

Exhibit 1

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

v.

Case No. 81-170-CF-A-01

IAN DECO LIGHTBOURNE,
Defendant.

ORDER

THIS CAUSE came before this Court pursuant to the Florida Supreme Court's remand order which was issued following the filing of Lightbourne's "All Writs Petition" in that Court. The issues before this Court, pursuant to the remand order, are limited to the events surrounding the December 13, 2006, execution of Angel Diaz and the response of the Florida Department of Corrections to those events. This Court conducted an evidentiary hearing on May 18, May 21, June 18, June 19, and July 17-22, 2007.

During the evidentiary hearing, this Court heard testimony from eyewitnesses to the December 13, 2006, execution of Angel Diaz which was carried out pursuant to procedures issued by the Florida Department of Corrections issues on August 16, 2006. The Court heard and considered evidence concerning the autopsy of Diaz (including the photographs) as well as the findings that resulted from subsequent investigations into that execution. Those findings were produced by an inter-agency task force established by the

Department of Corrections, and by the Governor's Commission on the Administration of Lethal Injection which was established by then-Governor Jeb Bush. The Court heard testimony from Department of Corrections personnel who were involved in the Diaz execution, as well as from personnel who may participate in future executions. This Court also heard testimony from experts in forensic pathology, general medicine, anesthesiology, and lethal injection procedures. The testimony included evidence that the intravenous catheter penetrated Diaz's veins in both arms resulting in the drugs being administered into the subcutaneous tissue of the arms.

This Court also heard testimony that the Department of Corrections modified on May 9, 2007, execution procedures, which incorporate the changes recommended by the Governor's Commission on the Administration of Lethal Injection. The Court heard testimony from the warden designated to be in charge of the execution team at future executions, as well as from Department of Corrections personnel regarding the training and qualifications of personnel expected to be involved in future executions. The Court also heard testimony from assistant general counsel to the Governor, and from the Department of Corrections assistant general counsel responsible for drafting the May 9, 2007, procedures. Based on the testimony and evidence presented, this Court has concerns, as expressed in open court on July 22, 2007, that the Department of Corrections lethal injection procedures, as currently written, do not

adequately address the events that took place during the Diaz execution and that additional information should be provided in the department's procedures for lethal injection.

Florida's lethal injection procedures must be compatible with evolving standards of decency and compatible with standards that mark the progress of a maturing society. The process must be consistent with the notions of the dignity of man and, to that end, the State must establish a procedure that is not likely to result in the unnecessary or wanton infliction of pain. Counsel for the Department of Corrections identified various anticipated modifications to be made to the May 9 procedures. The Court finds that those identified modifications will be beneficial to the process, and further directs the Department of Corrections modify the procedures to comport with the Court's oral statements, including stating with particularity the qualifications, training, licensure, and credentials for each member of the execution team that is necessary to perform the various technical functions, such as starting intravenous lines, that are part of the lethal injection procedure; setting out the training that shall be required for each of the designated executioners, and specifically training for contingencies that might arise; creating checklists for the each function performed by execution and technical team members; correcting scriveners's errors; setting time frames and providing for periodic review of the procedures by the Department;

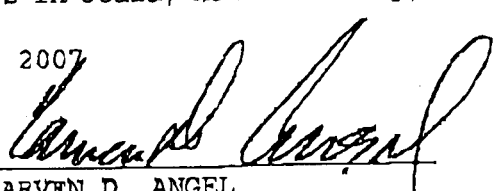
providing for certification of the readiness of the Department to carry out an execution; and clearly setting forth in plain language that any observed problems or deviations from the procedures should be brought immediately to the attention of the warden in charge of the execution team.

THEREFORE, IT IS HEREBY ORDERED:

A temporary stay is ordered and the State of Florida shall not schedule a date for the execution of Lightbourne's sentence of death until further order of this Court.

The State shall submit the modified procedures to the Court for review and a final hearing on the modified procedures will be scheduled no sooner than five (5) weeks following submission of the modified procedures.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida,
this 31st day of July, 2007


CARVEN D. ANGEL
Circuit Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been provided by US mail and facsimile this 31 day of July, 2007, to the following:

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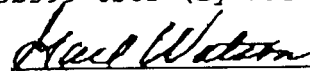

Judicial Assistant

Exhibit 2



FLORIDA
DEPARTMENT of
CORRECTIONS

Governor
CHARLIE CRIST

Secretary
JAMES R. McDONOUGH

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2601 Blair Stone Road - Tallahassee, FL 32399-2500

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EXECUTION BY LETHAL INJECTION PROCEDURES

Effective for executions after August 1, 2007

PURPOSE: To establish the procedures for the execution by lethal injection of inmates sentenced to death, pursuant to the dictates of Chapter 922, Florida Statutes and adhering to the requirements imposed under the Constitution of the State of Florida and the United States Constitution. The foremost objective of the lethal injection process is a humane and dignified death.

DEFINITIONS:

- (1) **Execution team**, where used herein, refers to correctional staff and other persons who are selected by the team warden designated by the Secretary to assist in the administration of an execution by lethal injection, and who have the training and qualifications, including the necessary licensure or certification, required to perform the responsibilities or duties specified. Individuals on the execution team will be referred to as "execution team member" or "team member" in these procedures.
- (2) **Executioner**, where used herein, refers to an individual selected by the team warden to initiate the flow of lethal chemicals into the inmate. The executioner's sole function is to inject the chemicals into the IV access port by physically pushing the chemicals from the syringe. The executioner is only authorized to carry out this specific function under the direction of the team warden. An executioner shall be an adult, undergo a criminal background check and be sufficiently trained to administer the flow of lethal chemicals. The executioner must demonstrate to the satisfaction of the team warden, that s/he is competent, trained, and of sufficient character to carry out the required function under the team warden's direction.
- (3) **Institutional warden**, where used herein, refers to the warden of Florida State Prison, who shall be responsible for handling support functions necessary to carry out the lethal injection process.
- (4) **Team warden**, where used herein, refers to the warden designated by the Secretary. The team warden shall be a person who has demonstrated through experience, training, and good moral character the ability to perform an execution by lethal injection. The team warden has the final and ultimate decision making authority in every aspect of the lethal

injection process. No deviation from any part of this procedure is authorized unless approved and directed by the team warden.

SPECIFIC PROCEDURES:

- (1) **Receipt of Warrant:** These execution procedures will commence upon receipt of the Governor's Warrant of Execution. The institutional warden will schedule the execution for a date and time certain that is within the period of time designated in the warrant. The institutional warden will provide a copy of the Warrant of Execution to the department's Secretary and General Counsel, deliver a copy to the named inmate and the team warden, and notify the Florida Department of Law Enforcement, any state correctional institutions, and any local agencies that may be affected by the issuance of the warrant and of the date and time selected for the execution.
- (2) **Selection of the Executioners:**
 - (a) The team warden will select two (2) executioners who are fully capable of performing the designated functions to carry out the execution. The team warden will provide each executioner with a copy of this procedure and will explain fully their respective duties and responsibilities and assure that each executioner is trained for the function assigned. The identities of the executioners will be kept strictly confidential as provided by statute.
 - (b) The team warden will designate one of the selected executioners as the primary executioner and the other as the secondary executioner. The primary executioner will be solely responsible for administering the flow of lethal chemicals into the inmate during the execution. The secondary executioner will be present and available during the execution to assume the role of the primary executioner if the primary executioner becomes unable for any reason, as determined by the team warden, to carry out his/her functions.
- (3) **Selection of the Execution Team:** The team warden will designate the execution team members and verify that each team member has the training and qualifications, and possesses current, necessary licensure or certification, required to perform the responsibilities or duties specified. The team warden will ensure that all execution team members and other involved staff have been adequately trained to perform their requisite functions in the execution process. The team warden shall select personnel with sufficient training and experience to perform the technical procedures needed to carry out an execution by lethal injection, including the mixing of the chemicals and placement of the venous access lines. The identities of any team members with medical qualifications shall be strictly confidential.
 - (a) The team warden shall select the team member(s) responsible for achieving and monitoring peripheral venous access from the following classes of trained professionals: a phlebotomist certified by the American Society of Clinical Pathologists (ASCP), National Certification Agency for Medical Laboratory Personnel (NCA), American Society of Phlebotomy Technicians (ASPT) or American Medical Technologists (AMT); a paramedic or emergency medical technician, certified under Chapter 401, Florida Statutes; a licensed practical nurse, a registered nurse, or an advanced registered nurse practitioner licensed under Chapter 464, Florida Statutes, or a

physician or physician's assistant licensed under Chapter 458 or Chapter 459, Florida Statutes.

- (b) The team warden shall select the team member(s) responsible for achieving and monitoring central venous access, if necessary, from the following classes of trained professionals: an advanced registered nurse practitioner licensed under Chapter 464, Florida Statutes; a physician or physician's assistant licensed under Chapter 458 or Chapter 459, Florida Statutes.
- (c) The team warden shall select the team member(s) responsible for examining the inmate prior to execution to determine health issues from the following classes of trained professionals: a paramedic or emergency medical technician, certified under Chapter 401, Florida Statutes; a licensed practical nurse, a registered nurse, or an advanced registered nurse practitioner licensed under Chapter 464, Florida Statutes, or a physician or physician's assistant licensed under Chapter 458 or Chapter 459, Florida Statutes.
- (d) The team warden shall select the team member(s) responsible for attaching the leads to the heart monitors and observing the monitors during the administration of execution from the following classes of trained professionals: a paramedic or emergency medical technician, certified under Chapter 401, Florida Statutes; a licensed practical nurse, a registered nurse, or an advanced registered nurse practitioner licensed under Chapter 464, Florida Statutes, or a physician or physician's assistant licensed under Chapter 458 or Chapter 459, Florida Statutes.
- (e) The team warden shall select the team member(s) responsible for purchasing, maintaining and mixing the lethal chemicals from the following classes of trained professionals: a physician, licensed under Chapter 458 or Chapter 459, Florida Statutes or a pharmacist licensed under Chapter 465, Florida Statutes.
- (f) The team warden shall select other execution team members to carry out the following tasks:
 - 1. Showering and preparation of the inmate.
 - 2. Ensuring that the equipment necessary for an execution is in proper working order.
 - 3. Escorting the inmate from his/her cell to the execution chamber.
 - 4. Applying restraints to the inmate prior to applying the heart monitor leads and acquiring venous access.
 - 5. Maintaining the open telephone line with the Office of the Governor.
 - 6. Reporting the actions inside the executioner's room to the team warden.
 - 7. Maintaining the checklists that detail the events surrounding the execution.
 - 8. Opening and closing the window covering to the witness gallery and turning on and off the public address system.

This list is not intended to be exhaustive. There may be other necessary tasks to carry out an execution and such tasks will be assigned by the team warden.

Each execution team member is responsible and authorized to raise concerns that become apparent during the execution and bring them to the attention of the team warden.

- (4) **Training of the Execution Team and Executioners:** There shall be sufficient training to ensure that all personnel involved in the execution process are prepared to carry out their distinct roles for an execution. All team members shall be instructed on the effects of each lethal chemical. All simulations or reviews of the process shall be considered training exercises. The team warden, or his/her designee, will conduct simulations of the execution process on a quarterly basis at a minimum or more often as needed as determined by the team warden. Additionally, a simulation shall be conducted the week prior to any scheduled execution. All persons involved with the execution should participate in the simulations. If a person cannot attend the simulation, the team warden shall provide for an additional training opportunity or otherwise ensure that the person is adequately trained to complete his or her assigned task. There shall be a written record of any training activities. The simulations should anticipate various contingencies. Examples of possible contingencies shall include:

- (a) Issues related to problems with equipment needed to carry out an execution.
- (b) Problems related to venous access of the inmate, including the necessity to obtain an alternate venous access site during the execution process.
- (c) The inmate is not rendered unconscious after the administration of the sodium pentothal.
- (d) Combative inmate.
- (e) Incapacity of any execution team member or executioner.
- (f) Unanticipated medical emergency concerning the inmate, an execution team member or executioner.
- (g) Problems related to the order and security at the Florida State Prison.
- (h) Power failure or other facility problems.

This list is not meant to be exhaustive but only provides examples of the types of contingencies that could arise during the course of an execution. The team warden is responsible for ensuring that training addresses, at a minimum, the above situations.

- (5) **Use of Checklists:** Compliance with this procedure will be documented on appropriate checklists. Upon completion of each step in the process, an execution team member will indicate when the step has been completed. Prior to the administration of the lethal chemicals, the team warden will consult with the designated team member and verify that all steps in the process have been performed properly. At the conclusion of the process, the team warden will again consult with the designated team member and verify that the remaining steps in the process were performed properly. The team warden will then sign the forms, attesting that all steps were performed properly.
- (6) **Purchase and Maintenance of Lethal Chemicals:** A designated execution team member will purchase, and at all times ensure a sufficient supply of, the chemicals to be used in the lethal injection process. The designated team member will ensure that the lethal chemicals have not reached or surpassed their expiration dates. The lethal chemicals will be stored securely at all times as required by state and federal law. The FDLE agent in charge of

monitoring the preparation of the chemicals shall confirm that all lethal chemicals are correct and current.

(7) **FDLE Monitors:**

- (a) Two FDLE agents shall serve as monitors and shall be responsible for observing the actions of the execution team and the condition of the condemned inmate at all times during the execution process.
- (b) The first FDLE agent shall be located in the executioner's room and is responsible for observing the preparation of the lethal chemicals and documenting and keeping a detailed log as to what occurs in the executioner's room at a minimum of two minute intervals. A copy of the log shall be provided to the team warden and shall be available at the post execution debriefings.
- (c) The second FDLE agent shall be located in the execution chamber, and will be responsible for keeping a detailed log of what is occurring in the execution chamber at a minimum of two minute intervals. A copy of the log shall be provided the team warden and shall be available for the post execution debriefings.

(8) **Approximately One (1) Week Prior to Execution:**

- (a) The team warden will designate one or more execution team members to review the inmate's medical file and to make a limited physical examination of the inmate to determine whether there are any medical issues that could potentially interfere with the proper administration of the lethal injection process. The team member(s) will verbally report his/her findings to the team warden as soon as is practicable following the file review and physical examination. The results of this examination shall be documented in the inmate's file. After reviewing the results of the examination which should include a determination of the best access site and conferring with the team member(s) that performed the examination, the team warden shall conclude what is the more suitable method of venous access (peripheral or femoral) for the lethal injection process given the individual circumstances of the condemned inmate based on all information provided.
- (b) If a team member reports any issue that could potentially interfere with the proper administration of the lethal injection process, the team warden will consult with any or all of the members of the execution team and resolve the issue.

(9) **On the day of execution:**

- (a) A food service director, or his/her designee, will personally prepare and serve the inmate's last meal. The inmate will be allowed to request specific food and non-alcoholic drink to the extent such food and drink costs forty dollars (\$40) or less, is available at the institution, and is approved by the food service director.
- (b) The inmate will be escorted by one or more team members to the shower area where a team member of the same gender will supervise the showering of the inmate. Immediately thereafter, the inmate will be returned to his/her assigned cell and issued appropriate clothing. A designated member of the execution team will obtain and deliver the clothing to the inmate.

- (c) A designated execution team member will ensure that the telephone in the execution chamber is fully functional and that there is a fully-charged, fully-functional cellular telephone in the execution chamber. Telephone calls will be placed from the telephone to ensure proper operation. Additionally, a member of the team shall ensure that the two-way audio communication system and the visual monitoring equipment are fully functional.
- (d) A designated execution team member will ensure that the public address (P.A.) system is fully functional.
- (e) The only staff authorized to be in the Execution Chamber area are members of the execution team and others as approved by the team warden, including two monitors from the Florida Department of Law Enforcement.
- (f) A designated execution team member, in the presence of one or more additional team members and an independent observer from the Florida Department of Law Enforcement, will prepare the lethal injection chemicals as follows, ensuring that each syringe used in the lethal injection process is appropriately labeled, including the name of the chemical contained therein:
 - (1) Sodium pentothal: A sterile, disposable twenty cubic centimeter (20cc) syringe will be used to draw ten milliliters (10ml) of sterile water for injection from a vial containing same and then inject those ten milliliters (10ml) of sterile water for injection into a vial containing 500 milligrams of sodium pentothal to create a five percent (5%) solution of sodium pentothal. This procedure will be repeated until twenty (20) vials of sodium pentothal have been reconstituted, for a total of ten grams (10g) of sodium pentothal in solution. The syringe used to reconstitute the sodium pentothal will be discarded. A new, sterile, disposable, sixty cubic centimeter (60cc) syringe and needle will be used to draw the entire contents of five vials of sodium pentothal in solution, for a total of two and one-half grams (2.5g) of sodium pentothal in solution. That syringe will then be fitted with an eighteen (18) gauge, one (1) inch, blunt cannula (tube), clearly labeled with the number one (1), and placed in the first slot on a stand designed to hold eight (8) such syringes in separate slots. The stand will be clearly labeled with the letter "A." This process will be repeated with a second syringe, which will be clearly labeled with a number two (2) and placed in the second slot on stand "A." Two additional syringes will be drawn in the same manner, fitted with the blunt cannula, and clearly labeled with the numbers one (1) and two (2), respectively. These two syringes will be placed in the first two slots on a second stand that has been clearly labeled with the letter "B." All materials used to prepare these syringes will be removed from the work area and discarded pursuant to state and federal law.
 - (2) Pancuronium bromide: A sterile, disposable sixty cubic centimeter (60cc) syringe will be used to draw fifty milligrams (50mg) of pancuronium bromide from one or more vials containing same. The syringe will then be fitted with an eighteen (18) gauge, one (1) inch, blunt cannula (tube). This procedure will be repeated until there are four (4) syringes, each containing fifty milligrams (50mg) of pancuronium bromide, for a total of 200 milligrams. Two syringes will be clearly labeled with the numbers four (4) and five (5), respectively, and

placed into slots four (4) and five (5) on stand "A." This procedure will be repeated with the other two syringes, each of which will be fitted with a blunt cannula, labeled appropriately and placed in slots four (4) and five (5), respectively, on stand "B." All materials used to prepare these syringes will be removed from the work area and discarded pursuant to state and federal law.

- (3) Potassium chloride: A sterile, disposable sixty cubic centimeter (60cc) syringe will be used to draw one hundred twenty milliequivalents (120mEq) of potassium chloride from one or more vials containing same. The syringe will then be fitted with an eighteen (18) gauge, one (1) inch blunt cannula (tube). This procedure will be repeated until there are four (4) syringes, each containing one hundred twenty milliequivalents (120mEq) of potassium chloride, for a total of 480 milliequivalents. Two syringes will be clearly labeled with the numbers seven (7) and eight (8), respectively, and placed into slots seven (7) and eight (8) on stand "A." This procedure will be repeated with the other two syringes, each of which will be fitted with a blunt cannula, labeled appropriately, and placed in slots seven (7) and eight (8), respectively, on stand "B." All materials used to prepare these syringes will be removed from the work area and discarded pursuant to state and federal law.

- (4) Saline solution: A sterile, disposable twenty cubic centimeter (20cc) syringe will be used to draw twenty milliliters (20ml) of sterile saline solution from one or more vials containing same. This procedure will be repeated until there are four (4) syringes, each containing twenty milliliters (20ml) of sterile saline solution, for a total of eighty (80) milliliters. Each syringe will then be fitted with an eighteen (18) gauge, one (1) inch, blunt cannula (tube). Two syringes will be clearly labeled with the numbers three (3) and six (6), respectively, and placed into slots three (3) and six (6) on stand "A." This procedure will be repeated with the other two syringes, each of which will be placed in slots three (3) and six (6), respectively, on stand "B." All materials used to prepare these syringes will be removed from the work area and discarded pursuant to state and federal law.

- (g) The execution team member who has prepared the lethal chemicals will transport them personally, in the presence of one or more additional members of the execution team, to the executioner's room. Stand "A" will be placed on the worktop for use by the primary executioner, to be used during the execution by lethal injection. Stand "B" will be placed on a shelf underneath the worktop within easy reach of the executioners should they be needed during the execution. Stand "B" will not be used unless expressly ordered to be used by the team warden. The lethal chemicals will remain secure until the executioners arrive. No one other than the executioners will have access to the lethal chemicals, unless a stay is granted, in which case the execution team member who prepared the lethal chemicals will retrieve them from the locked room and dispose of them according to state and federal law.

- (h) A designated execution team member will prepare, using an aseptic technique, two (2) standard intravenous (IV) infusion sets, each consisting of a pre-filled, sterile plastic bag of normal saline for IV use (a solution of sodium chloride at 0.9% concentration) with an attached drip chamber, a long sterile tube fitted with a back check valve and a clamp to regulate the flow, a connector to attach to the access device, and an extension set fitted with a luer lock tip for a blood cannula to allow for the infusion of the lethal

chemicals into the line. The extension set that will be used to infuse the lethal chemicals into the primary injection line will be clearly marked with a "1," and the additional extension set that will be attached to the secondary injection line will be clearly marked with a "2."

- (i) The team warden will explain the lethal injection preparation procedure to the inmate and ensure the provision of any medical assistance or care deemed appropriate. The inmate will be offered and, if accepted, will be administered an intramuscular injection of diazepam, in an appropriate dosage relative to weight, to ease anxiety.
- (j) Authorized media witnesses will be picked up at the designated media on-looker area located at New River Correctional Institution by two designated Department of Corrections escort staff, transported to the main entrance of Florida State Prison as a group, cleared by security, and escorted to the population visiting park, where they will remain until being escorted to the witness room of the execution chamber by the designated escort staff.
- (k) The team warden will administer both a presumptive drug test (oral swab method) and a presumptive alcohol test (breath analyzer) to each execution team member. A positive indication for the presence of alcohol or any chemical substance that may impair their normal faculties will disqualify that person from participating in the execution process. Upon the arrival of the executioners to perform their duties, the team warden will administer both a presumptive drug test (oral swab method) and a presumptive alcohol test (breath analyzer) to each executioner. A positive indication for the presence of alcohol or any chemical substance that may impair their normal faculties will disqualify that person from participating in the execution process. If one or both of the executioners is disqualified, the team warden will continue to select and test as many additional executioners as is necessary to ensure the presence of two qualified executioners at the execution.

(10) **Approximately Thirty (30) Minutes Prior to Execution:**

- (a) A designated execution team member will establish telephone communication with the Governor's office on behalf of the team warden. The phone line will remain open to the Governor's office during the entire execution procedure. The team member will use this open line to report the ongoing activities of the execution team and other personnel to the Governor's office.
- (b) A designated member of the execution team will escort the two executioners into the executioner's room, where they will remain until the execution process is complete.
- (c) The team warden will read the Warrant of Execution to the inmate. The inmate may waive the reading of the warrant.
- (d) Designated members of the execution team will apply wrist restraints to the inmate and escort him/her from his cell to the execution chamber.
- (e) Designated members of the execution team will assist the inmate, if necessary, in positioning himself/herself onto the execution gurney in the execution chamber.

- (f) Designated members of the execution team will secure the restraining straps.
- (g) One or more designated members of the execution team will attach the leads to two (2) heart monitors to the inmate's chest, ensuring that the monitors are operational both before and after the chest restraints are secured.
- (h) Unless the team warden has previously determined to gain venous access through a central line, a designated team member will insert one intravenous (IV) line into each arm at the medial aspect of the antecubital fossa of the inmate and ensure that the saline drip is flowing freely. The team member will designate one IV line as the primary line and clearly identify it with the number "1." The team member will designate the other line as the secondary line and clearly identify it with the number "2." If venous access cannot be achieved in either or both of the arms, access will be secured at other appropriate sites until peripheral venous access is achieved at two separate locations, one identified as the primary injection site and the other identified as the secondary injection site.
- (i) If peripheral venous access cannot be achieved, a designated team member will perform a central venous line placement, with or without a venous cut-down (wherein a vein is exposed surgically and a cannula is inserted), at one or more sites deemed appropriate by that team member. If two sites are accessed, each line will be identified with a "1" or a "2," depending on their identification as the primary and secondary lines.
- (j) One or more designated members of the execution team will remove, one at a time, from the pole attached to the gurney, the two (2) saline bags and pass the bags, along with the extension sets attached to lines labeled "1" and "2," through a small opening into the executioner's room, where a team member will hang the bags on separate hooks inside the room. The designated team member(s) will ensure that the tubing from the IV insertion points to the bags has not been compromised and that the saline drip is flowing freely. The team member will be responsible for continuously monitoring the viability of the IV lines prior to and during the administration of the execution.

(11) Approximately Fifteen (15) Minutes Prior to Execution:

- (a) Official witnesses will be secured in the witness room of the execution chamber by two designated Department of Corrections escort staff.
- (b) Authorized media witnesses will be secured in the witness room of the execution chamber.
- (c) The only persons authorized in the witness room are: twelve (12) official witnesses, including family members of the victim, four (4) alternate official witnesses, one (1) nurse or medical technician, twelve (12) authorized media representatives, one (1) representative from the department's public affairs office, one (1) designated staff escort, and one (1) designated team member. Any exception must be approved by the institutional warden.
- (d) The execution chamber will be secured. Only the team warden, one additional execution team member and one FDLE monitor shall be allowed in the chamber during the administration of the execution. Any exception must be approved by the team warden.

- (e) The executioner's room will be secured. Only the executioners, the team member reporting actions in the executioner's room to the warden, the team member reporting actions to the Office of the Governor, the team member observing the heart monitors, the team member maintaining the checklists, and the FDLE agent assigned to the executioner's room shall be allowed in the executioner's room. Any exception must be approved by the team warden.

(12) Administration of Execution:

- (a) An execution team member will open the covering to the witness gallery window. The team warden will use the open telephone line to determine from the Governor whether there has been a stay of execution. If the team warden receives a negative response, s/he will then proceed with the execution.
- (b) An execution team member will turn on the public address (P.A.) system. The team warden will permit the inmate to make an oral statement, which will be broadcast into the witness gallery over the P.A. system. At the conclusion of the inmate's statement, or if the inmate declines to make a statement, the team warden will announce that the execution process has begun. A designated member of the execution team will turn off the P.A. system.
- (c) In the presence of the secondary executioner and within sight of one or more execution team members and one of the FDLE monitors, the primary executioner will administer the lethal chemicals in the following manner:
 - (1) The executioner will remove from the stand on the worktop the syringe labeled number one (1), which contains two and one-half grams (2.5g) of sodium pentothal in solution, place the blunt cannula into the open port of the IV extension set connected to the primary line and push the entire contents of that syringe into the IV port at a rate that meets the injection resistance of the cannula. When the syringe is depleted, s/he will hand the empty syringe to the secondary executioner for safe disposal.
 - (2) The executioner will remove from the stand on the worktop the syringe labeled number two (2), which contains two and one-half grams (2.5g) of sodium pentothal in solution, place the blunt cannula into the open port of the IV extension set connected to the primary line and push the entire contents of that syringe into the IV port at a rate that meets the injection resistance of the cannula. When the syringe is depleted, s/he will hand the empty syringe to the secondary executioner for safe disposal.
 - (3) The executioner will remove from the stand on the worktop the syringe labeled number three (3), which contains twenty milliliters (20ml) of saline solution, place the blunt cannula into the open port of the IV extension set connected to the primary line, and push the entire contents of that syringe into the IV port at a rate that meets the injection resistance of the cannula. When the syringe is depleted, s/he will hand the empty syringe to the secondary executioner for safe disposal.

- (4) At this point, the team warden will assess whether the inmate is unconscious. The team warden must determine, after consultation, that the inmate is indeed unconscious. If the inmate is unconscious and the team warden orders the executioners to continue, the executioners shall proceed to step (6).
- (5) In the event that the inmate is not unconscious, the team warden shall signal that the execution process is suspended and note the time and order the window covering to the witness gallery to be closed. The execution team shall assess the viability of the secondary access site. If the secondary access site is deemed viable, then the team member shall designate this site as the new primary access site. If the secondary access site is compromised, a designated execution team member will secure peripheral venous access at another appropriate site or will perform a central venous line placement, with or without a venous cut-down, at one or more sites deemed appropriate by that team member. Once the team warden is assured that the team has secured a viable access site, the team warden shall order the drapes to be opened and signal that the execution process will resume. The executioners will then be directed to initiate the administration of lethal chemicals from stand "B" into the newly established primary line, starting with the syringes of sodium pentothal, labeled one (1) and two (2) and the first syringe of saline. The executioners will continue to use the remaining chemicals from stand "B" throughout the execution at the direction of team warden. The team warden will then again proceed to step (4) and assess whether the inmate is unconscious.
- (6) The executioner will remove from the stand on the worktop the syringe labeled number four (4), which contains fifty milligrams (50mg) of pancuronium bromide, place the blunt cannula into the open port of the IV extension set connected to the primary line, and push the entire contents of that syringe into the IV port at a rate that meets the injection resistance of the cannula. When the syringe is depleted, s/he will hand the empty syringe to the secondary executioner for safe disposal.
- (7) The executioner will remove from the stand on the worktop the syringe labeled number five (5), which contains fifty milligrams (50mg) of pancuronium bromide, place the blunt cannula into the open port of the IV extension set connected to the primary line, and push the entire contents of that syringe into the IV port at a rate that meets the injection resistance of the cannula. When the syringe is depleted, s/he will hand the empty syringe to the secondary executioner for safe disposal.
- (8) The executioner will remove from the stand on the worktop the syringe labeled number six (6), which contains twenty milliliters (20ml) of saline solution, place the blunt cannula into the open port of the IV extension set connected to the primary line, and push the entire contents of that syringe into the IV port at a rate that meets the injection resistance of the cannula. When the syringe is depleted, s/he will hand the empty syringe to the secondary executioner for safe disposal.
- (9) The executioner will remove from the stand on the worktop the syringe labeled number seven (7), which contains one hundred twenty milliequivalents (120mEq) of potassium chloride, place the blunt cannula into the open port of the IV extension set connected to the primary line, and push the entire contents

of that syringe into the IV port at a rate that meets the injection resistance of the cannula. When the syringe is depleted, s/he will hand the empty syringe to the secondary executioner for safe disposal.

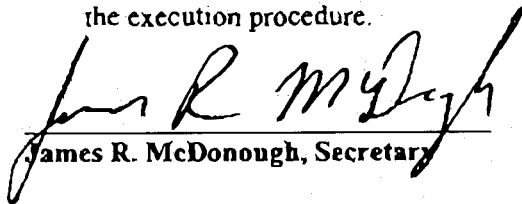
- (10) The executioner will remove from the stand on the syringe labeled number eight (8), which contains one hundred twenty milliequivalents (120mEq) of potassium chloride, place the blunt cannula into the open port of the IV extension set connected to the primary line, and push the entire contents of that syringe into the IV port at a rate that meets the injection resistance of the cannula. When the syringe is depleted, s/he will hand the empty syringe to the secondary executioner for safe disposal.
 - (11) The primary executioner shall at all times administer the lethal injection chemicals. Only if the primary executioner becomes incapacitated shall the secondary executioner administer the lethal chemicals. At no time shall more than one executioner inject any lethal chemicals to complete the execution.
- (d) If at any time during the administration of the lethal chemicals the primary venous access becomes compromised, the team warden shall order the execution process stopped and order the window covering to the witness gallery to be closed. The execution team shall assess the primary access site and assess the viability of the secondary access site and take appropriate remedial action at the access site, if necessary. If neither access site is viable, a designated execution team member will secure peripheral venous access at another appropriate site or will perform a central venous line placement, with or without a venous cut-down, at one or more sites deemed appropriate by that team member. Once the team warden is assured that the execution team has secured a viable access site, the warden shall order the drapes to be opened and direct that the execution process will resume using the newly established primary line. The executioners will be directed to initiate the administration of lethal chemicals from stand "B" into the IV set attached to the newly established primary line, starting with the syringes of sodium pentothal, labeled one (1) and two (2) and the first syringe of saline, labeled number three (3). The team warden will then proceed to step (c)(4), as described above.
 - (e) Throughout the execution process, one or more designated execution team members will observe the heart monitors. If the heart monitors reflect a flat line reading during or following the complete administration of the lethal chemicals, a physician will examine the inmate to determine whether there is complete cessation of respiration and heartbeat.
 - (f) Once the inmate is pronounced dead by the physician, a designated member of the execution team will record the time of death on the appropriate lethal injection procedures checklist.
 - (g) The team warden will notify the Governor via the open phone line that the sentence has been carried out and the time of death.
 - (h) A designated execution team member will turn on the P.A. system. The team warden shall make the following announcement to the witnesses in the gallery: "The sentence of the State of Florida vs. [Inmate Name] has been carried out at [time of day]."

- (i) The designated Department of Corrections escort staff will escort the official witnesses and all of the media pool from the witness room of the execution chamber.
- (13) **Immediate Post-Execution Procedures:**
- (a) Designated execution team members will dispose of the equipment and any remaining chemicals as required by state and federal law.
 - (b) The institutional warden will coordinate the entry of hearse attendants for recovery of the inmate's body.
 - (c) The inmate's body will be removed from the execution table by hearse attendants under the supervision of the designated team member.
 - (d) The institutional warden, or his/her designee, will obtain a certification of death from the physician and will deliver the certification to the hearse attendants prior to their departure.
 - (e) The inmate's body will be transported by the hearse attendants to the medical examiner's office in Alachua County for an autopsy.
 - (f) The team warden shall conduct a brief debriefing interview with every execution team member and the executioners, documenting any exceptional circumstances that arose during the execution. Subsequent debriefings will take place, as appropriate.
- (14) **Follow-Up Procedures:**
- (a) The institutional warden will forward the Warrant of Execution and a signed statement of the execution to the Secretary of State.
 - (b) The institutional warden will file an attested copy of the Warrant of Execution and a signed statement of the execution with the clerk of the court that imposed the sentence.
 - (c) The institutional warden, or his/her designee, will advise central office records by e-mail of the inmate's name and the date and time of death by execution.
- (15) **Periodic Review and Certificate from Secretary:** There will be a review of the lethal injection procedure by the Secretary of the Florida Department of Corrections, at a minimum, once every two years, or more frequently as needed. The review will take into consideration the available medical literature, legal jurisprudence, and the protocols and experience from other jurisdictions. The Secretary of the Department of Corrections shall, upon completion of this review, certify to the Governor of the State of Florida confirming that the Department is adequately prepared to carry out executions by lethal injection. The Secretary will confirm with the team warden that the execution team satisfies current licensure and certification and all team members and executioners meet all training and qualifications requirements as detailed in these procedures. A copy of the certification shall be provided to the Attorney General and the institutional warden shall provide a copy to a condemned inmate and counsel for the inmate after a warrant is signed.

The certification shall read:

As Secretary of the Florida Department of Corrections, I have reviewed the Department's Execution by Lethal Injection Procedures to ensure proper implementation of the Department's statutory duties under Chapter 922, Florida Statutes. The procedure has been reviewed and is compatible with evolving standards of decency that mark the progress of a maturing society, the concepts of the dignity of man, and advances in science, research, pharmacology, and technology. The process is not going to involve unnecessary lingering or the unnecessary or wanton infliction of pain and suffering. The foremost objective of the lethal injection process is a humane and dignified death. Additional guiding principles of the lethal injection process are that it should not be of long duration, and that while the entire process of execution should be transparent, the concerns and emotions of all those involved must be addressed.

I hereby certify that the Department is prepared to administer an execution by lethal injection and has the necessary procedures, equipment, facilities, and personnel in place to do so. The Department has available the appropriate persons who meet the minimum qualifications under Florida Statutes and in addition have the education, training, or experience, including the necessary licensure or certification, required to perform the responsibilities or duties specified and to anticipate contingencies that might arise during the execution procedure.


James R. McDonough, Secretary

31 July 2007
Date

Exhibit 3

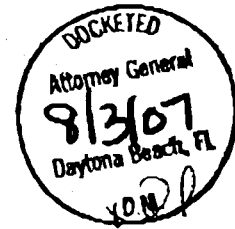
IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff

vs

CASE NO. 1981-170 CF
SC06-2391

IAN DECO LIGHTBOURNE




ORDER SETTING FINAL HEARING

PURSUANT to the remand from the Supreme Court and upon the Court's own motion, it is hereby

ORDERED: That the Final Hearing in this cause shall commence on WEDNESDAY, SEPTEMBER 5, 2007, AT THE HOUR OF 9:00AM in Court Room 3A, Marion County Judicial Center, 110 NW First Avenue, Ocala, Florida 34475. The Court has set aside 8 days to conclude this hearing.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida this 2nd day of August, 2007.


CARVEN D. ANGEL
CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been provided by US Mail and/or facsimile to the following this 2nd August, 2007:

Suzanne Myers Keffer, Assistant CCRC

fax: (954)713-1299

Anna-Liisa Joseloff, Staff Attorney

Office of Capital Collateral Regional Counsel - South
101 NE 3rd Avenue, Suite 400, Fort Lauderdale, FL 33301

Rock Hooker

fax: (352)620-3365

Assistant State Attorney

Kenneth S. Nunnelley, Assistant Attorney General

fax: (386)226-0457

444 Seabreeze Blvd., 5th Floor, Daytona Beach, FL 32118

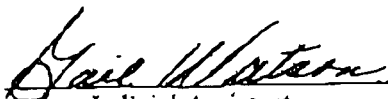
Department of Corrections, Legal Bureau, Maximillian Changua,

2601 Blainstone Road, Tallahassee, FL 32399-6563

by mail only

Official Court Reporter

fax: (352)369-6050



Judicial Assistant

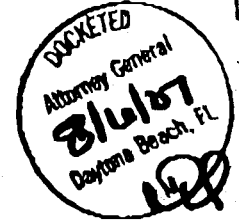
cc: carrollt@flcourts.org

Exhibit 4

Supreme Court of Florida

MONDAY, AUGUST 6, 2007

CASE NO.: SC06-2391



IAN DECO LIGHTBOURNE,
ET AL.

vs. BILL MCCOLLUM., ETC.,
ET AL.

Petitioner(s)

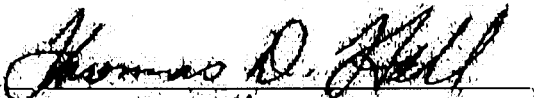
Respondent(s)

On August 1, 2007, the State filed a Notice of Filing in the above proceeding attaching its Notice of Filing and Request for Final Hearing filed in the trial court certifying the readiness of the Florida Department of Corrections to carry out executions pursuant to the revised lethal injection procedures effective after August 1, 2007. The State has moved the trial court to schedule a final hearing for September 5, 2007, so that a final order may be entered by the trial court by September 10, 2007, in conformance with the trial court's July 17, 2007, status report to this Court. The schedule set forth by this Court in its July 18, 2007, scheduling order, and as further set forth below, will govern this proceeding unless the parties show good cause no later than August 10, 2007, why additional time is required to conclude the proceedings and for the trial court to enter a final order. If the parties demonstrate good cause, the Court will modify the scheduling order; otherwise the times set forth shall remain in effect.

On or before September 10, 2007, all evidentiary proceedings in the trial court shall be concluded, with a final order entered and trial court jurisdiction terminated. The record on appeal shall be filed in this Court by Friday, September 14, 2007. The initial brief on the merits shall be filed by Wednesday, September 19, 2007; answer brief on the merits shall be filed by Wednesday, September 26, 2007; and reply brief on the merits shall be filed by Friday, September 28, 2007. Oral argument is scheduled for 9:00 a.m. Thursday, October 11, 2007. A maximum of twenty minutes to the side is allowed for the argument, but counsel is expected to use only so much of that time as is necessary. NO CONTINUANCES WILL BE GRANTED EXCEPT UPON A SHOWING OF EXTREME HARDSHIP.

Per this Court's Administrative Order In Re: Mandatory Submission of Electronic Copies of Documents, AOSC04-84, dated September 13, 2004, counsel are directed to transmit a copy of all documents, including any attachments and appendices, in an electronic format as required by the provisions of that order. In addition to the above schedule, the court reporters are hereby directed to transmit to this Court, by August 10, 2007, an electronic version of the transcript of the August 7, 2007, status conference. The court reporters are further hereby directed to transmit to this Court an electronic version of the transcript of the final evidentiary hearing within five days after the conclusion of the hearing.

A True Copy
Test:


Thomas D. Hall
Clerk, Supreme Court



to
Served:

ROCK E. HOOKER
ANNA-LIISA JOSELOFF
SUZANNE MYERS KEFFER
KENNETH S. NUNNELLEY
CAROLYN M. SNURKOWSKI
HON. CARVEN D. ANGEL, JUDGE
HON. DAVID R. ELLSPERMANN, CLERK

Exhibit 5

IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff

VS

CASE NO. 1981-170 CF
SC06-2391

IAN DECO LIGHTBOURNE

AMENDED ORDER SETTING FINAL HEARING

PURSUANT to the August 6, 2007, Order received from the Supreme Court and upon the Court's own motion, it is hereby

ORDERED: That the Final Hearing in this cause shall commence on TUESDAY, AUGUST 28, 2007, AT THE HOUR OF 8:00AM in Court Room 3A, Marion County Judicial Center, 110 NW First Avenue, Ocala, Florida 34475. The Court has set aside August 28, 29, 30 and 31, 2007, and all matters shall be presented and the Final Hearing concluded by 5:00 P.M. on Friday, August 31, 2007.

All parties shall file their list of anticipated witnesses by 5:00 P.M. on Friday, August 17, 2007.

The Defense shall have August 28 and 29, 2007 to conclude its evidence and the State shall have August 30 and 31, 2007 to conclude its evidence.

DONE AND ORDERED in Chambers in Ocala, Marion County, Florida this 7th day of August, 2007.



CARVEN D. ANGEL
CIRCUIT JUDGE

Certificate of Service

I HEREBY CERTIFY THAT a copy of the foregoing has been furnished by personal delivery this 7th day of August, 2007, to the following:

Suzanne Myers Keffer, Assistant CCRC
Anna-Liisa Joseloff, Staff Attorney
Office of Capital Collateral Regional Counsel - South
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Fort Lauderdale, FL 33301
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Rock Hooker
Assistant State Attorney
Fax: (352)620-3365

Kenneth S. Nunnelley, Assistant Attorney General
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Daytona Beach, FL 32118
Fax: (386-226-0457

Department of Corrections, Legal Bureau,,
Maximillian Changus,
2601 Blairstone Road,
Tallahassee, FL 32399-6563
Mail only

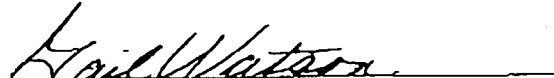

Judicial Assistant

Exhibit 6

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY,
FLORIDA

STATE OF FLORIDA,
Plaintiff

vs.

Case No. 1981-170-CF-A-01

IAN DECO LIGHTBOURNE,
Defendant.

**DEFENDANT'S MOTION TO VIEW EXECUTION CHAMBER
AND WITNESS A WALK THROUGH**

Defendant, IAN DECO LIGHTBOURNE, by and through undersigned counsel, hereby submits this Motion to View Execution Chamber and Witness a Walk Through. In support thereof, Mr. Lightbourne, through counsel, states:

1. This Court has scheduled the final hearing in Mr. Lightbourne's evidentiary hearing on his claim that Florida's lethal injection procedures are unconstitutional under the Eighth Amendment's prohibition against cruel and unusual punishment and the corresponding provisions of the Florida Constitution for August 28 - 31, 2007.

2. Throughout the ten days of testimony taken thus far in these proceedings, there has been testimony regarding the physical layout of the execution chamber and surrounding areas, including changes that were made since the botched Angel Diaz execution. There has also been testimony that DOC invited several dignitaries, including the Governor's assistant general counsel, to tour the execution chamber and surrounding areas, and to observe a recent walk-through of a mock execution.

3. In order to be able to better evaluate DOC's ability to follow the new protocol, which counsel for Mr. Lightbourne received on August 1, 2007, counsel for Mr. Lightbourne and

this Court should also have an opportunity to view the execution chamber prior to the commencement of the final hearing. Additionally, counsel for Mr. Lightbourne requests an opportunity to observe a walk through of a mock execution prior to the commencement of the final hearing, in order to evaluate DOC's ability to follow the new protocol, as well as its ability to provide training to execution team members. According to Warden Cannon's testimony, the execution team conducts a walk through of a mock execution every other week. (T. 07/19/07 hearing, p. 1990).

WHEREFORE, Mr. Lightbourne respectfully requests this Court grant his Motion to View Execution Chamber and Witness a Walk Through.

I HEREBY CERTIFY that a true copy of the foregoing Motion to View Execution Chamber and Witness a Walk Through has been furnished by U.S. Mail, first class postage prepaid, and Fax to all counsel of record on August 8th, 2007.

Anna-Liisa Nixon for

SUZANNE MYERS KEFFER

Assistant CCRC

Florida Bar No. 0150177

ANNA-LIISA NIXON

Staff Attorney

Florida Bar No. 0026283

Capital Collateral Regional

Counsel - South

101 NE Third Avenue, Suite 400

Ft. Lauderdale, FL 33301

(954) 713-1284

Attorneys for Mr. Lightbourne

Copies furnished to:

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Rock E. Hooker
Assistant State Attorney
19 NW Pine Avenue
Ocala, FL 34475
Fax 352-620-3365

The Honorable Carven D. Angel
Circuit Court Judge
Marion County Judicial Center
110 NW First Avenue
Ocala, FL 34475
Fax 352-401-6735

Maximillian J. Changus
Assistant General Counsel
Florida Department of Corrections
2601 Blair Stone Road
Tallahassee, FL 32399
Fax 850-922-4355

Exhibit 7

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY,
FLORIDA

STATE OF FLORIDA,

Plaintiff,

v.

Case No. 81-170-CF-A-01

IAN DECO LIGHTBOURNE,

Defendant.

**Response In Opposition To Defendant's Motion To
View Execution Chamber and Witness A Walk-Through**

COMES NOW, undersigned counsel and files this Response In Opposition To Defendant's Motion To View Execution Chamber and Witness A Walk-Through, and would show:

Lightbourne makes two demands without citing any legal authority or justification, specifically, to physically view the lethal injection chamber facilities and to attend and observe a "practice walk-through" by the Department's execution team. The Department's continuous training and review of these new procedures with personnel does not and should not create a new avenue for review and litigation. Both requests are unwarranted and constitute an effort to unjustifiably prolong these proceedings and should therefore be denied. As such, neither request is relevant to the issues remaining before the Court,

specifically, whether the Department has satisfied the articulated concerns of the Court.

The admitted evidence before the court is comprised of a diagram of the renovated facilities (State Exhibit 7) and photographs taken contemporaneous to the evidentiary hearing of minor structural renovations of the execution chamber (Defense Exhibit 17). That evidence reflects the positions of personnel in the execution chamber and portrays the location of all pertinent equipment. A personal inspection by CCRC will not provide any "better" evaluation of "DOC's ability to follow the new protocol" or provide any greater information as to how an IV will be used (See State Exhibit 1 and State's Demonstrative Aid 1). The only "evaluation" at this junction pertains to whether the Department has complied with this Court's final order as to clarification and added information in the protocols to ensure a humane and a painless as possible execution, Louisiana ex rel. Francis v. Resweber, 329 U.S. 459, 462 (U.S. 1947) (we must and do assume that the state officials carried out their duties under the death warrant in a careful and humane manner.).

And, as noted through the testimony by an assortment of witnesses comprising the current execution team, any walk-through exercises practiced by the execution team will consist of reviewing the protocols for a routine execution exercise

and/or involve contingency exercises, to address potential issues that might arise, neither of which occurs for the benefit of observers but rather is done in preparation for an actual lethal injection procedure. Just as DOC is not required to create a public record that does not exist, the Department is not required to orchestrate a run-through simply to allow CCRC to observe a fake execution.

Moreover, to the extent CCRC urges entitlement to watch a walk-through because the "Governor's assistant general counsel" toured the execution chamber, the fact remains that the Department is an executive agency under the Governor and as the assistant general counsel stated in his testimony that DOC is a part of his job responsibilities (Vol. 14, p. 2276), just as Secretary McDonough's attendance at an execution is to ensure that his staff is prepared and performing their respective roles. Neither circumstance creates a justification for CCRC to interrupt the Departments' operations under the guise that they have a right to "observe". Moreover, this Court specifically contemplated in its directions to the Department, that DOC certify to the Governor readiness in performing this task.

Testimony reflects that the Department of Corrections modified its execution procedures on May 9, 2007, which incorporated all the changes recommended by the Governor's Commission on the Administration of Lethal Injection. The Court

heard testimony from the warden designated to be in charge of the execution team at future executions, as well as from Department of Corrections personnel regarding the training and qualifications of personnel expected to be involved in future executions.

Testimony included an accounting by the assistant general counsel to the Governor as to the fact that the Department has engaged in training and regularly scheduled practice sessions to ensure proficiency, knowledge and experience in the handling of a proper execution by lethal injection.

On July 22, 2007, the court heard from the Department of Corrections assistant general counsel responsible for drafting the May 9, 2007, procedures who identified various anticipated modifications that would be made to the May 9 procedures, based on the testimony presented. The Court concurred with the Departments' identified modifications and directed the Department modify the May 9, 2007, procedures to incorporate the Court's oral statements. On August 1, 2007, the Department issued modified procedures that embraced all of the modifications identified. The August 1, 2007, procedures are currently in force, are final and the Department is in compliance with the Court's oral pronouncements and written order dated July 31, 2007.

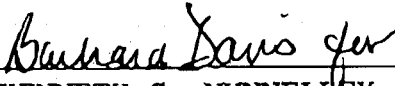
Based on the forgoing, the Department of Corrections' lethal injection procedures, was modified to clarify and provide additional information regarding the personnel utilized in the technical roles during the lethal injection procedure, specifically including the qualifications, training, licensure, and credentials for each member of the execution team that is necessary to perform the various technical functions (starting intravenous lines essential to the delivery of lethal injection chemicals); setting out the training required for each of the designated executioners, ensuring that all members of the team are aware of the drugs used and the purpose of each drug, providing clear instructions as to each team member to be ready and able to identify any potential problems that might arise, specifically, train for potential contingencies; creating checklists for each function performed by the execution and technical team members; setting time frames and providing for periodic review of the procedures by the Department; providing for certification of the readiness of the Department to carry out an execution; and follow clearly articulated instructions in handling any observed problems or deviations from the procedures, bringing those matters to the immediate attention of the team warden in charge of the execution team.

Neither request is relevant to the issues remaining before the Court nor relevant as to the validity of any execution by

lethal injection; the Department has satisfied all the concerns of this Court. Any attempt to delay final review of the remaining issue with "new claims" at the eleventh hour should be denied.

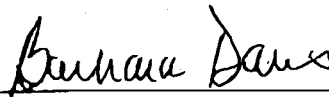
Respectfully submitted,

BILL MCCOLLUM
ATTORNEY GENERAL


KENNETH S. NUNNELLEY
Senior Assistant Attorney General
Florida Bar #998818
444 Seabreeze Blvd., 5th Floor
Daytona Beach, FL 32118
(386) 238-4990

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above has been furnished by FAX and U.S. Mail to: Suzanne Myers Keefer, Assistant CCRC-South, 101 NE Third Ave., Suite 400, Ft. Lauderdale, Florida 33301, and Rock E. Hooker, Office of the State Attorney, 19 N.W. Pine Avenue, Ocala, FL 34475, and Judge Carven D. Angel, Circuit Court Judge, Marion County Justice Center, 110 N.W. First Ave., Room 3A, Ocala, Florida 34475, on this 9th day of August, 2007.



Of Counsel

Exhibit 8

1/2
LQ02-14517
KN
COPY

IN THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff

vs

CASE NO. 1981-170 CF
SC06-2391

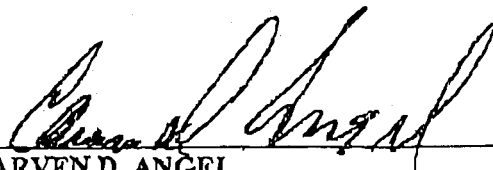
IAN DECO LIGHTBOURNE

ORDER GRANTING DEFENDANT'S MOTION FOR A VIEW OF
EXECUTION CHAMBER AND WITNESS A WALK THROUGH

UPON consideration of Defendant's Motion to View Execution Chamber and Witness
a Walk Through and the State's Response, it is hereby

ORDERED that said Motion be and is hereby GRANTED, provided that nothing shall
be done to compromise the confidentiality of persons whose identity is not to be disclosed and
whatever is arranged with the Department of Corrections shall not delay the final hearing
previously scheduled. The undersigned judge will not be available to participate in any view
before August 28, 2007.

DONE AND ORDERED in Chambers at Ocala, Marion County, Florida this 9th day
of August, 2007.



CARVEN D. ANGEL
CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been provided by US Mail and/or facsimile to the following this 9th day of August, 2007:

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Anna-Liisa Joseloff, Staff Attorney
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Fort Lauderdale, FL 33301
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Kenneth S. Nunnolley, Assistant Attorney General
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Fax: (386-226-0457

Department of Corrections, Legal Bureau,,
Maximillian Changus,
2601 Blirstone Road,
Tallahassee, FL 32399-6563
Mail only

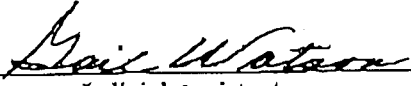

Judicial Assistant

Exhibit 9

Exhibits
Hearing

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

State of Florida

Plaintiff(s)

VS.

Jan Lightbourn

Defendant(s)

Case Number 81-170-CF

Agency Case Number

EVIDENCE LIST

| Exhibit ID# | Date Introduced | DESCRIPTION OF ITEM | Date Admitted as Evidence | Evidence ID# |
|-------------|-----------------|---|---------------------------|--------------|
| Joint 1 | 5/18/07 | Procedures (after 8/4/06) | 5/18/07 | Joint 1 |
| Joint 2 | 5/24/07 | Procedures (after 5/9/07) | 7/17/07 | Joint 2 |
| Joint 3 | 6/18/07 | Summary of task force | 6/18/07 | Joint 3 |
| Joint 4 | 6/18/07 | Commission report (final) | 6/18/07 | Joint 4 |
| Joint 5 | 5/18/07 | Time line (Sa report) | 5/18/07 | Joint 5 |
| Joint 6 | 6/18/07 | Letter to Governor | | |
| Joint 7 | 6/18/07 | Report - final | 7/17/07 | Joint 7 |
| Joint 8 | 7/24/07 | Reports (a-b) on commission on investigation | 7/24/07 | Joint 8 |
| Joint 9 | 5/18/07 | Diagram - execution area | 5/18/07 | Joint 9 |
| Joint 9a | 5/18/07 | Diagram (small) execution area | 5/18/07 | Joint 9a |
| Joint 10 | | Diagram - death chamber | | |
| Joint 11 | 6/18/07 | Photos (a-iii) autopsy | 6/18/07 | Joint 11 |
| Joint 12 | 6/18/07 | C.V. of Dr. Hamilton | 6/18/07 | Joint 12 |

G. Shaw

Court Clerk's Signature

5/18/07

Date

R. Moore

Evidence Clerk's Signature

5/21/07

Date

Attorney(s) for Plaintiff

R. Hooker Nannely
Kenneth

Attorney(s) for Defense

S. Ketter R. Eck

Disposition (if known)

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

State of Florida
Plaintiff(s)

vs.
Ian Lightbourn
Defendant(s)

Case Number 81-170-CF
Agency Case Number _____

EVIDENCE LIST

| Exhibit ID# | Date Introduced | DESCRIPTION OF ITEM | Date Admitted as Evidence | Evidence ID# |
|-----------------|-----------------|---------------------------|---------------------------|-----------------|
| <u>Joint 13</u> | <u>7/19/07</u> | <u>DOC checklists-new</u> | <u>7/19/07</u> | <u>Joint 13</u> |
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G. Shaw 7/19/07
Court Clerk's Signature Date
Ken Nannelly
Attorney(s) for Plaintiff Rock Hooker
Disposition (if known) _____

Evidence Clerk's Signature Date
Suzanne Ketter
Attorney(s) for Defense Roseanne Eckert

Hearing

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

State of Florida

Plaintiff(s)

VS.

Tan Lighthourn

Defendant(s)

Case Number 81-170CF

Agency Case Number

EVIDENCE LIST

| Exhibit ID# | Date Introduced | DESCRIPTION OF ITEM | Date Admitted as Evidence | Evidence ID# |
|----------------|-----------------|--------------------------------------|---------------------------|--------------|
| ✓ D-1 | 5/18/07 | Checklist | 5/18/07 | D-1 |
| ✓ D-2 | | Affidavit - Neal Dupree | | |
| ✓ D-3 | 5/24/07 | Report of M.E. | 7/24/07 | D-3 |
| D-4 | 6/18/07 | M.E. Report of Investigation | 6/18/07 | D-4 |
| D-5 | 6/18/07 | Toxicology Report | 6/18/07 | D-5 |
| D-6 | 6/18/07 | M.E. Reports (a-s) in C-5819 | 6/18/07 | D-6 |
| D-7 | 6/18/07 | Exam - Diaz - autopsy | 6/18/07 | D-7 |
| D-8 | | Sims - Post-convict records | | |
| D-9 | | Diaz - past-convict. (2 boxes) | | |
| D-10 | | Commission on Lethal Injection (a-c) | | |
| D-11 | 6/19/07 | DOC affidavit | 6/19/07 | D-11 |
| D-12 | 7/17/07 | DOC procedures (2000) | 7/17/07 | D-12 |
| D-13 | 7/17/07 | CV - Dr. Denise Clark | 7/17/07 | D-13 |

A. Shaw

Court Clerk's Signature

5/18/07

Date

R. Moore 5-21-07

Evidence Clerk's Signature

Date

Attorney(s) for Plaintiff

R. Hooker / K. Nannelly

Attorney(s) for Defense

S. Keffey / R. Eckert

Disposition (if known)

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

State of Florida

Plaintiff(s)

vs.
Jan Lightburn
Defendant(s)

Case Number 81-170-CF

Agency Case Number _____

EVIDENCE LIST

| Exhibit ID# | Date Introduced | DESCRIPTION OF ITEM | Date Admitted as Evidence | Evidence ID# |
|-------------|-----------------|----------------------------------|---------------------------|--------------|
| D-14 | 7/17/07 | Follow-up report - M.F. | 7/17/07 | D-14 |
| D-15 | 7/17/07 | Email & attachment | 7/17/07 | D-15 |
| D-16 | 7/19/07 | Notes | 7/19/07 | D-16 |
| D-17 | 7/24/07 | Photo | 7/24/07 | D-17 |
| D-18 | 7/24/07 | Package description of Pantathol | 7/24/07 | D-18 |
| D-19 | 7/24/07 | C.V. of Dr. Heath | 7/19/07 | D-19 |
| D-20 | 7/24/07 | Reports (previously Joint 8) | 7/24/07 | D-20 |
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G. Shaw 7/17/07

Court Clerk's Signature

Date

Evidence Clerk's Signature

Date

Attorney(s) for Plaintiff

Rock Hooker
Ken Nunnally

Attorney(s) for Defense

Suzanne Ketter
Roseanne Ecker

Disposition (if known) _____

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR MARION COUNTY, FLORIDA

State of Florida

Plaintiff(s)

vs.

Ian Lightbourn

Defendant(s)

Case Number 81-170CF

Agency Case Number

EVIDENCE LIST

| Exhibit ID# | Date Introduced | DESCRIPTION OF ITEM | Date Admitted as Evidence | Evidence ID# |
|-------------|-----------------|------------------------------|---------------------------|--------------|
| ✓ St-1 | 5/2/07 | Box w/ execution apparatus | 5/2/07 | St-1 |
| ✓ St-2 | 5/2/07 | CV - Dr. Dershwitz | 5/2/07 | St-2 |
| ✓ St-3 | 5/2/07 | Thiopental chart | 5/2/07 | St-3 |
| ✓ St-4 | 5/2/07 | Thiopental chart | 5/2/07 | St-4 |
| ✓ St-5 | 5/2/07 | Thiopental chart | 5/2/07 | St-5 |
| ✓ St-6 | 5/2/07 | Report on euthanasia | 5/2/07 | St-6 |
| St-7 | 7/1/07 | drawings - new chamber (a+b) | 7/1/07 | St-7 |
| St-8 | 7/18/07 | Photos (a+b) a withdrawn | 7/18/07 | St-8 |
| St-9 | | DOC checklists - new | | |
| St-9 | 7/29/07 | CV - Dr. Sperry | 7/29/07 | St-9 |

G. Shaw

5/2/07

R. Moore 5-21-07

Court Clerk's Signature

Date

Evidence Clerk's Signature

Date

Attorney(s) for Plaintiff

R. Hooker Nunnally

Attorney(s) for Defense

S. Ketter R. Eckert

Disposition (if known)

State of Florida

vs.

~~Tan light brown~~

Case Number 81-170-CF

EVIDENCE LIST

[illegible]

A. Shaw 6/9/07

Date _____

R. Hooker
K. Nambally

Evidence Clerk's Signature

Date _____

Attorney(s) for Defense

S. Keffler
R. Eckert