



FOR IMMEDIATE RELEASE

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BROWARD CLERK OF COURTS PRESS RELEASE

In re: Eric Alexander Vail, Jr.

[Fort Lauderdale, FL, June 4, 2019] Contrary to the press release by the Broward Sheriff's Office, the Broward County Clerk of Courts properly distributed official documentation to the required parties under Florida's statutes, administrative rules, or other applicable law. As the official record keeper of court proceedings, the clerk performs ministerial and non-discretionary duties only. In order to release a prisoner from confinement, a directive from the judiciary is required. Eric Alexander Vail, Jr.'s case docket reveals that no judicial directives were filed to release Mr. Vail in the first degree murder case as explained below:

- Mr. Vail was arrested on a second degree murder charge on January 29, 2019, (17th Judicial Case Number 19-001440CF10A) and was ordered to remain in-custody without bond.
- The grand jury indicted Mr. Vail on April 3, 2019, for first degree murder. On the same day, the court ordered him held in-custody without bond. The Broward County State Attorney's Office filed first degree murder charges against Mr. Vail on April 4, 2019 (17th Judicial Case Number 19-004384CF10A).
- The first degree murder case docket reflects that Mr. Vail appeared in court on April 9, 2019, for arraignment under the custody of the Broward Sheriff's Office. During that hearing Mr. Vail pled not guilty to the first degree murder charge. During this court proceeding, the Broward County's State Attorney's Office and the Public Defender's Office were also present. Pursuant to the court's order, the first degree murder case was set for hearing on May 30, 2019, for a calendar call, and the second degree murder case was set to be heard on the same day to

discuss the potential *nolle prosequi* or the dismissal of the second degree murder charge. The notice of hearing shows that all of the parties were provided a copy of the May 30, 2019, notice of hearing.

- At the May 30, 2019, hearing on both cases, Mr. Vail was present in the continued custody of the Broward Sheriff's Office. The May 30, 2019, hearing transcript in which the Broward County State Attorney and the Broward County Public Defender were present states as follows:

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24 The Court: Okay. As far as the murder in the

25 first degree, the defendant is in custody or out?

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1 Ms. Veit: Right there, Judge.

2 The Court: Okay. Are you ready for trial?

[Calendar Call Hearing Transcript May 30, 2019, p. 3-4]. The transcript is void of any instruction that Mr. Vail should be released from the care, custody and control of the Broward Sheriff's Office on the first degree murder charge.

- Prior to the hearings on April 9 and May 30, 2019, the Broward County Clerk of Courts transmitted via electronic mail to the Confinement Status Unit of the Broward Sheriff's Office a case docket showing the first degree murder case number.
- A review of Mr. Vail's case court dockets and images of the filings available on the clerk's case management system, which filings are available to the public at <http://www.browardclerk.org>, and the corresponding audit trail confirms the accuracy of the above-referenced court proceedings.

Additional questions should be directed to Dian Diaz, Chief Operating Officer, at ddiaz@browardclerk.org.