

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR WALTON COUNTY, FLORIDA**

STATE OF FLORIDA,
Plaintiff,

CASE NO.: 25CF123

v.

JOSEPH JAMES TURNER
Defendant.

**ORDER GRANTING IN PART DEFENDANT'S EMERGENCY
MOTION TO QUASH INVESTIGATIVE SUBPOENAS**

THIS CAUSE came before the Court on the Defendant's Emergency Motion to Quash Investigative Subpoenas as Improperly Circumventing Discovery Rules and Motion to Compel, filed on March 10, 2026. After reviewing the motion and the case file, the Court finds as follows:

1. The Defendant is currently charged with two offenses identified in an Amended Information filed on November 25, 2025. (Doc. 49).
2. The Defendant is represented by Counsel and, through Counsel, has filed a Notice of Discovery (Docs. 17 and 23).
3. In response to the Notice of Discovery, the State has filed several Discovery Responses. (Docs. 19, 63, and 72).
4. The Defendant, through Counsel, is participating in Discovery and has also filed several Discovery Responses. (Docs. 39, 40, 73, 76, 77, and 78). In one or more of the Defendant's Discovery Responses, the Defendant identifies several individuals as Category A Witnesses. (Docs. 39, 40, 76).
5. Pursuant to Rule 3.220(d)(1)(A), Florida Rules of Criminal Procedure:

“Within 15 days after receipt by the defendant of Discovery Exhibit furnished by the prosecutor under subdivision (b)(1)(A) of this rule, the defendant must furnish to the prosecutor a written list of the names and addresses of all witnesses whom the defendant expects to call as witnesses at the trial or hearing. When the prosecutor subpoenas a witness whose name has been furnished by the defendant, except for trial subpoenas, the rules applicable to the taking of depositions apply.”

6. Pursuant to Rule 3.220(h)(1), Florida Rules of Criminal Procedure:

“...A party taking a deposition must give reasonable written notice to each other party and make a good faith effort to coordinate the date, time, and location of the deposition to accommodate the schedule of other parties and the witness to be

deposed. The notice must state the time and the location where the deposition is to be taken, the name of each person to be examined, and a certificate of counsel that a good faith effort was made to coordinate the deposition schedule...”

7. According to the Defendant’s Emergency Motion to Quash Investigative Subpoenas, the State has issued one or more investigative subpoenas to witnesses listed as defense witnesses on the Defendant’s Discovery Responses and has failed to provide notice to the Defendant and/or schedule depositions of these witnesses. If true, this appears to be contrary to Rule 3.220(d)(1)(A) and Rule 3.220(h)(1), of the Florida Rules of Criminal Procedure.

Therefore, to preserve the status quo, it is **ORDERED AND ADJUDGED** that any investigative subpoenas issued by the State for individuals listed as defense witnesses on the Defendant’s Discovery Responses are hereby **QUASHED** until further Order of the Court. Further, the State is Ordered to respond to Defendant’s Emergency Motion to Quash Investigative Subpoenas as Improperly Circumventing Discovery Rules and Motion to Compel within fourteen (14) days of this Order. This matter will be added to the other matters being addressed on April 7, 2026, at 8:30AM. All other requests made by the Defendant in the Defendant’s Motion are reserved and will be addressed during the April 7, 2026, hearing.

DONE AND ORDERED in Chambers in DeFuniak Springs, Walton County, Florida.



Signed by CIRCUIT COURT JUDGE J RYAN LOVE in 25000123CFAXMK on 05/10/2026 17:29:57 JLK468*

J. RYAN LOVE
Circuit Judge

Copies to:

Kathleen M. Bogenschutz, Counsel for the Defendant
Joshua Mitchell, Assistant State Attorney, Office of the State Attorney