

IN THE CIRCUIT/COUNTY COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

CRIMINAL DIVISION:
CASE NO.: 50-

STATE OF FLORIDA

VS

_____,
Defendant

ORDER SETTING PRETRIAL MOTION DEADLINES

THIS MATTER came before the Court for case management review. Pursuant to the amendments to Florida Rule of Criminal Procedure 3.190 adopted in SC2024-0839, Motions to Dismiss must be filed by the deadline set by the Court, as set out in this Order. An untimely Motion to Dismiss shall be dismissed unless the Defendant demonstrates good cause for the delay at a hearing or that the grounds raised in the Motion to Dismiss are fundamental.

Motions to Suppress must be filed by the deadline set by the trial judge as set out in this Order. An untimely Motion to Suppress may be dismissed unless the Defendant demonstrates good cause for the delay at a hearing or the State does not object to the delay. It is therefore:

ORDERED AND ADJUDGED as follows:

1. **Motions to Suppress in Felony cases** must be filed within the following time periods:

- A. No later than **30 days** before the jury trial is scheduled to begin or the Calendar Call / Pretrial Conference is scheduled, whichever date is sooner.
- B. A Motion to Suppress filed after the applicable deadline shall include, if applicable and if the Defendant has a good faith basis for such, a statement demonstrating good cause for the delay and whether the State objects to the late filing. Good cause for a Motion to Suppress filed after the deadlines set in this Order may include delays caused by the prosecutor and a supplemental discovery filing if such supplemental discovery or delay directly relates to the late filed Motion to Suppress.

2. **Motions to Dismiss in Felony cases** including those filed under Section 776.032, Florida Statutes, must be filed within the following time periods:

- A. Within **120 days** after the filing of the charging document with the Clerk of Court on all newly filed cases except as set out herein.

B. Capital Cases:

Within **260 days** after the filing of the charging document, unless otherwise modified by scheduling order as set by the court on a case by case basis.

C. Competency Cases:

The deadlines in this Order are tolled from the time a Motion to Appoint Experts to Determine Competency is filed until the Court enters an Order Finding the Defendant Competent.

- D. A Motion to Dismiss filed after the applicable deadline shall include, if applicable and if the Defendant has a good faith basis for such, a statement demonstrating good cause for the delay and whether the Motion to Dismiss concerns fundamental grounds. The Court shall determine whether good cause exists at a hearing or whether the Motion to Dismiss raises fundamental grounds consistent with Rule 3.190. Good cause for a Motion to Dismiss filed after the deadlines set in this Order may include delays caused by the prosecutor and a supplemental discovery filing if such supplemental discovery or delay directly relates to the late filed Motion to Dismiss.

3. Motions to Suppress and Motions to Dismiss filed in Misdemeanor Division M including those filed under Section 776.032, Florida Statutes, must be filed within the following time periods:

- A. No later than **five (5) days** before the first calendar call or first pretrial hearing scheduled in the case, whichever is scheduled first.

- B. A Motion to Dismiss filed after the applicable deadline shall include, if applicable and if the Defendant has a good faith basis for such, a statement demonstrating good cause for the delay and whether the Motion to Dismiss concerns fundamental grounds. The Court shall determine whether good cause exists or whether the motion raises fundamental grounds consistent with Rule 3.190.

- C. A Motion to Suppress filed after the applicable deadline shall include, if applicable and if the Defendant has a good faith basis for such, a statement demonstrating good cause for the delay and whether the State objects to the late filing.

4. The Court may modify these deadlines by order.

DONE AND ORDERED in Chambers, at Palm Beach County, Florida.

[% judge_signature %]

COPIES TO: