

**IN THE THIRTEENTH JUDICIAL CIRCUIT  
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2024-030  
(Supersedes Administrative Order S-2024-028)**

**CRIMINAL DIVISION “O” – PRELIMINARY PROCEEDINGS**

Because of the increase in the number of first appearance hearings and pretrial detention hearings required to be conducted based on the legislative amendments to sections 903.011 and 907.041, Florida Statutes (2023), it is necessary for the proper and efficient administration of justice to have bond and release on recognizance motions on misdemeanor cases heard in the appropriate county criminal division instead of Criminal Division “O.”

By the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of General Practice and Judicial Administration 2.215(b)(2), it is ORDERED:

**1. Proceedings**

The presiding judge of Criminal Division “O” will conduct the following proceedings:

- First appearance hearings on all criminal cases;
- Bond and release on recognizance motions on felony cases not yet assigned to a division;
- Interstate cooperation matters under chapter 941, Florida Statutes (fugitive warrants and governor warrants);
- Interstate extradition of witnesses under chapter 942, Florida Statutes;
- Adversary preliminary proceedings;
- Petitions to seal and expunge records in cases with no division assignment;
- Motions to quash in criminal cases with no division assignment;
- Matters relating to investigative subpoenas issued by the state attorney until such time as any related criminal case is assigned to a division;
- Motions seeking return of a firearm when an individual is arrested but the state attorney does not file criminal charges;

- Other circuit criminal matters relating to cases with no division assignment;
- Other circuit criminal matters upon request or approval of the presiding judge of the assigned division;
- Pretrial detention hearings; and
- Any emergency criminal matter not assigned to another division.

## **2. Pretrial Detention Hearings**

The presiding judge of Criminal Division “O” will conduct all pretrial detention hearings, including all mandatory hearings required by section 907.041(4)(d), Florida Statutes and all discretionary hearings provided by section 907.041(4)(c), Florida Statutes. If the docket in Criminal Division “O” cannot accommodate scheduling a pretrial detention hearing for a person arrested for a “dangerous crime” as defined by section 907.041(4)(a), Florida Statutes, that is a capital or a life felony, then the clerk will schedule the pretrial detention hearing in one of the three felony trial divisions. The administrative judge of the Circuit Criminal Division will compile a pretrial detention schedule coordinated amongst the felony trial division judges and provide it to the clerk. The clerk will ensure that any mandatory pretrial detention hearing for a person arrested for a capital or a life felony arrest for which the Criminal Division “O” docket cannot accommodate the hearing is assigned to the felony trial divisions on an equitable basis.

## **3. Proceedings Conducted via Audiovisual Devices**

All proceedings in Criminal Division “O” will be conducted via audiovisual devices and be electronically recorded.

## **4. Emergency Matters**

Emergency matters to be heard by the presiding judge in Criminal Division “O” will be scheduled by the judge.

## **5. Case Information and Documentation**

All documents pertaining to the cases on the docket of any given day should be available to the Criminal Division “O” judge while court is in session, including but not limited to, driver histories, rap sheets,

informations, criminal report affidavits, and the files of the probation department, state attorney, public defender, and clerk of the court.

**6. Reassignment upon Disqualification**

If the presiding judge of Criminal Division “O” enters an order of disqualification, the clerk will immediately reassign the matter to the administrative judge of the County Criminal Division or, if the administrative judge of the County Criminal Division is unavailable, then to the administrative judge of the Circuit Criminal Division, or if both administrative judges are unavailable, then to a designee of the chief judge.

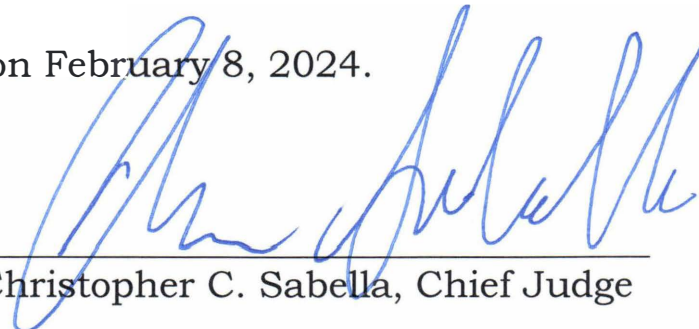
**7. Previous Administrative Order Superseded**

This administrative order supersedes Administrative Order S-2024-028 (*Criminal Division “O” – Preliminary Proceedings*).

**8. Effective Date**

This administrative order is effective February 9, 2024.

ENTERED on February 8, 2024.

  
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Christopher C. Sabella, Chief Judge

Original: Cindy Stuart, Clerk of the Court

Copy: All Circuit and County Criminal Court Judges

Gina Justice, Court Administrator

Patrick Barrentine, Department of Corrections

Melissa Moore, Major, Hillsborough County Sheriff's Office,  
Misdemeanor Probation

Susan “Suzy” Lopez, State Attorney

Julianne Holt, Public Defender

Chad Chronister, Sheriff

Lee Bercaw, Tampa Chief of Police

James M. Bradford, Plant City Chief of Police

Kenneth R. Albano, Temple Terrace Chief of Police