

March 3, 2006

**MEMORANDUM**

To: Mr. David Stamey, Esq., on behalf of ASA's at the Office of the State Attorney  
Mr. Tom McDonald, Esq., as President of the Polk County Criminal Defense Lawyers Ass'n  
and on behalf of the local private Criminal Defense bar  
Mr. William McManus, Esq., on behalf of APD's at the Office of the Public Defender

From: Angela J. Cowden, Polk County Judge, Misdemeanor Division 5

Re: Filing date for Source Code Motions

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Gentlemen:

As you may be aware, this Court has been selected to hear all motions in DUI cases regarding the Source Code for the breathalyzer instruments. In order to ensure that all parties with direct interest in the outcome of the motion are present at the omnibus Source Code Motion hearing date, this memorandum will serve as notice to all attorneys who contemplate filing such motions in current DUI cases, that the last date to file is **Friday, March 24, 2006**. Any motions filed after that date will not be heard by this Court in the omnibus hearing, a time for which will be set aside in the near future. Please contact any of the above attorneys for further information concerning the possible times which have been requested on the Court's calendar for the motion hearing. Please be aware that the Court's ruling in this hearing will be adopted as the Tenth Judicial Circuit position with regard to Source Codes.

Messrs. McDonald and McManus are requested to contact other members of the Private Defense Bar and the Public Defender's Office to pass along this information.

Thank you,  
Angela J. Cowden