

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

CASE NO.: 16-  
DIVISION: CR-D

STATE OF FLORIDA

vs.

DEFENDANT  
\_\_\_\_\_ /

**STANDING ORDER GOVERNING PRE-TRIAL/TRIAL PROCEDURES**

In order to assure the timely and just disposition of the aforementioned case pending in Division CR-D of the Fourth Judicial Circuit, presided over by the Honorable Mark Borello, the State of Florida and defense counsel (or pro se Defendant) shall comply with the following provisions of this Order:

1. **PLEA AGREEMENTS.** The State of Florida and defense counsel are encouraged to engage in plea agreement discussions and if a plea agreement is reached, the Court shall be notified prior to entry of Plea for Court approval. The Court will not engage in pre-guilty plea sentencing discussions with counsel and will not indicate the Court's sentence prior to the entry of a guilty plea.

2. **MOTIONS.** All evidentiary motions shall be filed one week prior to the scheduled Final Pre-Trial.

3. **WITNESSES:** All witnesses, not already disclosed, shall be disclosed to opposing counsel within forty-five (45) days of the entry of this Order.

4. **MOTIONS IN LIMINE.** All motions in limine shall be filed prior to or on the date of the Final Pre-Trial Conference.

5. **AMENDMENT OF PLEADINGS.** No amendment to any pleadings shall be permitted after the Final Pre-Trial Conference without approval of the Court.

6. **FINAL PRE-TRIAL CONFERENCES AND DISCOVERY CUTOFF.** Final Pre-Trial shall be conducted on the Thursday prior to Jury Selection. All discovery shall be completed prior to the Final Pre-Trial unless extended by agreement of the parties or by order of the Court.

7. **MOTIONS FOR CONTINUANCE.** All Motions for Continuance shall be in writing and must be filed by the Final Pre-Trial Conference. Motions for Continuance will normally not be granted for the non-appearance of witnesses at depositions unless the

reason for the non-appearance of the witness has been investigated, and the facts of the non-appearance have been brought to the Court's attention by the close of the next Court date following the non-appearance of the witness.

8. **JURY SELECTION.** Jury selection shall commence at 10:00 a.m. on the designated Monday in courtroom 306. Counsel for the defense shall make sure their client is appropriately dressed at least 15 minutes prior to the time for jury selection.

9. **EXHIBITS.** By 5:00 p.m. on Friday prior to trial the State and defense shall meet and review all exhibits that will be introduced at trial. Counsel shall coordinate with the Deputy Clerk of the Court the pre-marking of all exhibits prior to the presentation of testimony. It shall be the responsibility of counsel to make sure that appropriate evidence stickers are placed on each exhibit prior to the presentation of evidence. It is counsel's responsibility to make any special facility arrangements.

10. **EXHIBIT AND WITNESS LISTS.** Prior to the presentation of evidence, the State and the defense shall provide the Court and the Deputy Clerk of Court with exhibit lists and possible witnesses that may be called to testify during trial.

11. **JURY INSTRUCTIONS.** Counsel for the State and the defense shall provide the Court with requested Jury Instructions at the time of jury selection.

12. **ADMISSIONS OF OFFENSES DURING TRIAL.** In the event counsel for a Defendant shall decide as a matter of trial strategy that a defendant should admit any lesser included offense at their trial, the Court shall be notified of this strategy prior to jury selection so that an appropriate inquiry can be made of the defendant's agreement with that strategy.

13. **IMPEACHMENT BY PRIOR INCONSISTENT STATEMENT.** In the event the State or the defense shall desire to impeach a witness by a prior inconsistent statement, a copy of the prior statement shall be furnished to the witness at trial while they are testifying.

14. **COURT DATES:** All court appearances shall be before Judge Borello in Courtroom 306 and shall begin promptly at 9:00 am, unless notified otherwise.

**DONE AND ORDERED** at Jacksonville, Duval County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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**MARK BORELLO**  
**CIRCUIT JUDGE**