

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF THE FLORIDA IN AND FOR PASCO COUNTY
CRC14-00216CFAES

STATE OF FLORIDA

V.

CURTIS J. REEVES,
Defendant

2021 NOV 23 PM 12:01
MRS. ANNE M. SMITH
CLERK OF COURT
PASCO COUNTY, FLORIDA

STATE'S REQUEST FOR JUDICIAL NOTICE NO. 2
(Section 90.201(1), Florida Statutes 2021)

BRUCE BARTLETT, State Attorney for the Sixth Judicial Circuit, hereby requests,
pursuant to 90.201(1), Florida Statutes (2021), the Court take judicial notice of:

Justifiable Use of Force, Chapter 776, Section 776.05, Amended by Laws 1997, c.
97-102, § 1191, eff. July 1, 1997.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the *State's Request for Judicial Notice No. 2*, was
furnished to Richard Escobar, Esq., Attorney for the Defendant, Escobar & Associates, P.A., 2917
West Kennedy Blvd., Ste 100, Tampa, FL 33609 by U.S. Mail / Personal Service / Email:
rescobar@escobarlaw.com this 17th day of November 2021.

BRUCE BARTLETT, State Attorney
Sixth Judicial Circuit of Florida



Glenn L. Martin, Jr.
Assistant State Attorney
Bar No. 0435988

West's Florida Statutes Annotated

Title XLVI. Crimes (Chapters 775-899)

Chapter 776. Justifiable Use of Force (Refs & Annos)

West's F.S.A. § 776.05

776.05. Law enforcement officers; use of force in making an arrest

Currentness

A law enforcement officer, or any person whom the officer has summoned or directed to assist him or her, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. The officer is justified in the use of any force:

(1) Which he or she reasonably believes to be necessary to defend himself or herself or another from bodily harm while making the arrest;

(2) When necessarily committed in retaking felons who have escaped; or

(3) When necessarily committed in arresting felons fleeing from justice. However, this subsection shall not constitute a defense in any civil action for damages brought for the wrongful use of deadly force unless the use of deadly force was necessary to prevent the arrest from being defeated by such flight and, when feasible, some warning had been given, and:

(a) The officer reasonably believes that the fleeing felon poses a threat of death or serious physical harm to the officer or others; or

(b) The officer reasonably believes that the fleeing felon has committed a crime involving the infliction or threatened infliction of serious physical harm to another person.

Credits

Laws 1974, c. 74-383, § 13; Laws 1975, c. 75-64, § 1; Laws 1987, c. 87-147, § 1; Laws 1988, c. 88-381, § 54. Amended by Laws 1997, c. 97-102, § 1191, eff. July 1, 1997.

Notes of Decisions (27)

776.05. Law enforcement officers; use of force in making an arrest, FL ST § 776.05

West's F. S. A. § 776.05, FL ST § 776.05

Current with laws and joint resolutions in effect from the 2021 First Regular Session and Special "A" Session of the Twenty-Seventh Legislature. Some statute sections may be more current, see credits for details.

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