

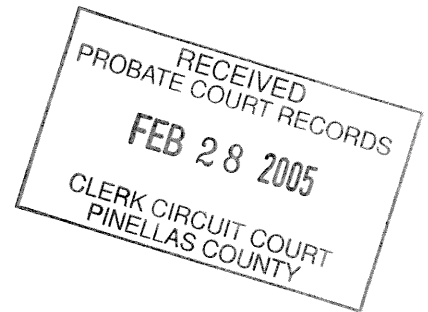
**IN THE CIRCUIT COURT FOR PINELLAS COUNTY, FLORIDA
PROBATE DIVISION
File N. 90-2908GD-003**

**In re: THE GUARDIANSHIP OF
THERESA MARIE SCHIAVO,
Incapacitated.**

**MICHAEL SCHIAVO
Petitioner,**

v.

**ROBERT SCHINDLER and
MARY SCHINDLER,
Respondents.**



**EMERGENCY EXPEDITED MOTION FOR LIMITED MEDIA ACCESS
TO MRS. SCHIAVO AND VISITS WITH HER FAMILY**

ROBERT and MARY SCHINDLER, Respondents herein, by and through their undersigned counsel, hereby move this Court to allow limited media access to the Ward as specified herein. In support thereof, Respondents show unto the Court as follows:

1. The parents, immediate family members, and a limited number of specified legal and religious counselors are permitted to visit with the Ward, Theresa Schiavo ("Terri"), on a daily basis.

2. This Court has ordered that the guardian shall “cause the removal of nutrition and hydration from the Ward, THERESA SCHIAVO, at 1:00 p.m. on Friday, March 18, 2005.” (Order, February 25, 2005).

a. Despite the fact that Terri is healthy and her condition is not medically terminal, she is confined by designation of the guardian and order of this Court at Woodside Hospice whose purpose statement is to “provide dignified, quality comfort care that enhances the lives of dying people and their families.”

b. Absent intervention, Terri will die as a result of the implementation of this Court’s February 25, 2005, Order.

c. To work effectively, it is important that society’s judicial process satisfy the appearance of justice, especially when a judicial order will result in the death of the Ward. See, for example, the important public policy principles and Constitutional rights established by the U.S. Supreme Court in *Richmond Newspapers Inc., v. Virginia* as applied to the right of the media to cover criminal proceedings. 448 U.S. 555, 571-72 (1980):

Civilized societies withdraw both from the victim and the vigilante the enforcement of criminal laws, but they cannot erase from people's consciousness the fundamental, natural yearning to see justice done—or even the urge for retribution. The crucial prophylactic aspects of the administration of justice cannot function in the dark; no community catharsis can occur if justice is “done in a corner [or] in any covert manner.” It is not enough to say that results alone will satiate the natural

community desire for “satisfaction.” A result considered untoward may undermine public confidence, and where the trial has been concealed from public view an unexpected outcome can cause a reaction that the system at best has failed and at worst has been corrupted. To work effectively, it is important that society's criminal process “satisfy the appearance of justice.” (Citations omitted.)

3. The Parents (and presumably the guardian as well) have received frequent and numerous requests from various members of the media, including, but not limited to print media, television media, etc., for opportunities to visit Terri and memorialize her condition and appearance.

4. Terri’s case has drawn international widespread public interest and attention. The Schindler family has no desire to degrade their daughter’s dignity. They would, however, request that this Court allow limited access to designated members of the media to accompany the Schindler family for a one-time visit with their daughter prior to the removal of her artificially supplied food and water in order to memorialize and celebrate her life and the unity of their family bond and to take discrete videos of her, her room, and her family.

a. The Schindlers should be permitted to invite one respected person from the national media, and

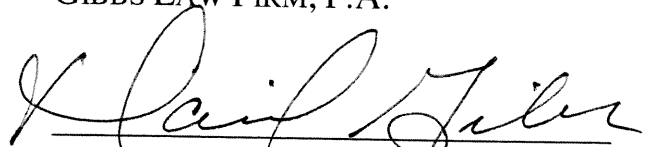
b. The Schindlers should be permitted to invite one respected person from the local media, and

c. The Schindlers would agree that no compensation of any kind would be solicited or accepted in connection with this request.

WHEREFORE, Respondents respectfully move this Court to grant limited media access to the Ward as specified herein.

Respectfully submitted,

GIBBS LAW FIRM, P.A.



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CERTIFICATE OF SERVICE

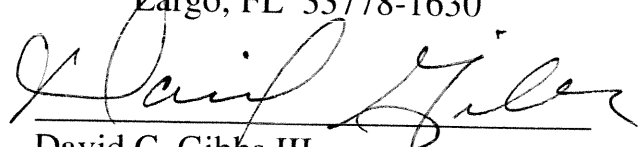
I HEREBY CERTIFY that a true copy hereof has been mailed on this twenty-seventh day of February 2005 to the following addressees:

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