

)	In the Circuit Court of the
)	Ninth Judicial Circuit, in and for
STATE OF FLORIDA)	Orange County, Florida
)	
v.)	Case No.: 482008-CF-0015606-O
)	Division 16
CASEY MARIE ANTHONY,)	
Defendant.)	Hon. Stan Strickland
)	
)	

**MOTION TO TAKE DEPOSITION TO PERPETUATE TESTIMONY OF JILL
KERLEY**

COMES NOW the Defendant, CASEY MARIE ANTHONY, by and through her attorneys ANDREA D. LYON and JOSE BAEZ, and moves this Honorable Court to grant this Motion To Perpetuate Testimony pursuant to Florida Rule of Criminal Procedure 3.190(j) and enter an order for the Deposition of Jill Kerley.

In support thereof, Miss Anthony states the following:


1. Ms. Kerley currently resides out of state in Maryville, Tennessee.
2. Ms. Kerley is the former wife of Roy Kronk, and was married to him for approximately four months. Her testimony is material in this case to the matter of introduction of evidence regarding third-party guilt, namely that Mr. Kronk should be a suspect in this case. Ms. Kerley has made statements and is willing to testify that Mr. Kronk used duct tape on at least two different occasions to restrain her in the course of physical abuse, and that Mr. Kronk liked to brag about the particular type of heavy duty duct tape he used. Miss Kerley will also testify that on one occasion Mr. Kronk

kidnapped and held her for two weeks in Waldorf, Maryland. *See* Defendant's Motion in Limine to Introduce Evidence of Third Party Guilt, Exhibit U.

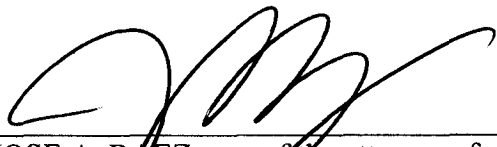
3. Ms. Kerley suffers from a serious medical condition, Non-Hodgkin Lymphoma, which requires extensive treatment in her hometown. Due to this serious illness Ms. Kerley is unable to travel to court in order to attend any trial or hearing, and her attendance cannot be procured.
4. A deposition of Ms. Kerley is necessary for evidentiary purposes, and the deposition will serve in lieu of her testimony pursuant to Florida Rule 3.190(j). Ms. Kerley's testimony is also necessary to secure Miss Anthony's due process rights and her right to present evidence at trial under the Sixth Amendment of the United States Constitution and Article I, Sections 9 and 16 of the Florida Constitution.

WHEREFORE, the Defendant CASEY MARIE ANTHONY respectfully asks this Court to grant her Motion to Take a Deposition to Perpetuate Testimony and Enter an Order for the Deposition of Jill Kerley.

Respectfully submitted,



ANDREA D. LYON, one of the attorneys
for CASEY MARIE ANTHONY.



JOSE A. BAEZ, one of the attorneys for
CASEY MARIE ANTHONY.

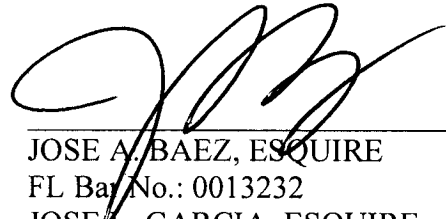
Dated: 11/18/09, 2009

Andrea D. Lyon
Director, Center for Justice in Capital Cases
DePaul University College of Law
14 E. Jackson Blvd., First Floor
(Mailing Address: 1 E. Jackson Blvd.)
Chicago, Illinois 60604
312-362-8402 (phone)
312-362-6918 (fax)

Jose A. Baez
The Baez Law Firm
522 Simpson Road
Kissimmee, Florida 34744
407-705-2626 (phone)
407-705-2625 (fax)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing has been furnished to the Office of the State Attorney, 415 North Orange Avenue, Orlando, Florida 32801; via facsimile and/or U.S. Mail on this 18 day of November, 2009.



JOSE A. BAEZ, ESQUIRE
FL Bar No.: 0013232
JOSE L. GARCIA, ESQUIRE
FL Bar No.: 0026020
THE BAEZ LAW FIRM
522 Simpson Road
Kissimmee, Florida 34744
Tel.: (407) 705-2626
Fax: (407) 705-2625