

**IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT
IN AND FOR FLAGLER COUNTY, FLORIDA**

STATE OF FLORIDA

CASE NO.: 2007-00033-CFFA

VS.

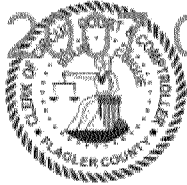
CORNELIUS OZELL BAKER
_____ /

ORDER ON STATE'S MOTION TO REINSTATE THE DEATH PENALTY

THIS CAUSE having come before the Court on the States Motion to Reinstate the Death Penalty and the Court being fully advised in the premises herein, the State's Motion to Reinstate the Death Penalty is hereby denied. The Florida Supreme Court has recently ruled on the issue of reinstatement of the Death Penalty after it has been set aside by the trial Court and determined that the Death Penalty cannot be reinstated unless the State appealed the order of the Court. *See State v. Okafor*, 2020 WL6948840, November 25, 2020, and *State v. Jackson*, 45 F.L.W. S299, November 25, 2020. The State did not appeal the order of the Court overturning the death penalty in the above captioned case in the appropriate time mandated by Florida Law, thus the State's Motion to Reinstate the Death Penalty must be denied.

ORDERED in chambers at DeLand, Volusia County, Florida

3/2/2021 11:38 AM 2007 CF
Margaret W. Hudson
000033



e-Signed 3/2/2021 11:38 AM 2007 CF 000033

Margaret W. Hudson
Circuit Judge

cc: JASON LEWIS, A.S.A.
BARRETT, JUNIOR