

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT OF FLORIDA, IN AND FOR MIAMI-DADE COUNTY

CRIMINAL DIVISION

STATE OF FLORIDA ,

CASE NO. F01007975

Plaintiff,

v.

SEAN CASEY,

Defendant.

AFFIDAVIT OF MILTON HIRSCH

STATE OF FLORIDA)
) ss:
COUNTY OF MIAMI-DADE)

Milton Hirsch, being first duly sworn, states and depones as follows:

1. I am a member in good standing of the Florida Bar as well as the bars of the United States District Courts for the Southern, Middle, and Northern Districts of Florida; of the United States Courts of Appeal for the Fifth and Eleventh Circuits; and of the United States Supreme Court.
2. I served as lead counsel for Sean Casey in *State of Florida v. Casey*, Case No. F01007975.
3. Mr. Casey was charged with the crimes of vehicular homicide and DUI ("driving under the influence") manslaughter in connection with a traffic fatality in May of 2001.
4. Mr. Casey was released on bail immediately after his arrest. Throughout the pretrial period he appeared for court whenever called upon to do so.
5. Shortly before trial was scheduled to begin, Mr. Casey disappeared. His disappearance was entirely unexpected and I was concerned that he might have come to harm.
6. When it became clear to the court that Mr. Casey had disappeared, a warrant was issued

for his arrest. This is standard procedure in all such instances. The warrant is then made available to Interpol and other law-enforcement data bases.

7. In the United States a criminal defendant is, as a general rule, not tried in absentia. If a defendant absconds, a warrant is issued for his arrest and his case simply remains open until such time as he is again before the court. Thus Mr. Casey has never been tried for or convicted of the charges in this case.

8. I have recently learned that Mr. Casey is now residing in Chile. I have repeatedly contacted the Office of the State Attorney (the prosecutorial authority) here in Miami to attempt to negotiate both Mr. Casey's return and the resolution of his pending charges. To date, I have had no response from the Office of the State Attorney.


9. The warrants presently pending for Mr. Casey are as a result of his flight to avoid prosecution. As noted supra, he has never been tried or convicted.

FURTHER AFFIANT SAYETH NAUGHT.


MILTON HIRSCH

BEFORE ME, the undersigned authority, personally appeared Milton Hirsch , to me well known, and who acknowledged the foregoing instrument.

WITNESS my hand and official seal on this 5 day of July, 2006.


Notary Public, State of Florida
(Signature)
Teresa M. Escobar
Notary Public (Printed name)



Teresa M. Escobar
Commission # DD398264
Expires May 22, 2009
Bonded Troy Pain • Insurance, Inc. 800-385-7010

My Commission Expires:

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Plaintiff,

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SEAN CASEY,

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AFFIDAVIT OF MILTON HIRSCH

STATE OF FLORIDA)
) ss:
COUNTY OF MIAMI-DADE)

Milton Hirsch, being first duly sworn, states and depones as follows:

1. I am a member in good standing of the Florida Bar as well as the bars of the United States District Courts for the Southern, Middle, and Northern Districts of Florida; of the United States Courts of Appeal for the Fifth and Eleventh Circuits; and of the United States Supreme Court.
2. I served as lead counsel for Sean Casey in *State of Florida v. Casey*, Case No. F01007975.
3. Mr. Casey was charged with the crimes of vehicular homicide and DUI ("driving under the influence") manslaughter in connection with a traffic fatality in March of 2001.
4. Mr. Casey was released on bail immediately after his arrest. Throughout the pretrial period he appeared for court whenever called upon to do so.
5. At some point in the proceedings, Mr. Casey no longer presented himself before the Court. I was unaware of any reason for this to occur.

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6. When Mr. Casey did not attend a court appearance, a warrant was issued for his arrest. This is standard procedure in all such instances. The warrant is then made available to Interpol and other law enforcement data bases.

7. In the United States a criminal defendant is, as a general rule, not tried in absentia. If a defendant absconds, a warrant is issued for his arrest and his case simply remains open until such time as he is again before the court. Thus Mr. Casey has never been tried for or convicted of the charges in this case.

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FURTHER AFFIANT SAYETH NAUGHT.

Milton Hirsch
MILTON HIRSCH



BEFORE ME, the undersigned authority, personally appeared Milton Hirsch, to me well known, and who acknowledged the foregoing instrument.

WITNESS my hand and official seal on this 26 day of July, 2006.

Teresa M. Escobar
Notary Public, State of Florida
(Signature)

Teresa M. Escobar
Notary Public (Printed name)

My Commission Expires:



Teresa M. Escobar
Commission # DD398264
Expires May 22, 2009
Bonded Troy Pain - Insurance, Inc. 800-385-7019

ORIGINAL TENIDO A...
MAY 22 2009
Teresa M. Escobar