

IN THE CIRCUIT COURT OF THE  
ELEVENTH JUDICIAL CIRCUIT IN  
AND FOR DADE COUNTY, FLORIDA  
  
CRIMINAL DIVISION

THE STATE OF FLORIDA, )  
 )  
 ) Plaintiff, )  
 )  
 ) vs. )  
 )  
 ) HECTOR C. LLANO, )  
 )  
 ) Defendant. )  
 ----- X

NO. 70-8883

CLERK OF DISTRICT COURT  
DADE COUNTY, FLA.  
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Metropolitan Justice Building,  
Miami, Florida,  
Thursday, 9:00 a.m.,  
April 14, 1977.

The above-entitled case came on for report before  
The Honorable Alan R. Schwartz, Circuit Judge, pursuant to  
notice.

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APPEARANCES:

RICHARD E. GERSTEIN, State Attorney, by  
KENNETH PLATT, Assistant State Attorney and  
ED O'DONNELL, Assistant State Attorney,  
Attorneys for Plaintiff.

LURIE & CAPUANO, by  
NICHOLAS J. CAPUANO, Esq., of counsel,  
Attorneys for Defendant.

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THE COURT: Hector C. Llano.

MR. CAPUANO: On April 5th, Your Honor had granted Hector a new trial. He is still in Palm Beach. He is awaiting trial in Palm Beach County on April 18th, and my understanding was that the State was supposed to make a representation today one way or another as to whether they will elect to proceed or not to proceed.

THE COURT: Yes.

MR. PLATT: If we could pass this, I will see where Mr. Adorno is.

[Thereupon, a recess was taken after which the following proceedings were had:]

MR. O'DONNELL: We intend to prosecute him.

THE COURT: On what charge?

MR. O'DONNELL: Whatever charges he is facing.

THE COURT: We will set the case for trial. On the existing information, correct?

MR. O'DONNELL: I have not even seen the information yet, Your Honor. If there is a problem with the statute---

THE COURT: There is no problem with the statute. I granted a new trial.

MR. O'DONNELL: That I understand. I just got into this case and you will have to excuse me, Your Honor. This was brought to my attention yesterday.

THE COURT: How about May 31st?

MR. O'DONNELL: That date is fine.

MR. CAPUANO: May 31st, Judge?

THE COURT: Yes.

MR. O'DONNELL: I will review the information and if I feel it warrants a filing---

THE COURT: There is nothing the matter with the allegations of the information except what was revealed by the polygraph test which Mr. Llano took.

MR. O'DONNELL: We may reword it to conform to his new statement or new theory of the case.

THE COURT: Thank you.

MR. CAPUANO: The May 31st date, then, is tentative; is that not correct? If they amend their information he will have to be arraigned.

THE COURT: It is now set for trial on May 31st.

MR. CAPUANO: On this information?

THE COURT: That is correct, sir.

[Thereupon, the hearing was concluded.]

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CERTIFICATE

STATE OF FLORIDA )

COUNTY OF DADE )

I, Margery L. Massie, do hereby certify that a hearing in the case of The State of Florida, Plaintiff, versus Hector C. Llano, Defendant, pending in the Circuit Court of the Eleventh Judicial Circuit in and for Dade County, Florida, No. 70-8883, was held before The Honorable Alan R. Schwartz, as Judge, April 14, 1977; that I was authorized to and did report in shorthand the proceedings and evidence in said hearing; and that the foregoing pages, numbered from 1 to 3, inclusive, constitute a true and correct transcription of my shorthand report of said hearing.

IN WITNESS WHEREOF, I have hereunto affixed my hand this 8 day of June, 1977.

*Margery L. Massie*

NOTARY PUBLIC STATE OF FLORIDA at LARGE  
MY COMMISSION EXPIRES OCTOBER 19, 1979  
BONDED THRU MAYNARD BONDING AGENCY