

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

CASE NO: F23-21321

v.

SECTION 13
JUDGE: RICHARD HERSCH

DEREK ROSA,

Defendant.

CASE MANAGEMENT ORDER OF JULY 17, 2025

This matter came before the Court pursuant to Florida Rule of Judicial Administration 2.545 and Florida Rule of Criminal Procedure 3.220(o). The Court has determined that this case, because of its nature and complexity, requires detailed case management. The dates below have previously been discussed in Court.

The purpose of this Order is to establish trial and pretrial dates, develop a discovery schedule for orderly discovery in preparation for trial, set a schedule for the filing and hearing of motions, and set status conferences. This Order shall control all matters addressed herein and may not be modified except by Order of this Court and then only upon timely notice, hearing, and good cause shown. This Order does not relieve any party of its discovery obligations pursuant to the Florida Rules of Criminal Procedure.

The case is specially set for trial on September 22, 2025 and will proceed to trial at that time. Counsel are instructed to schedule no other matters (including vacations) for that time period, and to immediately communicate the trial date to their witnesses to ensure their availability (or make alternate arrangements for presenting their testimony).

I. ATTORNEYS

The attorneys who will be trying this case are as follow:

State:

Kathleen Hoague

Attorney: Jonathan Boerst

Rachel Morales-Gellis

Laura Adams

Defendant:

Dayliset Rielo

Attorney: Jose Baez

Michelle Medina

Rosemarie Peoples

II. DISCLOSURE AND DISCOVERY

The following disclosure and discovery¹ schedule is hereby adopted:

A. Non-expert witnesses:

1. Each party shall disclose all non-expert witnesses by August 15, 2025.
2. Depositions of non-expert witnesses shall be completed by no later than September 15, 2025.

B. Expert witnesses:

1. The State must disclose all expert witnesses by September 1, 2025. The Defense must disclose all expert witnesses by September 1, 2025. Disclosure of experts means the retaining party files a written notice with the Court identifying the name, address, occupation, relevant training received, specific subject matter the expert will address, and the opinions that the party expects will be given by the expert.

The Defense is required to list all experts and non-expert witnesses necessary for litigation of the filed Motion to Suppress Statements by September 1, 2025. Any reports of experts will be provided at that time or expected date of provision will be identified.

2. All depositions must be completed by October 1, 2025.
3. Any witnesses discovered (including new telephone numbers or addresses) after these deadlines shall be disclosed within 1 business day of discovery.

C. TRIAL EXHIBITS AND WITNESS LISTS.

Pursuant to the Standards of Professionalism and Civility (specifically 3.15 and 3.16) implemented by 11th Judicial Circuit Administrative Order 22-05,

¹ Witnesses must be subpoenaed for this Court to have jurisdiction to enforce their appearance at discovery depositions or sanction a witness for not appearing at a deposition or trial. It is up to the party seeking to obtain discovery from the witness to notify the Court in writing of a failure to comply with discovery and to seek assistance from the Court.

each party is ordered to identify all witnesses it intends to call at trial, and all exhibits it intends to introduce at trial, no later than September 1, 2025. This is not disclosure as required by rule 3.220, but rather, a listing of all witnesses intended to be called at hearing or trial.

D. Provision of discovery materials to the Court.

The parties shall confer on November 1, 2025 to provide to the Court a joint production of relevant discovery. This is intended to allow the Court to become familiar with the facts and legal issues to be brought at hearing or trial. Such provision will occur on November 7, 2025. If the parties cannot agree on mutual provision, then a log will be prepared outlining the materials objected to, such log to be provided to the Court on November 7, 2025. A hearing on additional production, if necessary, will be held on November 10, 2025 or as soon thereafter as the Court directs.

E. Mental Health Records.

The Defense has requested additional time to determine the scope of their previously filed Motion to Suppress. As currently worded, the motion appears to place at issue the mental health of the Defendant at the time of administration of Miranda warnings. Should the Motion remain in its current form, the Defense will provide, in writing, detailed objections to the provision of mental health records of the Defendant and the pending State motion for Disclosure of the JHS records. Such memorandum or written objection shall be filed no later than September 15, 2025.

III. MOTIONS

A. MOTION CUTOFF.

Unless otherwise provided in this Order, all pre-trial motions (including motions in limine) must be filed no later than November 7, 2025. Responses, if necessary, will be filed by November 14, 2025.

B. COURTESY COPIES.

A courtesy electronic copy shall be submitted to the Court contemporaneously with the filing of any motion. Responsive memorandums shall be submitted to the Court no later than 3 business days before the hearing on the motion. Courtesy copies should be emailed to F013@jud11.flcourts.org.

C. DISCOVERY PROVISION TO COURT

The parties are requested to provide to the Court, on October 15, 2025, a list of depositions taken in the case, police reports and Offense Incident Reports, reports

of experts, and any other relevant discovery exchanged between the parties. Any objection to provision of specific materials to the Court will be expressed in the list to be provided.

IV. INTERIM CASE MANAGEMENT CONFERENCES

It is the intent of the Court, as previously discussed at case management conferences, that motion hearings will be conducted during the week of January 5, 2026, with jury selection to commence on January 20, 2026. The next case management conference will be held during the week of August 25, 2025.

V. FINAL CASE MANAGEMENT CONFERENCE

A Final Case Management Conference will be held on December 12, 2025 at 8:30 a.m. The attorneys trying the case must be in attendance in person. At this final conference, the Court will schedule all pending outstanding motions, and will expect the parties to advise it regarding any changes in the estimated length of the trial, special jury instructions they will be requesting, and any other matters that may impact the timely and effective trial of this action.

VI. MOTION HEARINGS AND TRIAL

A. EVIDENTIARY MOTIONS.

Evidentiary motions will be heard commencing the week of January 5, 2026.

B. TRIAL DATE.

This matter is set for trial January 20, 2026 at 9:00 a.m. The trial date is in contemplation of all parties being able to fully complete discovery prior thereto and that no continuances would be necessary. The attorneys shall submit at the Final Case Management Conference an estimate on the total length of the trial.

DONE and ORDERED in Miami, Florida this 8th of August, 2025.



RICHARD HERSCH
Circuit Judge

Copies to: All Counsel of Record