



IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA

ADMINISTRATIVE ORDER # 2005-00-06

**RE: DISPOSITION OF SMALL (NON-COMMERCIAL) QUANTITIES OF  
PERISHABLE GAME, FRESH AND SALTWATER FISH SEIZED AS EVIDENCE**

**Whereas**, section 372.733, Florida Statutes, empowers the Court to forfeit game, fresh and saltwater fish prior to conviction and to dispose of such evidence; and

**Whereas**, a request has been made by the Fish and Wildlife Conservation Commission, Division of Law Enforcement, for circuit-wide authorization to dispose of small (non-commercial) quantities of game, fresh and saltwater fish prior to any conviction to avoid spoilage of such perishable game, fresh and saltwater fish and prevent waste of such resources of the State; and

**Whereas**, any evidentiary issue present by pre-conviction forfeiture of the perishable game, fresh and saltwater fish can be remedied by the use of secondary evidence with proper authentication and identification by Fish and Wildlife Conservation Commission Law Enforcement Officers.

**Now Therefore, it is ORDERED and ADJUDGED** that the following procedures shall be followed before disposing of any small quantity of perishable game, freshwater or saltwater fish as prescribed by section 372.73, Florida Statutes:

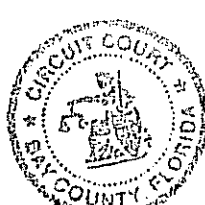
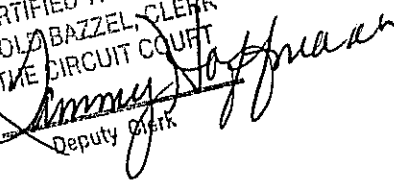
1. The law enforcement agency, upon the proper arrest and seizure pursuant to the provisions of Chapters 370 and 372, Florida Statutes, shall photograph said items. The photograph(s) shall bear a written description of the seized property, the location where the property was seized, the name of the arresting officer, the date the photograph was taken, and the signature of the photographer.
2. Once a secondary source of the evidence has been secured, the law enforcement agency which seized the perishable game or freshwater or saltwater fish shall be authorized to

either donate the products to a charity or appropriate 501C not-for-profit agency or destroy the products prior to the conclusion of the case.

3. If small amounts of perishable game, freshwater or saltwater fish have been retained as evidence in a case and the case has been unduly delayed or a capias has been issued for the defendant for failure to appear, and the evidence is deteriorating, the seizing agency shall photograph the evidence as detailed in Item 1. above. Once the product is photographed, the evidence can then be destroyed and disposed.

October **DONE AND ORDERED** in Chambers, at Panama City, Bay County, this 17 day of \_\_\_\_\_, 2005.

  
\_\_\_\_\_  
WILLIAM L. WRIGHT, CHIEF JUDGE

 A CERTIFIED TRUE COPY  
HAROLD BAZZEL, CLERK  
OF THE CIRCUIT COURT  
BY   
Deputy Clerk