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**DISTRICT COURT OF APPEAL**  
FIRST DISTRICT, STATE OF FLORIDA  
TALLAHASSEE  
32399-1850

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January 20, 2010

**CASE NO.: 1D10-226**  
L.T. No. : 16-2006-CF-018283-AX

Morris Publishing Co.,  
Llc, Etc.

v. State Of Florida, Tajuan  
Dubose, Et Al.

Appellant / Petitioner(s),

Appellee / Respondent(s).

**BY ORDER OF THE COURT:**

We grant the petition for review in part. The order on review found that Florida Rule of Judicial Administration 2.450 included within its purview the prohibition of a laptop computer. The rule does not apply to the use of laptop computers, regardless of whether the device is used to transmit information outside the courtroom. The trial court retains the authority, however, to prohibit the use of any device which as a factual matter, the court finds causes a distraction to the jury or otherwise causes a disruption of proceedings. Here, the trial court stated that the use of the device caused a distraction, but the court later issued an order which relied on an incorrect interpretation of Rule 2.450 regarding its application to laptop computers.

Accordingly, the petition is granted in part, the order denying motion to allow access of reporter to trial with laptop and the addendum thereto are quashed, and the matter is remanded with directions to allow petitioner's reporter the use of a laptop computer in the courtroom unless the court finds a specific factual basis to conclude that such use cannot be accommodated without undue distraction or disruption.

Given the exigencies of time, we have issued this order on an emergency basis. This disposition is without prejudice to any party seeking reconsideration by filing a timely motion for rehearing or other relief.

**KAHN, THOMAS, and ROBERTS, JJ., CONCUR.**

I HEREBY CERTIFY that the foregoing is (a true copy of) the original court order.

Served:

Jennifer A. Mansfield  
Gigi Rollini  
James A. Hernandez  
Hon. Jim Fuller, Clerk  
am

Timothy J. Conner  
W. Charles Fletcher  
Hon. L. P. Haddock, Judge

George D. Gabel, Jr.  
Richard R. Kuritz  
Hon. Bill Mc Collum, A.G.

  
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