

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FL**

**STATE OF FLORIDA,  
Plaintiff,**

**CASE NO. 16-006684CF10A  
JUDGE: SIEGEL**

v.

**DORETHA THOMPSON ROBINSON,  
Defendant.**

\_\_\_\_\_ /

**MOTION TO WITHDRAW PLEA BASED ON  
PROSECUTORIAL MISCONDUCT**

COMES NOW Defendant Robinson, by and through her undersigned counsel, and states:

1. On or about May 5, 2022, Defendant Robinson entered her plea of no contest to **Count 2** conspiracy to commit racketeering (1st degree felony punishable by 30 years FSP) and **Count 3** money laundering (3rd degree felony punishable by 5 years FSP). On May 5, she was placed on 5-years' probation and as of this filing has served 320 days without incident.

2. On or about March 21, 2023, during trial of all the remaining defendants, this Court dismissed with prejudice all charges against all defendants based on prosecutorial misconduct. Ms. Robinson respectfully requests the Court to (a) immediately terminate her probation, (b) allow her to withdraw her previously entered plea of no contest, and (c) similarly dismiss with prejudice all the charges against her.

3. Ms. Robinson did not enter her plea of no contest knowingly and voluntarily. If she and her counsel had known about the misconduct of the State for which the Court issued the sanction of dismissal with prejudice, she would not have

entered her plea of no contest.

4. In *Canseco v. State*, 52 So. 3d 575 (Fla. 2010), the court discussed the ability of a defendant to file a motion seeking to withdraw a plea due to the failure to advise of immigration consequences. Similarly, Ms. Robinson was not advised of the consequences of the State's prosecutorial misconduct before she entered her plea. So she should be allowed to withdraw her plea, and avoid the prejudice to her defense and voluntariness of her plea. See also *Carruthers v. State*, 42 So. 3d 337 (Fla. 4th DCA 2010) (discussing when plea is involuntary because of improper and insufficient plea colloquy).

5. Undersigned counsel called counsel for the State, but she was unavailable.

WHEREFORE, Defendant Robinson prays this Court will grant her *Motion To Withdraw Plea Based on Prosecutorial Misconduct*.

Respectfully submitted,  
s/Michael Hursey  
MICHAEL HURSEY, P.A.  
Florida Bar No. 457698  
Attorney for Thompson Robinson  
5220 S. University Dr., Ste C-110  
Ft. Lauderdale, FL 33328  
Phone: (954) 252-7458  
Fax: (954) 252-3353  
Email: mhpalaw@bellsouth.net

### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** the foregoing has been furnished via e-filing to the Office of the State Attorney at courtdocs@sao17.state.fl.us this 21st day of March, 2023.

s/Michael Hursey  
MICHAEL HURSEY