

IN THE SUPREME COURT OF FLORIDA

FILED  
DEBBIE CAUSSEAU

SEP 16 1999

NEWTON C. SLAWSON

CLERK, SUPREME COURT

By \_\_\_\_\_

APPELLANT

v.

CASE NO. 90,045

STATE OF FLORIDA

APPELLEE

ON APPEAL FROM THE CIRCUIT COURT OF THE THIRTEENTH  
JUDICIAL CIRCUIT FOR HILLSBOROUGH COUNTY,  
STATE OF FLORIDA

ANSWER BRIEF TO THE INITIAL SUPPLEMENTAL BRIEF BY THE  
CAPITAL COLLATERAL REGIONAL COUNSEL

NEWTON C. SLAWSON

APPELLANT

DOC NO: 119658

UNION CORRECTIONAL INSTITUTION

CELL LOC. P-3-1-15-S (A-1)

PO BOX 221

RAIFORD FL. 32083-0221

## PRELIMINARY STATEMENT ON REFERENCES

I AM UNABLE TO REFER TO OR CITE REFERENCES FROM THE TWO VOLUME SUPPLEMENTAL RECORD DUE TO THE FACT THAT, EXCEPT FOR A COPY OF THE INITIAL SUPPLEMENTAL BRIEF TO WHICH I AM RESPONDING HEREIN, I HAVE NEVER RECEIVED ANY COPIES OF ANY MOTIONS, BRIEFS OR FILEINGS MADE UNILATERALLY BY EITHER THE ORIGINAL OFFICE OF CCR OR THE CURRENT OFFICE OF CCR-C MIDDLE. ALL OF WHOM HAVE ACTED BEHIND MY BACK, WITHOUT MY KNOWLEDGE, CONSENT OR AUTHORIZATION AND IN COMPLETE DISREGARD TO MY RIGHTS UNDER THE LAW AND MY INSTRUCTIONS AND WISHES TO THE EFFECT THAT I HAVE INPUT IN MY OWN CASE AND PRIOR NOTICE OF ANY AND ALL ACTIONS TAKEN WITH PERSONAL COPIES OF SAME MADE AVAILABLE TO ME FOR PRIOR APPROVAL. IN SHORT CCR AND LATER CCR-C MIDDLE HAVE CONSISTANTLY TREATED ME WITH UTTER CONTEMPT, WITH ARROGANT INDIFFERENCE AND HAVE CUT ME OUT OF THE LOOP AND KEPT ME OUT BY WHATEVER MEANS AT THEIR DISPOSAL. I MUST THERE FOR WORK FROM MY PERSONAL MEMORY OF THE ORIGINAL CASE AND I APOLOGIZE FOR ANY INCONVENIENCE THAT THIS CAUSES.

## OBJECTION TO REQUEST FOR ORAL ARGUMENT

CCR-C MIDDLE WAS DISMISSED FROM MY CASE ON SEPTEMBER 28, 1998. THAT DISMISSAL AS COUNSEL WAS REAFFIRMED ON MARCH 12, 1999 BY TRIAL COURT JUDGE DIANA M. ALLEN. CCR-C MIDDLE HAS NO STANDING TO MAKE SUCH A REQUEST IN LAW OR IN FACT. I OPPOSE AND OBJECT TO THE REQUEST BY CCR-C MIDDLE FOR ORAL ARGUMENT.

## STATEMENT OF FACTS

THE ENTIRE OFFICE OF THE CCR-C MIDDLE WAS DISMISSED FROM MY CASE ON SEPTEMBER 28, 1998 BY TRIAL JUDGE DIANA M. ALLEN. THE FOLLOWING IS A QUOTE FROM THE TRANSCRIPT OF THAT HEARING PROVIDED TO ME BY THE COURT AND NOT FROM CCR-C MIDDLE.

PAGE 38, LINES 24 AND 25

MR. DEBOCK: "JUDGE, ARE YOU TERMINATING ANY FURTHER REPRESENTATION BY OUR OFFICE?"

PAGE 39, LINE 1

THE COURT: "YES."

THE DISMISSAL OF THE ENTIRE OFFICE OF THE CCR-C MIDDLE WAS REAFFIRMED ON MARCH 12, 1999, THE DATE ON WHICH THE COMPETENCY HEARING WAS HELD BY CIRCUIT COURT JUDGE DIANA M. ALLEN. JUDGE ALLEN EFFECTIVELY DID SO BY REFUSING TO HEAR THE REPRESENTATIVE FROM CCR-C MIDDLE AS/ OR IN THE CAPACITY OF MY ATTORNEY. THEREFOR MR. MARKS GRUBER VOLUNTEERING TO REPRESENT SOCIETYS' INTERESTS AS A SPECIAL COUNSEL IS, IN MY VIEW, NOTHING MORE THAN A CYNICAL ATTEMPT ON HIS PART TO REESTABLISH THE STRANGLE HOLD ON ME AND MY CASE THAT CCR AND NOW THE CCR-C MIDDLE HAVE ENJOYED, BY COMING IN THROUGH THE "BACK DOOR". I OPPOSE APPOINTING MR. GRUBER AS SPECIAL COUNSEL ON THE GROUNDS THAT SOCIETYS' INTRESTS ARE MORE THAN ADEQUATELY REPRESENTED BY THE STATES ATTORNEYS, THE ASSISTANT ATTORNEYS GENERAL AND BY THE TRIAL COURT JUDGE DIANA M. ALLEN.

THE PURPOSE HERE IS TO DETERMINE WHETHER I AM  
COMPETENT TO MAKE A KNOWING, INTELLIGENT AND  
VOLUNTARY WAIVER OF MY RIGHTS TO FURTHER APPEALS.  
UNDER THE MOST RECENT INTERPRETATION OF FARRETTA I AM  
ONLY REQUIRED TO BE ABLE TO COMPREHEND THE CONSEQUENCES  
OF MY ACTIONS. THE CONSEQUENCES ARE THAT I AM GOING TO  
BE EXECUTED BY THE STATE OF FLORIDA. I AM AWARE THAT  
THIS MEANS THAT FOR ME THERE WILL BE NO MORE  
TOMORROWS. MY PERCEPTIONS WILL CEASE FOREVER.  
MY LIFE WILL END. THERE IS NO OTHER WAY TO STATE THAT  
FACT. I HAVE BEEN LABELED BY VARIOUS MENTAL HEALTH  
PROFESSIONALS AS SUFFERING FROM A WIDE RANGE OF MENTAL  
HEALTH PROBLEMS. IT IS INTERESTING TO NOTE THAT NO TWO  
MENTAL HEALTH PROFESSIONALS ARE ABLE TO AGREE ON ANY  
SPECIFIC DIAGNOSIS. THE ONLY WAY FOR ME TO PROVE MY  
COMPETENCE IS TO OFFER THIS COURT THE SAME INFORMATION  
AS I HAVE OFFERED THE ORIGINAL CCR AND THE CURRENT OFFICE  
OF CCR-C MIDDLE AND BEG THIS COURTS INDULGENCE IN  
OBTAINING THE DOCUMENTS AND PERSONS I DESCRIBE.

DOCUMENT: A VERBATIM TRANSCRIPT OF THE TESTIMONY OF  
MR. HALL, THE BALLISTICS EXPERT WHO TESTIFIED AT MY TRIAL.  
INCLUDING DIRECT EXAMINATION, CROSS EXAMINATION,  
THE ATTEMPTED RE-DIRECT EXAMINATION, JUDGE BONANOS  
INTERRUPTION AND JUDGE BONANOS INSTRUCTIONS TO THE JURY  
IMMEDIATELY AFTER TO THE EFFECT THAT MY GUN WAS NOT THE  
MURDER WEAPON. I WOULD ASK THAT THE TRANSCRIPT BE  
VERBATIM, EXACTLY WORD FOR WORD, AS THE COURT  
REPORTER KELLY GREENE RECORDED IT. WITHOUT CORRECTIONS.  
OR CLARIFICATIONS OR ALTERATIONS IN ANY WAY.

DOCUMENT: A LETTER I WROTE DESCRIBING THE INTERROGATION AND DESCRIBING DETECTIVE GROSSIS' PERSONAL SIDE ARM IN EXACT CORRECT DETAIL. THE LETTER IS PART OF THE TRIAL RECORD. THE MOST TELLING POINT IS THE COLOR OF THE TARGET BEAD ON THE BACK OF THE FRONT BLADE SIGHT. IT IS WHITE. A DETAIL THAT CANNOT BE SEEN WHEN THE WEAPON IS IN ITS' HOLSTER. THE ONLY WAY TO SEE THIS DETAIL IS TO BE CLOSE UP AND PERSONAL, TO SEE THE WEAPON DRAWN FROM ITS' HOLSTER, TO SEE THE COLOR OF THE TARGET BEAD ON THE BACK OF THE FRONT BLADE SIGHT BEFORE THE WEAPON IS TURNED AND POINTED. COLORED TARGET BEADS ARE AVAILABLE IN A WIDE VARIETY OF DIFFERENT COLORS AND "GUESSING" THE CORRECT COLOR IS A VIRTUAL IMPOSSIBILITY. IT MUST BE SEEN TO BE KNOWN WITH CERTAINTY. TAKEN AS A WHOLE IN THE CONTEXT OF A COMPLETE AND ACCURATE DESCRIPTION OF DETECTIVE GROSSIS' PERSONAL SIDE ARM, IT IS VERY COMPELLING.

PERSONS:

MARK DAVID WILLIAMS - WHITE MALE, SANDY COLORED HAIR, LIGHT BLUE/GREY EYES, LEAN BIG BONED BUILD, APPROXIMATELY FIVE FEET TEN INCHES TALL. THE LAST TIME I SAW HIM IN APRIL 1990 HE APPEARED TO BE IN HIS LATE THIRTIES OR EARLY FORTIES.

FRANK HOWARD WILSON - BLACK MALE, BLACK KINKY HAIR, DARK BROWN EYES, STOCKY MUSCULAR BUILD, APPROXIMATELY FIVE FEET SIX INCHES TALL. THE LAST TIME I SAW HIM IN APRIL 1990 HE APPEARED TO BE IN HIS MIDDLE TO LATE TWENTIES.

THESE TWO COUNTY OFFICERS WERE STOCKADE GUARDS ASSISTING THE BAILIFFS BECAUSE THE BAILIFFS DIVISION WAS SHORT HANDED ON THAT DAY.

PERSONS:

WILLAMINA "WILLIE" WILLEMETTE - WHITE FEMALE, BLOND HAIR, BLUE EYES, SMALL PETITE BUILD, APPROXIMATELY FIVE FEET ONE INCH TALL, LEFT HANDED. THE LAST TIME I SAW HER IN APRIL 1990 SHE APPEARED TO BE IN HER MIDDLE TO LATE THIRTIES.

MARJORIE FRANKLIN - FEMALE. I HAVE NEVER MET OFFICER FRANKLIN, HOWEVER, I ONCE SAW OFFICER WILLEMETTE WEARING A TUNIC BEARING THE NAME TAG "M. FRANKLIN". WHEN I COMMENTED ON IT, OFFICER WILLEMETTE LAUGHED AND SAID THAT SHE HAD BEEN IN A HURRY AND HAD TAKEN THE WRONG JACKET BY MISTAKE. THE UNIFORM TUNIC FIT OFFICER WILLEMETTE VERY WELL AND I ASSUME THAT OFFICER FRANKLIN IS NEARLY THE SAME SIZE. I LISTED OFFICER FRANKLIN ONLY BECAUSE SHE WAS A CO-WORKER WITH OFFICER WILLEMETTE AND MAY BE ABLE TO ASSIST IN LOCATING OFFICER WILLEMETTE.

OFFICER WILLEMETTE AND OFFICER FRANKLIN WERE COURT ROOM BAILIFFS OFFICERS WORKING AT THE HILLSBOROUGH COUNTY COURT HOUSE ANNEX IN 1989 - 1990.

JUSTIFICATION:

THE DOCUMENTS, IF OBTAINED, WILL SPEAK FOR THEMSELVES. OFFICERS WILLIAMS AND WILSON WERE PRESENT WITH ME AND HEARD DETECTIVE GROSSI BRAGGING ABOUT HOW HE DICTATED A FALSE CONFESSION TO DETECTIVE BELL WHO WROTE IT DOWN JUST AS DETECTIVE GROSSI SAID AND ALSO HOW DETECTIVE GROSSI THEN COERCED MY SIGNATURE ON THAT DOCUMENT UNDER THREAT OF IMMEDIATE SUMMARY EXECUTION. THEY ALSO HEARD DETECTIVE GROSSI BRAG ABOUT BEING THE CREATOR OF A FALSE DYING STATEMENT AND SUBORNING AND COMMITTING PERJURY TO SUPPORT THAT FALSE DYING STATEMENT.

OFFICER WILLEMETTE WAS PRESENT WITH ME ON A SEPARATE OCCASION AND OVERHEARD DETECTIVE GROSSI BRAGGING ABOUT THE FALSE CONFESSION AND HOW HE OBTAINED MY SIGNATURE ON THAT DOCUMENT. BOTH OF THESE INCIDENTS OCCURRED ON DIFFERENT DAYS, IN DIFFERENT AREAS, IN THE HALLWAYS OF THE HILLSBOROUGH COUNTY COURTHOUSE ANNEX. I ASKED THESE OFFICERS NOT TO COME FORWARD AT THAT TIME BECAUSE MY FAMILY WAS IN TAMPA FROM NORTH CAROLINA FOR THE TRIAL AND I FEARED FOR THEIR SAFETY. I ASKED THE OFFICERS TO WAIT UNTILL I COULD HAVE THEM CONTACTED BY WHOMEVER WAS ASSIGNED TO ASSIST ME IN MY APPEALS. THEY AGREED, STATEING THAT THEY WOULD BE WILLING TO COME FORWARD AT ANY TIME.

I HAVE NEVER CLAIMED THAT ANY OF THESE OFFICERS WAS PRESENT AT THE ORIGINAL INTERROGATION AS THE CCR-C MIDDLE ASSERTED AT THE SEPTEMBER 28, 1998 HEARING ON THE MOTION TO WITHDRAW AND TERMINATE ALL FURTHER APPEALS.

### CLOSING

I OFFER THE FOREGOING ONLY IN THE CONTEXT OF DETERMINING COMPETENCE OR INCOMPETENCE.

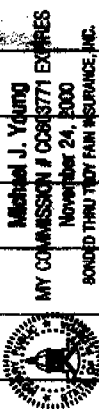
IF THIS HONORABLE COURT CHOOSES TO LOOK INTO THIS AND IT PROVES OUT, THEN I AM COMPETENT TO MAKE A KNOWING, INTELLEAGENT AND VOLUNTARY WAIVER TO MY RIGHTS FOR FURTHER APPEALS. MY WAIVER MUST THEN BE ACCEPTED AS VALID.

THE FORE GOING IS ACCURATE AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Michael J. Young*  
NORARY

*Newton C. Slawson* 119658  
NEWTON C. SLAWSON DO# D-119658 PRO-SE

STATE OF FLORIDA, SWORN TO AND ASCRIBED BEFORE ME ON THIS THE 13<sup>th</sup> DAY OF SEPTEMBER, 1999. In the County of Union



CERTIFICATION OF SERVICE

I HEREBY CERTIFY THAT A TRUE COPY OF THE FORE GOING ANSWER BRIEF TO THE INITIAL SUPPLEMENTAL BRIEF BY NEWTON C. SLAWSON, PRO-SE, HAS BEEN FURNISHED BY UNITED STATES MAIL, FIRST CLASS POSTAGE PRE-PAID, TO ALL COUNSEL OF RECORD ON THIS THE \_\_\_\_\_ DAY OF SEPTEMBER, 1999.

*Newton C. Slawson*

NEWTON C. SLAWSON  
PRO-SE  
DOC # D-119658  
UNION CORRECTIONAL INSTITUTION  
CELL LOC. P-3-1-15-S (A-1)  
PO BOX 221  
RAIFORD FL. 32083 -0221

COPIES FURNISHED TO:

THE HONORABLE DIANA M. ALLEN  
CIRCUIT COURT JUDGE  
HILLSBOROUGH COUNTY COURT HOUSE ANNEX 122  
800 EAST KENNEDY BOULEVARD  
TAMPA FL. 33602

CAROL M. DITTMAR  
ASST. ATTORNEY GENERAL  
OFFICE OF THE ATTORNEY GENERAL  
WEST WOOD BUILDING, SEVENTH FLOOR  
2002 NORTH LOIS AVENUE  
TAMPA FL. 33607

MIKE KOYLER AND CHRIS WATSON  
ASST. STATE ATTORNEYS  
OFFICE OF THE STATE ATTORNEY  
HILLSBOROUGH COUNTY COURTHOUSE, FOURTH FLOOR  
800 EAST KENNEDY BOULEVARD  
TAMPA FL. 33602

MARK S. GRUBER  
ASST. CCR-C  
OFFICE OF THE CAPITAL COLLATERAL REGIONAL COUNSEL-MIDDLE  
3801 CORPOREX PARK DRIVE, SUITE 210  
TAMPA, FL. 33619 -1136

NOTARY: *Michael J. Young*



Michael J. Young  
MY COMMISSION # CC803771 EXPIRES  
November 24, 2000  
BONDED THROUGH TRISTAR INSURANCE, INC.

STATE OF FLORIDA, SWORN TO AND ASCRIBED BEFORE ME ON THIS THE 13<sup>th</sup> DAY  
COUNTY OF UNION  
OF SEPTEMBER, 1999



CERTIFICATION OF INABILITY TO COMPLY WITH ADMINISTRATIVE  
ORDER REQUIRING MANDATORY SUBMISSION OF BRIEFS ON  
COMPUTER DISKET DATED 5, FEBRUARY 1999 ISSUED BY  
MAJOR B. HARDING, CHIEF JUSTICE OF FLORIDA.

I THE UNDER SIGNED DO HEREBY CERTIFY THAT I AM UNABLE TO  
COMPLY WITH THE ABOVE TITLE ORDER BECAUSE I AM PRO-SE,  
AND A PRISONER ON DEATH ROW AND DO NOT HAVE ACCESS  
TO ANY FORM OF COMPUTER TECHNOLOGY.

*Newton C. Slawson* 119658  
NEWTON C. SLAWSON  
PRO-SE  
DOC # D-119658  
UNION CORRECTIONAL INSTITUTION  
CELL LOC. P-3-1-15-S (A-1)  
PO BOX 221  
RAIFORD FL. 32083-0221



Michael J. Young  
MY COMMISSION # CC803771 EXPIRES  
November 24, 2000  
BONDED TRULITY FARM INSURANCE, INC.

NOTARY: *Michael J. Young*

STATE OF FLORIDA, SWORN TO AND ASCRIBED BEFORE ME ON THIS THE 13<sup>th</sup> DAY  
COUNTY OF UNION  
OF SEPTEMBER, 1999.

DEBBIE CAUSSEAU, ACTING CLERK  
**Supreme Court of Florida**  
500 SOUTH DUVAL STREET  
TALLAHASSEE 32399-1927  
(850) 488-0125

**FILED**  
DEBBIE CAUSSEAU

SEP 16 1999

CLERK, SUPREME COURT  
By \_\_\_\_\_

8/4/99

filed 7/29/99

Mr. Mark S. Gruber  
Office CCRC-Middle Region  
3801 Corporex Park Drive  
Suite 210  
Tampa, FL 33619

NEWTON CARLTON SLAWSON  
vs.  
STATE OF FLORIDA

CASE NO. 90,045

I have this date received the below-listed pleadings or documents:

Capital Collateral Middle Regional Counsel's Motion for Extension of Time

The above motion is granted and appellant is allowed to and including September 1, 1999, in which to serve the supplemental brief ordered by this Court on July 2, 1999. All other times will \*  
\* be extended accordingly.

Please make reference to the case number in all correspondence and pleadings.

Most cordially,

*Debbie Causseau*

Acting Clerk  
Supreme Court

**ALL PLEADINGS SIGNED BY  
AN ATTORNEY MUST INCLUDE  
THE ATTORNEY'S FLORIDA  
BAR NUMBER.**

DC/tsc

cc: Mr. Newton Carlton Slawson  
Ms. Carol M. Dittmar

STARS AND UNDER SCORE BY  
NEWTON SLAWSON

# Supreme Court of Florida

FRIDAY, JULY 2, 1999

NEWTON CARLTON SLAWSON, \*\*

Appellant, \*\*

vs.

\*\* CASE NO. 90,045

STATE OF FLORIDA,

\*\*

Appellee.

\*\*

## ORDER REQUESTING BRIEFING

Having received the order entered by Hillsborough County Circuit Court Judge Diana M. Allen on March 19, 1999, finding Newton Carlton Slawson competent to waive collateral counsel and collateral proceedings, the Court finds that it would be helpful to receive briefing from the parties regarding Judge Allen's competency determination and the validity of Slawson's waiver of collateral counsel and collateral proceedings. Therefore, the Office of the Capital Collateral Regional Counsel, Middle Region (CCRC-M), may serve an initial brief solely addressing the above-specified matters on or before August 2, 1999; the State of Florida, as well as \* Slawson, individually, \* may serve answer briefs 20 days after service of CCRC-M's initial brief; and CCRC-M may serve a reply brief 20 days after service of the State's or Slawson's answer brief, whichever answer brief is last served under the above-referenced time limitations.

The initial brief and answer briefs shall not exceed 50 pages in length, and the reply brief shall not exceed 15 pages in length. Motions to file enlarged briefs will not be entertained by the Court.

Per this Court's Administrative Order In Re: Mandatory Submission of Briefs on Computer Diskette dated February 5, 1999, counsel are directed to include a copy of all briefs on a DOS formatted 3-1/2 inch diskette in Word Perfect 5.1 (or higher) format. **PLEASE LABEL ENVELOPE TO AVOID ERASURE.**

All briefs must comply with this Court's Administrative Order dated July 13, 1998, entitled "In Re: Briefs Filed in the Supreme Court of Florida" and include a statement certifying the size and style of type used.

A True Copy

TEST:

*Debbie Causseaux*

Debbie Causseaux  
Acting Clerk, Supreme Court



TC

cc: Mr. Chris DeBock  
Ms. Abigail O. Dressel  
Mr. Newton Carlton Slawson  
Ms. Carol M. Dittmar