

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY, FLORIDA**

Case No.: 05-2007-CF-049458

STATE OF FLORIDA,)
)
Plaintiff,)
)
v.)
)
CHRISTOPHER J. WOOD,)
)
Defendant.)
)
_____)

RENEWAL OF THE MOTION TO CHECK-OUT AND VIEW VIDEO

COMES NOW, the Defendant, CHRISTOPHER J. WOOD, in proper person, renews the Motion To Check-Out And View Video previously filed in this case, and states:

1. On July 20th, 2011, I filed a Motion To Check-Out And View Video wherein I requested this Court to release the pornographic rape and bondage movie video of which I was found guilty for allegedly forcing my wife to make.

2. Within the motion I explained that I had found a “well-credentialed sex therapist” named Dr. Shari Julian who is the leading expert on rape movies. And that she has agreed to perform her analyzes on the video, where she views it frame by frame to determine whether the actions of the alleged victim are that of someone truly being raped or if it is a simulated rape, then write a report of her finding.

3. I further showed that this Court answered my counsel’s question during sentencing that: what if we needed the video for my appeal or “anything that comes up subsequent to that” *Id.* at 95, by stating, “anytime you might need it, you can apply to the Court for an order to check it

out for whatever need you may have for it.” *Id.* at 99.

4. In addition, I filed an appendix to the motion on September 5th, 2011, attaching Dr. Julian’s resume, profile and other information about her services in this field.

5. On October 6th, 2011, this Court granted the motion, instructing that Dr. Sheri Julian shall provide the Clerk of the Court with an affidavit stating that she has been hired by myself to view the video tape, that no copies will be made, that it will only be viewed by her and those assisting her, and that it will be promptly returned to the clerk’s office upon completion of her services.

6. On October 13th, 2011, the State moved to set aside this Court’s order because, for example: (a) there were no pending motions before the court in which this evidence would be relevant; (b) Dr. Julian’s opinion is inadmissible hearsay; and (c) it is unlawful to disclose identifying information of a victim of a sexual battery. This is just to name a few, the other reasons are even more nonsensical and not worthy of comment.

7. Thereafter, on October 18th, 2011, this Court issued an order receding its previous order granting the motion.

8. Then *circa* October 30th, 2011, I filed a response to the State’s motion and asked this Court to hold the Motion To Check-Out And View Video in abeyance.

9. No further action has been taken on this motion.

Therefore, I now move this Court to grant the Motion To Check-Out And View Video because of the pending motions before this Court, as I believe Dr. Julian’s findings will substantially help this Court in its decision on these motions now pending.

ARGUMENT ON THE MERITS

Dr. Julian's findings that my wife, the alleged victim, was acting would help this Court reach its decision as to whether to grant me a new trial or dismiss the criminal charges against me. This entire case hinged on whether my wife was acting or actually being raped and tortured. There was even question during trial as to whether multiple scenes where my wife appeared to be directing me was actually that, or whether her screams were real or an acting skill. She was even asked whether she had acting skills and she lied denying that she had anything other than a semester in college. (See First 3.850 motion).


Therefore, with the newly discovered evidence now pending before this Court providing that my wife knew about making this movie and even bragged about it to a friend, as well as the new evidence showing she has a history of making bondage movies, also something she denies, such findings by an expert in "rape videos" would be substantial in assisting this Court in its decision.

As for the State's alleged reasons for not wanting this video released to an expert: (a) There are now pending motions where this evidence would be relevant; (b) an expert's opinion is not inadmissible hearsay, see for example, section 90.702, Fla. Stat.; and (c) I don't know how the State came up with "this would be disclosing identity information of a victim of sexual battery", but it would not. This is an expert witness retained by the defense to review evidence, it happens every day in cases all over the United States.

Of course, this information can be judicially noticed under section 90.202, Fla. Stat., or I could file it in several other ways to bring it before this Court, especially since there are pending motions before this Court.


In conclusion, I believe that an expert's opinion that the acts in the video were just that, acts, would be very beneficial to this Court when reaching its decision. Therefore, I respectfully request this Court to review the Motion To Check-Out And View Video filed July 20th, 2011, and grant the relief sought within.

Respectfully submitted on this 11th day of July 2012.


CHRISTOPHER J. WOOD, pro se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I placed an original and true and correct copies of this document in the hands of _____ Mailroom Personnel, at Franklin Correctional Institution on this 11th day of July 2012 for mailing via prepaid first class United States mail to: **(1)** The Clerk of Court, 400 South St., 2nd Floor, P. O. Box 999, Titusville, Florida 32781; **(2)** The Office of the State's Attorney, 400 South St., Titusville, Florida 32780; **(3)** The Honorable Charles M. Holcomb, the Moore Justice Center, 2825 Judge Fran Jamieson Way, Viera, Florida 32940; and **(4)** The Honorable Charles M. Holcomb, P.O. Box 236564, Cocoa, Florida 32923.


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