

**IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401**

January 29, 2020

**CASE NO.: 4D20-0139**

L.T. No.: 18-004986CF10A

STATE OF FLORIDA

v. PATRICK PALMER

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Appellant / Petitioner(s)

Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

ORDERED that the petition for writ of certiorari is dismissed for failure to demonstrate irreparable harm. See *State v. Pettis*, 520 So. 2d 250, 253 (Fla. 1988). The State has not shown that its ability to prosecute has been substantially impaired by the ruling in this case. The State's argument that an improperly-transcribed deposition might be used to cross-examine a witness in some future case is speculative and premature. Should the issue actually arise, the State may move in limine to preclude use of the alleged improperly-transcribed deposition. Further, no departure from the essential requirements of law resulting in a miscarriage of justice has been shown to merit this court's discretionary intervention. *Id.* at 254 ("While some pretrial evidentiary rulings may qualify for certiorari, it must be remembered that the extraordinary writ is reserved for those situations where 'there has been a violation of a clearly established principle of law resulting in a miscarriage of justice.'") (citation omitted). Florida Rule of Judicial Administration 2.535(h)(4) allows the chief judge of the circuit to amend the existing administrative order to address whether electronic court reporting of depositions is permitted.

GROSS, MAY and GERBER, JJ., concur.

Served:

cc:	Attorney General-W.P.B. Heidi Lynn Bettendorf State Attorney-Broward	Public Defender-Broward James Rubin Clerk Broward	Paul Edward Petillo Gordon Weekes Hon. Marina Garcia Wood
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*Lonnn Weissblum*

**LONN WEISSBLUM, Clerk**  
**Fourth District Court of Appeal**

