

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE COUNTY, FLORIDA

CASE NO. 2004-CF-1016
DIVISION 19

STATE OF FLORIDA,
Plaintiff,

vs.

ROBERT JOAB MIRANDA
Defendant.

ORDER GRANTING MOTION
FOR POSTCONVICTION RELIEF

This matter came before the Court upon review of the Fifth District Court of Appeal's opinion in *Miranda v. State*, 33 Fla. L. Weekly D1706 (Fla. 5th DCA July 3, 2008), which reversed and remanded for an evidentiary hearing on Claim Six of Defendant Robert Joab Miranda's Motion for Postconviction Relief.

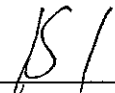
At the hearing, the parties stipulated that counsel's performance was deficient and prejudicial, as she disclosed to the jurors during voir dire that he was a convicted felon and also brought out his felony conviction on direct examination.

Therefore, it is ORDERED AND ADJUDGED:

1. The Motion for Postconviction Relief is hereby GRANTED.
2. Defendant's Plea, Judgment, and Sentence in the above-styled case are hereby VACATED AND SET ASIDE.
3. The Clerk of Court is directed to re-set this matter on the trial docket.

4. The Clerk of Court is further directed to provide a certified copy of this Order to the Florida Department of Corrections, Bureau of Sentence Structure, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

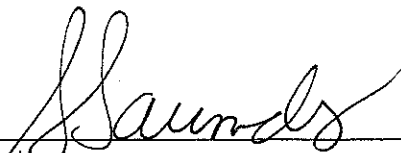
DONE AND ORDERED in chambers at Orlando, Orange County, Florida, this 24 day of September 2008.



TIM SHEA
Circuit Court Judge

Certificate of Service

I certify that a copy of the foregoing Order Granting Motion for Postconviction Relief has been provided this 25 day of September 2008 to William Mallory Kent, the Law Office of William Mallory Kent, 1932 Perry Place, Jacksonville, Florida 32207; and to Wilson Green III, Assistant State Attorney, 415 North Orange Avenue, Orlando, Florida 32801.



Judicial Assistant