

Supreme Court of Florida

MONDAY, FEBRUARY 22, 2010

CASE NO.: SC65525

Lower Tribunal No(s): CR83-5401

DAVID EUGENE JOHNSTON

vs. STATE OF FLORIDA

Appellant(s)

Appellee(s)

On February 19, 2010, the Governor, pursuant to a continuing death warrant previously signed, scheduled the execution of David Eugene Johnston for 6 p.m., Tuesday, March 9, 2010. We hereby direct that all further proceedings in this case be expedited. Further, because of significant public and media interest in this matter, counsel for the parties are directed to hereafter file an original and eight copies of all pleadings filed with this Court. Per this Court's Administrative Order In Re: Mandatory Submission of Electronic Copies of Documents, AOSC04-84, dated September 13, 2004, counsel are directed to transmit a copy of all documents, including any attachments and appendices, in an electronic format as required by the provisions of that order to: warrant@flcourts.org.

All proceedings in the trial court shall be completed and orders entered by Wednesday, February 24, 2010, and any notice of appeal arising from any trial court order shall be filed in the trial court by Thursday, February 25, 2010.

We hereby set the following briefing schedule for any proceeding that may come before this Court: The record on appeal from any appeal shall be **filed** in this Court by 5 p.m., Friday, February 26, 2010; the initial brief on the merits shall be **filed** by noon Monday, March 1, 2010; the answer brief on the merits shall be **filed** by noon Tuesday, March 2, 2010; and reply brief on the merits shall be **filed** by noon Wednesday, March 3, 2010. The initial brief and answer brief shall not exceed seventy-five pages. The reply brief shall not exceed twenty-five pages. Motions to file enlarged briefs will not be entertained by the Court.

Oral argument, if necessary, will be held **Thursday March 4, 2010, at 9:00 a.m.**

Filing of the above briefs to this Court and to opposing counsel shall be via e-mail to the following address: warrant@flcourts.org. Counsel shall then transmit the signed original brief and eight copies pursuant to the above directive.

A True Copy

Test:

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Served:

HON. LAWSON LEDRAN LAMAR

HON. LYDIA GARDNER, CLERK

BARBARA C. DAVIS

KENNETH S. NUNNELLEY

D. TODD DOSS

HON. BELVIN PERRY, JR., CHIEF JUDGE