

JUDICIAL PRACTICES AND PROCEDURES FOR
HAMILTON COUNTY CRIMINAL COURT (COUNTY AND CIRCUIT COURT)

Judge: The Honorable Jamie L. Tyndal

Judicial Assistant: Connor Ginn

Contact Information:

Mailing Address: 207 First Street NE, Jasper, Florida 32052

Telephone: (386)792-1220

Email: ginn.connor@jud3.flcourts.org

SCHEDULING

Violation of probation and new law offense arraignments, motions, and pretrials as well as the Court's trial calendar are available at https://thirdcircuitfl.org/court_calendars/court-calendar-pdfs/.

All hearings requiring specially set hearing dates and times can be coordinated by contacting Connor Ginn at (386)792-1220 or ginn.connor@jud3.flcourts.org.

REMOTE APPEARANCES

The Court prefers counsel to appear in person for all pretrial hearings; however, pursuant to Florida Rule of General Practice and Judicial Administration 2.530 counsel may file a motion to appear remotely for non-evidentiary hearings. All remote appearances will be conducted by Zoom.

In all felony cases, the defendant and counsel (if represented) must appear in person to enter a change of plea. In some misdemeanor/criminal traffic cases, the Court will entertain a plea in absentia; however, remote appearances will not be permitted.

MOTIONS FOR CONTINUANCE

All motions for continuance shall be in writing and be submitted no later than noon the day prior to the scheduled pretrial date. All motions should include the number of past continuances and the reason for the current requests. A continuance to take depositions should include the date for which the depositions are set. Boiler plate motions (i.e. ongoing discovery, discovery is incomplete, need to take additional depositions...) may be denied.

SUBMISSION OF ORDERS

All proposed orders shall be submitted to ginn.connor@jud3.flcourts.org in Word format.

COURTESY COPIES OF CASE LAW AND OTHER DOCUMENTS

Courtesy copies of case law for evidentiary hearings the parties which the Court to review prior to the hearing shall be submitted by email to ginn.connor@jud3.flcourts.org and opposing counsel at least twenty-four hours prior to the scheduled hearing.

IN CUSTODY DEFENDANTS

All in custody defendants are transported to court unless counsel notifies the jail not to bring their client. **Counsel shall notify the Hamilton County Jail at hamiltonjail@flcjn.net not to bring their clients to court when:**

1. The case is set for arraignment, there is a written plea of not guilty, and the defendant does not intend to enter a change of plea.
2. A continuance has been granted.
3. There is not a signed plea offer¹ or a hearing requiring the defendant's presence. Exceptions include final pretrial and a defendant that needs to formally reject a plea offer made by the State.

MOTIONS AND HEARINGS

All motions to suppress, motions in limine requiring an evidentiary hearing, and motions to exclude shall be filed and served upon opposing counsel at least seven days prior to the final pretrial hearing. *See Powel v. State*, 717 So.2d 1050 (Fla. 5th DCA, 1998). Hearings will not be set until a motion has been filed with the Clerk of Court. Any party requesting a hearing that requires the attendance of witnesses shall ensure the availability of their witness(es) prior to scheduling the hearing. Absent exigent circumstances, any motion to continue a prescheduled hearing based on witness unavailability may be denied.

FINAL PRE-TRIAL CONFERENCES

The final pretrial is the last pretrial prior to jury selection or a violation of probation (VOP) evidentiary hearing. The Defendant must be present with counsel (if represented) at this hearing. The State and Defense shall be prepared to announce the following:

1. Whether each party is “ready for trial/VOP evidentiary hearing²”
2. All offers made by the State and rejected by the defendant
3. Any Defense counter offers made and rejected by the State
4. In felony cases, the State shall be prepared to announce the defendant's total sentence points and lowest permissible prison sentence, if any; the statutory maximums including

¹ Counsel shall ensure that all plea offers are discussed and signed at the jail prior to the defendant being transported to court.

² Ready for trial/VOP hearing means the witnesses have been contacted and are available for the trial term/hearing date requested and that discovery is complete.

any minimum mandatory sentences; and whether they are seeking any enhanced sentence pursuant to Florida Statute

5. The anticipated number of witnesses and length of the trial/VOP hearing
6. Any date/time restrictions in scheduling for the attorneys or witnesses
7. Whether the services of an interpreter will be required
8. Whether there are any outstanding motions or evidentiary issues

Absent extenuating circumstances, this Court will not accept a negotiated disposition after the parties have announced ready for trial or ready for a VOP evidentiary hearing.

ADA ACCOMMODATIONS

If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 173 NE Hernando Avenue, Room 408, Lake City, Florida 32055; (386)758-2163 or complete the ADA Request form located at <https://thirdcircuitfl.org/ada-accommodation-request/> at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired call 711.

INTERPRETER REQUESTS

To request an interpreter for a court proceeding please contact court administration at interpreter@jud3.flcourts.org. Please include the defendant's name, case number, date and time of the proceeding, and the language of the defendant.