

**IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2023-037 PA-CTY

RE: HUNTER HEARINGS – PASCO COUNTY

With a rise in “Hunter Hearings,” triggered by the filing of written objections challenging a Notice of Issuance of an Investigative Subpoena for Medical Records under section 395.3025(4)(d), Florida Statutes, it is necessary to clarify the manner in which Hunter Hearings are assigned and handled in Pasco County.

Therefore, in accordance with Article V, section 2, Florida Constitution, Florida Rule of General Practice and Judicial Administration 2.215, and section 43.26, Florida Statutes, it is

ORDERED:

1. **Case Initiation.** If, in response to the Office of the State Attorney’s Notice of Issuance of Investigative Subpoena for Medical Records under section 395.3025(4)(d), Florida Statutes, an individual or their attorney serves a written objection to the subpoena to the State Attorney’s Office, a hearing regarding the investigative subpoena must take place (“Hunter Hearing”). To assign the matter to a judge and set the matter for a hearing, a case number must be created and assigned.

2. **Creation of Case Number.** Upon receipt of a written objection to the subpoena for medical records, the State Attorney’s Office for the Sixth Judicial Circuit will file a Notice of Hunter Hearing with the Pasco County Clerk and Comptroller’s Office (the “Clerk”). Based on the initiating filing, the Clerk will create a non-reportable case number for the matter. The Clerk will assign a case number based on the side of the county in which the matter arises—either East Pasco or West Pasco. The Clerk must provide the State Attorney’s Office with the case number assigned to the matter.

3. **Initial Case Assignment.** The Clerk will assign the matter to Section 10. The State Attorney’s Office must contact the County Administrative Judge’s office and provide the case number.

4. **Reassignment of Case.** The County Administrative Judge will determine whether they will handle the matter or whether the matter must be reassigned to another judge. If the matter must be reassigned to another judge, the County Administrative Judge will issue an Order of Reassignment to the judge who will preside over the hearing.

5. **Scheduling the Hunter Hearing.** To schedule the Hunter Hearing, the State Attorney’s Office must contact the assigned judge’s office. The assigned judge will preside over the Hunter Hearing.

6. **Case Closure.** The Clerk will maintain all documents related to the case. Upon the conclusion of the Hunter Hearing and the court's final ruling, an order granting or denying that instructs the case to be closed will be prepared by the State Attorney's Office, signed by the judge, and filed with the Pasco County Clerk and Comptroller's Office. Upon receipt of the signed order, the Clerk will close the case in the case maintenance system.

7. **Cases Arising Out of a Hunter Hearing.** If a new criminal case is initiated after the conclusion of a Hunter Hearing, the documents from the initial Hunter Hearing will remain with that case and no case link to the new criminal case will be required.

8. **Hunter Hearings within Existing Cases.** If the Notice of Issuance of Investigative Subpoena for Medical Records is issued within an existing case, the procedures outlined herein do not apply. In that instance, the matter will be filed within the existing case number and the Hunter Hearing will be heard by the already assigned judge in the existing case.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida this _____ day of October, 2023.

ORIGINAL SIGNED ON OCTOBER 31, 2023
BY SHAWN CRANE, CHIEF JUDGE

cc: All Pasco Judges
The Honorable Bruce Bartlett, State Attorney
The Honorable Sara Mollo, Public Defender
The Honorable Nikki Alvarez-Sowles, Clerk of the Circuit Court, Pasco County
The Honorable Chris Nocco, Sheriff, Pasco County
Ngozi Acholonu, Assistant Regional Counsel
Kimberly Thompson, Chief Operations Officer, Pasco County Clerk's Office
Jennifer Parker, Trial Courts Administrator
Michele Emmerman, Director of Administrative Services for Pasco County
Len Mattison, Director of Criminal Courts, Pasco County Clerk's Office
Bar Associations, Pasco and Pinellas Counties
Law Libraries, Pasco and Pinellas Counties