

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT

IN AND FOR HARDEE, HIGHLANDS & POLK COUNTIES

ADMINISTRATIVE ORDER NO. 2-13.2

ISSUANCE OF SEARCH WARRANTS

WHEREAS, the State Attorney is charged with the responsibility of prosecuting all crimes within this Circuit and to that end it is reasonable and just that the State Attorney have opportunity to review all applications made for the issuance of search warrants as well as to review all search warrants for the purpose of determining the legal sufficiency of each, and

WHEREAS, it is in order to provide for uniformity in connection with the issuance of all search warrants, it is, therefore,

ORDERED as follows:

1. Any Circuit or County Judge may receive for consideration applications for search warrants. The State Attorney or an Assistant State Attorney shall review the application prior to its presentment to a Judge. The application must be initialed by the State Attorney or an Assistant State Attorney or contain a statement by a law enforcement officer that it has been approved by the State Attorney or an Assistant State Attorney.
2. The State Attorney shall advise all law enforcement agencies within the Tenth Judicial Circuit of the names and telephone numbers of Assistants in the various areas of this Circuit who will be available to review applications and forms of search warrants prior to presentment to a judge during other than normal working hours. A current listing with the Sheriff of each County within the Circuit shall be deemed sufficient for this purpose.
3. All original applications for search warrants will be retained by the issuing Judge in a place secure from unauthorized inspection.
4. When a search warrant is returned to the issuing Judge, the search warrant shall be attached to the original application and the date and time of return shall be endorsed on the search warrant. The remaining procedures shall depend on which county within the Circuit the issuing Judge is sitting. In Hardee and Highlands Counties, both such documents shall remain in the possession of the issuing Judge until picked up by the State Attorney's Office. In Polk County, both such documents shall be delivered promptly to the office of the Chief Judge.
5. The Felony Intake Division of the State Attorney's Office shall obtain the application and search warrants from the issuing Judge, in Hardee and Highlands County,

and from the office of the Chief Judge, in Polk County, and shall associate them with correct case file (if any) and make a copy of them for the State Attorney's file.

6. Thereafter, the Felony Intake Division will deliver the original application and search warrant to the Clerk of the Circuit Court for filing in the appropriate case file, or if not associated with a pending case, then in the Miscellaneous Drawer.

7. This Order revokes and supercedes Administrative Order No. 2-13.1 entered May 20, 1993.

Done and Ordered on this 21st day of May 2009.

J. DAVID LANGFORD
Chief Judge