filing a motion to have a prisoner brought back from Florida State Prison who has information relevant to the grounds presented in the Motion to Suppress.
2. The above mentioned prisoner/witness was previously sentenced to death in an unrelated case, and this Court entered an Order re-appointing attorney James Hernandez to resume his representation on April 28, 2016.

3. Mr. Hernandez will need additional time to review portions of the State's Sixth Supplemental Discovery Exhibit with his client prior to the hearing on this defendant's Motion to Suppress.

Wherefore, Defense counsel in the above-entitled action respectfully requests a continuance of the hearing on the motion to suppress.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to The Office of The State Attorney, by email and e-file this 2nd day of May 2016.


W. Charles Fletcher, Esq.