



WILLIAM F. BALKWILL, SHERIFF
SARASOTA COUNTY SHERIFF'S OFFICE

Post Office Box 4115
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November 30, 2004

The Honorable Fredrick DeFuria
Circuit Court Judge
2002 Ringling Blvd.
Sarasota, Florida 34230

Re: Estate of Murray B. Cohen
Case No. 03-CP-001071-NC

Dear Judge DeFuria:

Please find enclosed copies of two reports generated by the Federal Bureau of Investigation (FBI) on July 13, 2004, in response to the Cohen 911 tape submission in February, 2004. As we have continued to represent to Mr. Esdale and the Court, the Sarasota County Sheriff's Office did not receive any other reports than the one issued by Mr. Nakasone on June 23, 2004. That report was in response to the last submission of the 911 tape to the FBI.

Our office never received the attached reports until late last week (note postmark on envelope), notwithstanding that one report is directed to Sgt. Paul Richard on July 13; he never received it.

I hope that our receipt and submission to the Court, Mr. Chase and Mr. Esdale of these reports clears up any misunderstanding regarding the existence of additional FBI reports.

Respectfully,

WILLIAM F. BALKWILL, SHERIFF

A handwritten signature in cursive script, appearing to read "Gabrielle Taylor".

Gabrielle Taylor, Esquire
General Counsel

GT/ia

cc: Steven J. Chase, Esq. (w/encl.)
Steven Esdale (w/encl.)



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STATE OF FLORIDA
TWELFTH JUDICIAL CIRCUIT

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TELEPHONE (941) 861-7929
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RICK De FURIA
CIRCUIT JUDGE

LINDA K. POPPELL, CLA
JUDICIAL ASSISTANT

December 3, 2004

Gabrielle Taylor, Esq., General Counsel
Sarasota County Sheriff's Office
Post Office Box 4115
Sarasota, FL 34230-4115

Dear Ms. Taylor:

Re: Estate of Murray B. Cohen
File # 2003-CP-1071

Thank you for your letter of November 30, 2004 and the copy of the FBI report on the 911 tapes. As you know, I will be changing divisions in January, and the Honorable Deno Economou will be taking over Civil Division C. I will forward this report to Judge Economou along with pending motions regarding the 911 tape so that he will have this current information.

To keep you informed also, I have enclosing copies of recent pro se motions and letters from Mr. Esdale and the Court's responses. A January 18, 2005 hearing is scheduled on the pending motions.

Again, thank you for keeping me informed.

Sincerely,

Rick De Furia
Circuit Judge

Copy to: Steven Chase, Esq.
Steven Esdale



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-488-7146
850-487-0801 fax

July 9, 2004

Mr. Steven Esdale
1363 Springside Drive
Weston, Florida 33326

Re: Request for the appointment of a special prosecutor

Dear Mr. Esdale,

Thank you for your letter requesting a special prosecutor to investigate the death of your father, Murray Cohen. Governor Bush has asked me to express his heartfelt sympathy to you and your family for your loss.


Upon receipt of your letter, this office contacted both the State Attorney and investigating officer in charge of your father's case. We were also provided with a copy of the Federal Bureau of Investigation's report in this matter. Unfortunately, after a thorough review, the State Attorney determined that there was insufficient evidence to proceed with prosecution.

The decision to file or decline to file criminal charges lies exclusively with the local State Attorney. Although you may disagree, the decision to decline prosecution is completely within the discretion of the State Attorney. Since there is no evidence to suggest that the State Attorney has a conflict of interest in this case, it would be inappropriate for the Governor to appoint another prosecutor simply because his office made a decision you believe is wrong.

Also, in response to your earlier request that the Florida Department of Law Enforcement conduct a separate investigation, such a request is not warranted at this time.

I appreciate you bringing this matter to the Governor's attention.

Sincerely,


Robert H. Fernandez
Deputy General Counsel

cc: The Honorable Earl Moreland, State Attorney



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