

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 8:11-cr-269-T-23AEP

CRISTIE FAY BOTTORFF
JERRY ALAN BOTTORFF
LUIS ANGEL LOPEZ

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ORDER

Jerry Alan Bottorff stands accused of murder-for-hire, conspiracy to commit murder-for-hire, and a firearm offense. For four months the parties have known with particularity when the trial begins – July 9, 2012; the parties requested the special setting. Nonetheless, Bottorff’s counsel asks (Doc. 127) to suspend the trial on Friday, July 20th:

Undersigned counsel, a perennial contestant in the Ernest Hemingway Look-alike Contest, is scheduled to appear as a semi-finalist at Sloppy Joe’s Bar in Key West, Florida at 6:30 P.M. on Friday, July 20, 2012.

In order to be able to be in Key West at the appointed hour, undersigned counsel has planned to depart St. Petersburg after the trial recesses on Thursday, July 19, 2012, and drive toward Key West[,] arriving on July 20, 2012.

Undersigned counsel has secured a block of six rooms to accommodate family, friends, and fans and has had to pay non-refundable deposits.

Between a murder-for-hire trial and an annual look-alike contest, surely Hemingway, a fervid admirer of “grace under pressure,” would choose the trial.

At his most robust, Hemingway exemplified the intrepid defense lawyer:

He works like hell, and through it. . . . He has the most profound bravery. . . . He has had pain[] and the kind of poverty that you don't believe[;] he has had about eight times the normal allotment of responsibilities. And he has never once compromised. He has never turned off on an easier path than the one he staked himself. It takes courage.

Dorothy Parker, *The Artist's Reward*, THE NEW YORKER, Nov. 30, 1929, at 28-30 (describing Hemingway). Perhaps a lawyer who evokes Hemingway can resist relaxing frolic in favor of solemn duty.

Or, at least, “Isn't it pretty to think so?”

Best of luck to counsel in next year's contest. The motion (Doc. 127) is **DENIED**.

ORDERED in Tampa, Florida, on June 22, 2012.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE