

RESOLUTION NO. 94-53

A RESOLUTION OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS WHICH AUTHORIZES THE REIMBURSEMENT OF CERTAIN COSTS INCURRED BY DONALD E. STABLES IN HIS DEFENSE IN CASE NO. CF 93-520 IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT IN AND FOR ST. JOHNS COUNTY, FLORIDA.

WHEREAS, Defendant Donald E. Stables, incurred \$1,189.71 in reimbursable costs in his defense in Case No. CF-93-520 in the Circuit Court of the Seventh Judicial Circuit in and for St. Johns County, Florida; and

WHEREAS, said defendant was dismissed from said case on motion of the State; and

WHEREAS, the subject costs have been audited by the Clerk of the Courts and he recommends that they must be paid

WHEREAS, the Office of the State Attorney has consented to such payment.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY:

1. It is found that in accordance with Sections 939.06 and 939.08 Florida Statutes, that those costs that are circled and totaled as \$1,189.71 in the exhibit to the attached Motion

for Costs, are just, correct, and reasonable and that no unnecessary or illegal item is contained therein.

2. Said costs set out in Exhibit A hereto are certified and approved for payment.

Passed and Adopted this 22 day of March, 1994.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Allan Roberts
Its Chair - Allan Roberts

ATTEST: CARL "BUD" MARKEL, CLERK

By: Ima Paeth
Deputy Clerk



Carl "BUD" Markel
Clerk of Circuit Court
Historical St. Johns County
P.O. Drawer 300
St. Augustine, Florida 32085

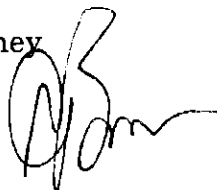
ADMINISTRATION OFFICE
Phone: (904)823-2344
FAX# (904)823-2294

CHIEF DEPUTY
19041823-2343
PERSONNEL
(904)823-2340

MEMORANDUM

DATE: February 1, 1994

TO: Mr. Daniel J. Bosanko
Assistant County Attorney

FROM: Carl "Bud" Markel
Clerk of Circuit Court 

SUBJECT: State of Florida vs. Donald E. Stables
Case #CF93-520

I am returning the file you forwarded to me on the above case for auditing under Ch. 939.06 F.S..

Included with this memorandum is a memo dated January 28th, 1994 from Mr. Raymond L. Battell, Sr. , Internal Auditor with attachments furnished us by Mr. David Conn.

I may believe that the costs imposed under the above Statute are unjust to the counties, I must follow the law and advise that this bill must be paid.

CBM/rj
Enclosure

cc: Mr. Mike Givens, Finance Director

January 28, 1994

TO: Carl "Bud" Markel
Clerk of the Circuit Court

FROM: Ray L. Battell, Sr. *RLB*
Internal Auditor

RE: Audit of Items for which reimbursement has been requested.
Case No. CF-93-520. State of Florida vs. Donald E. Stables.

An audit of the request for reimbursement for costs, submitted in the above referenced case, was conducted as directed.

Mr. David Conn, attorney for the Clerks office was consulted and has provided information to substantiate the finding that follows.

A review of the material provided by Mr. Conn indicates that the request for reimbursement of costs is legitimate and proper. The specific portion of the material attached that supports this finding is highlighted for your information.

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
ST. JOHNS COUNTY, FLORIDA

CASE NO.: CF93-520
DIVISION: 55

STATE OF FLORIDA,

Plaintiff,

vs.

DONALD E. STABLES,

Defendant.

MOTION FOR COSTS

COMES NOW, DONALD E. STABLES, the accused in the above-styled case, which has now been dismissed on the Motion of the State, and petitions this honorable Court for an Order requiring St. Johns County to reimburse DONALD E. STABLES for costs incurred in the defense of the above-styled case. Costs incurred in this matter total \$1,189.71, copy attached. Florida Statute 939.06 and 939.07 provide for reimbursement of costs where the Defendant is discharged.

The undersigned counsel certifies that all of the Subpoenas, transcripts and video tapes served a useful purpose in the disposition of the case.

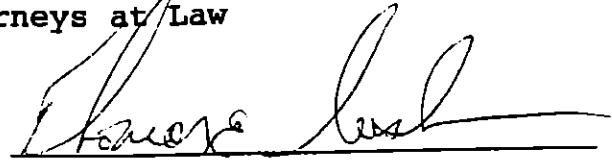
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to GAIL ANDREWS, Assistant State Attorney, Office of the State Attorney, St. Johns County Courthouse, 99 Cordova Street, St. Augustine, Florida, 32084, via Hand Delivery and to EVERETT JONES,

ESQUIRE, Attorney for Sheriff, 28 Cordova Street, St. Augustine,
Florida, 32084, by U.S. Mail, this 21st day of September, 1993.

MARTZ & CUSHMAN
Attorneys at Law

By:



Thomas E. Cushman
Florida Bar ID No. 161305
100 Southpark Blvd., Suite 102
Post Office Box 3928
St. Augustine, FL 32085-3928
(904) 824-1678 (Voice)
(904) 824-1111 (Documents)
Attorney for Defendant
y-E8835.mfc

Date 09/16/93
Time 12:04 pm

Martz & Cushman
TIMESLIPS Detail Time Usage Report

For Time: s=spent e=estimated v=variance

| Description Reference Date | User Client Activity | Rate Level | Time | Total |
|---|----------------------------------|---------------|-----------------|-------|
|122 Fees for copy of story from Miami Herald. 05/03/93 | TC Stables \$Disbursements | Qty 1 | Amount 5.00 | 5.00 |
| | BILLED: # 10092 | | | |
|147 Fees to Clerk of the Court. 05/10/93 | TC Stables \$Disbursements | Qty 1 | Amount 2.00 | 2.00 |
| | BILLED: # 10092 | | | |
|148 Fees for service of process for two subpoenas. 05/11/93 | TC Stables \$Disbursements | Qty 1 | Amount 30.00 | 30.00 |
| | BILLED: # 10092 | | | |
|149 Witness fees to Nancy Arn and Barbara Lynn Triplett. 05/11/93 | TC Stables \$Disbursements | Qty 1 | Amount 11.20 | 11.20 |
| | BILLED: # 10092 | | | |
|196 Fees to State Attorney's office for copies. 05/17/93 | TC Stables \$Disbursements | Qty 1 | Amount 7.25 | 7.25 |
| | BILLED: # 10464 | | | |
|1068 Fees to have subpoenas issued. 06/07/93 | TC Stables \$Disbursements | Qty 9 | Amount 1.00 | 9.00 |

Date 09/16/93
Time 12:04 pm

Martz & Cushman
TIMESLIPS Detail Time Usage Report

for Time: s=spent e=estimated v=variance

| Description Reference Date | Slip# | User Client Activity | Rate Level | Time | Total |
|---|-------|----------------------------------|---------------|------------------|--------|
|1068 | | cont. | | | |
| | | BILLED: # | 10464 | | |
|1069 | | | | | |
| Fees for service of process for nine subpoenas. 06/08/93 | | TC Stables \$Disbursements | Qty 1 | Amount 108.00 | 108.00 |
| | | BILLED: # | 10464 | | |
|1070 | | | | | |
| Witness fees for deposition subpoenas. 06/08/93 | | TC Stables \$Disbursements | Qty 9 | Amount 5.60 | 50.40 |
| | | BILLED: # | 10464 | | |
|1157 | | | | | |
| Master Card Fees. 06/10/93 | | TC Stables \$Disbursements | Qty 1 | Amount 25.00 | 25.00 |
| | | BILLED: # | 10660 | | |
|2187 | | | | | |
| Fees to Hedquist and Associates for copies of depositions. <i>apparently</i> 07/20/93 | | TC Stables \$Disbursements | Qty 1 | Amount 50.00 | 50.00 |
|2188 | | | | | |
| Fees to Mary D. Bartlam for copies of depositions. 07/20/93 | | TC Stables \$Disbursements | Qty 1 | Amount 612.80 | 612.80 |

Date 09/16/93
 Time 12:04 pm

Martz & Cushman
 TIMESLIPS Detail Time Usage Report

or Time: s=spent e=estimated v=variance

| Description Reference Date | Slip# | User Client Activity | Rate Level | Time | Total |
|--|-------|----------------------------------|---------------|------------------|-------------------|
|2189 Fees to Advantage Video for video tape deposition. 07/20/93 | | TC Stables \$Disbursements | Qty 1 | Amount 267.86 | 267.86 |
|1818 Fees to have subpoenas issued. 08/02/93 | | TC Stables \$Disbursements | Qty 2 | Amount 1.00 | 2.00 |
| | | BILLED: # 10862 | | | |
|1819 Witness fees for Barbara Triplett and Nancy Arn. 08/02/93 | | TC Stables \$Disbursements | Qty 2 | Amount 5.60 | 11.20 |
| | | BILLED: # 10862 | | | |
|1820 Fees to have subpoenas served. 08/02/93 | | TC Stables \$Disbursements | Qty 2 | Amount 15.00 | 30.00 |
| | | BILLED: # 10862 | | | |
| | | | | | <u>\$ 1189.71</u> |
| Grand Total | - | User | | 0.00s | 0.00 |
| | | Client | | | 0.00 |
| | | Activity | | | 1221.71 |
| | | Billable | | | 1221.71 |
| | | Unbillable | | | 0.00 |

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

VS.

CASE NO.: CF93-520

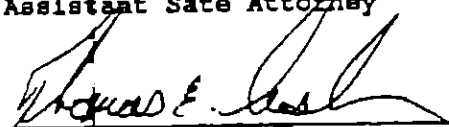
DONALD EDWARD STABLES,

DIVISION: 56

STIPULATION FOR PAYMENT OF COSTS

COME NOW THE PARTIES, by and through their undersigned Attorneys, and stipulate that DONALD E. STABLES is entitled to recover costs in the above-styled case in the amount of \$1,189.71.


Patrick Canan,
Assistant State Attorney


Thomas E. Cushman,
Attorney for Defendant

ORDER FOR PAYMENT OF COSTS

THIS CAUSE having come to be heard upon the Defendant's Stipulation of the Parties, and the Court being fully advised in the premises, it is

HEREBY ORDERED AND ADJUDGED that St. Johns County pay to Donald E. Stables \$1189.71, as costs recoverable in this cause.

*to judge 1/6
es*

Richard O Watson
Circuit Judge

cc: Thomas E. Cushman, Esquire
Patrick Canan, Assistant State Attorney
St. Johns County Finance Department

Stables.SOC