

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT OF FLORIDA

ROGER N. ROSIER,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Case No.: 1D16-2327

L.T. Case No.: 2013-00195-CF

STATE'S SECOND MOTION TO SUPPLEMENT THE RECORD

The Appellee, the State of Florida, pursuant to Rules of Appellate Procedure 9.200(f) and 9.300, moves this Honorable Court for an order to supplement the record with a transcript of an August 14, 2014 hearing. In support of this motion, Appellee states:

1. In Issue I of the initial brief, Appellant challenges his convictions on the basis that the trial court failed to hold a competency hearing before issuing a written order finding him competent to proceed on August 14, 2014. (IB 2, 6, 6-9)
2. In the latest supplemental record filed with this Court, an August 13, 2014 transcript shows the parties agreeing to hold a competency hearing on August

14, 2014. August 14, 2014 is the same date the trial court issued a competency hearing.

3. The assistant state attorney indicated that the case does appear on the court's docket for August 14, 2014 despite the docket on CCIS.
4. After a review of the record and case law, the undersigned states that a transcript of the August 14, 2014 hearing is necessary for complete appellate review and to properly evaluate the sufficiency of the competency proceedings.
5. The motion is made in good faith and not for the purpose of causing an unnecessary delay in the proceedings.
6. The undersigned has consulted with Appellant's counsel, Melissa J. Ford,

who has **no objection** to this motion.

WHEREFORE, the State of Florida respectfully requests that this Court grant the instant motion to supplement the record with a transcript of an August 14, 2014.

CERTIFICATE OF SERVICE

I certify that a copy hereof has been furnished to the following by electronic mail on July 20, 2017 to Melissa J. Ford at mina.ford@rcl.myflorida.com.

CERTIFICATE OF COMPLIANCE

I certify that this brief was computer generated using Times New Roman 14-point font.

Respectfully submitted and certified,
PAMELA JO BONDI
ATTORNEY GENERAL

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