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**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, STATE OF FLORIDA**

IN RE: Estate of

CASE NO. 2003-CP-1071

MURRAY B. COHEN,
Deceased.

STEVEN JAY COHEN ESDALE, individually,
and as the natural parent and guardian
of RYAN ESDALE, a minor,
Petitioner,

vs.

Maria A. Cohen,
Respondent.


ORDER REGARDING RETENTION OF 911 EQUIPMENT

THIS CAUSE came before the Court on the December 8, 2004 pro se emergency motion of Steven Esdale to "secure the hard drive" of the equipment which recorded the January 2003 911 call involving his father. In an order dated November 5, 2004, the Court previously directed the Sarasota Sheriff's Office to "retain and preserve portions of any hard drives that relate to the 911 telephone call which is the subject of this proceeding."

The Court's judicial assistant was advised in a telephone conversation on December 14, 2004 with William Stevens, 911 Coordinator for Sarasota County, that the county's standard operating procedure using this equipment was to erase 911 calls after 60 days, and record new calls. The JA was told that other than the copy made prior to the 60-day expiration period, the county could no longer retrieve this call from the recording system. The equipment in use January 2003 is scheduled to be replaced after the first of the year. In an abundance of caution, it is

ORDERED AND ADJUDGED that the recording system will be retained by Sarasota County pending the hearing to be held January 18, 2005, at which time evidentiary testimony as to the possibility of data recoverability from the system shall be heard.

DONE AND ORDERED this 14 day of December-2004.


Rick De Furia
Circuit Judge

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