

IN THE CIRCUIT COURT OF THE NINTH
JUDICIAL CIRCUIT, IN AND FOR ORANGE
COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: 48-2008-CF-15606-O

Plaintiff,

DIVISION: 16

vs.

CASEY MARIE ANTHONY,

Defendant.

**STATE OF FLORIDA'S MOTION FOR PROTECTIVE ORDER REGARDING
RECORDING OF INTERVIEW OF JOE JORDAN**

COMES NOW, the State of Florida, by and through the undersigned Assistant State Attorney, pursuant to Florida Rule of Criminal Procedure 3.220(l)(1), and moves this Honorable Court for a Protective Order exempting from discovery a statement of Joe Jordan recorded on October 27, 2009. In support of this motion, the State of Florida says as follows:

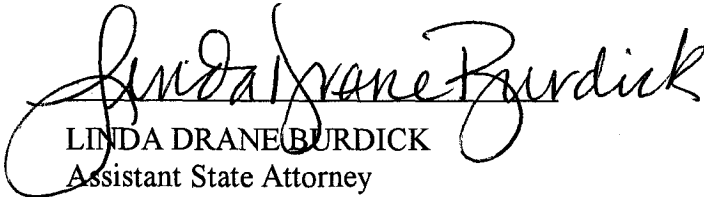
1. On October 27, 2009, Corporal Eric Edwards of the Orange County Sheriff's Office received a phone call from a male identifying himself as Joe Jordan.
2. Mr. Jordan explained to Cpl. Edwards that he had been interviewed by a defense investigator for Casey Anthony earlier that day.
3. During the phone conversation, Mr. Jordan explained that he surreptitiously recorded the interview, a violation of Florida Statute 934.03.
4. Said recording was seized by the Orange County Sheriff during the course of their investigation into the F.S. 934.03 violation.
5. All individuals surreptitiously recorded have declined prosecution and the Orange County Sheriff's Office cleared and closed the case.
6. Mr. Jordan was subsequently interviewed in the presence of the undersigned on November 5, 2009. Based upon representations made during the course of that interview, the illegally recorded statement may materially conflict with the subsequent interview.
7. The undersigned has not listened to the illegally recorded statement of October 27, 2009 as the use and disclosure of the unlawfully intercepted conversation would be a third degree felony pursuant to F.S. 943.03(4). Additionally, F.S. 943.06 specifically states "Whenever any wire or oral communication has been intercepted, no part of the contents of such communication and no evidence derived therefrom may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the state, or

a political subdivision thereof, if the disclosure of that information would be a violation of this chapter.”

8. Except for the prohibitions of Chapter 934, the statement of Mr. Jordan would be discoverable under Florida Rule of Criminal Procedure 3.220(b)(1)(B).

WHEREFORE, since disclosure of said illegally recorded statement to any party would constitute a felony of the third degree, the State of Florida respectfully requests that this Honorable Court issue a protective order exempting said statement from release under Florida Rule of Criminal Procedure 3.220.

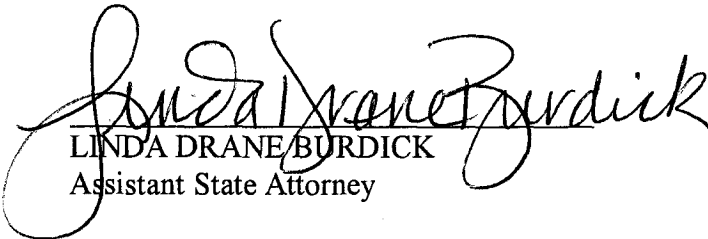
Respectfully Submitted this 9th day of December, 2009,



LINDA DRANE BURDICK
Assistant State Attorney
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Orlando, FL 32801
407.836.2402

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing motion was delivered via FAX transmission to Jose Baez, Esquire, attorney for defendant Casey Anthony, 522 Simpson Road, Kissimmee, FL 34744 this 9th day of December, 2009.



LINDA DRANE BURDICK
Assistant State Attorney