

IN THE CIRCUIT COURT OF THE 6th JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA
CRIMINAL DIVISION

STATE OF FLORIDA

vs.

CURTIS JUDSON REEVES

CRC14-00216CFAES

Division: 1

Paula S. O'Neil
Clerk & Computer
Pasco County, Florida

2014 JUL 11 PM 2:57

FILED FOR RECORD
PASCO COUNTY, FLORIDA

**AMENDED ORDER ON MOTION TO RELEASE DEFENDANT ON HIS OWN
RECOGNIZANCE OR SET REASONBLE BAIL**

There has been filed before me in this case a motion to Release on Recognizance or Set Reasonable Bail and the Court having considered the motion, Court file, applicable law and having taken testimony from state and defense witnesses, reviewed the physical evidence introduce and the arguments of counsel, finds as follows:

The Judge at first appearance ordered the Defendant detained without bond after a very short hearing on January 14th 2014. This Court reviewed the continuing detention of the Defendant without regard to the first appearance Court's ruling. On February 2nd 2014 the State charged the Defendant by information with Murder in the Second Degree Florida Statute 782.04(2) alleging that by discharging a firearm he caused death or great bodily harm Florida Statute 775.087. In Count 2 of the information the State alleged Aggravated Battery Florida Statute 784.045 by discharging a firearm Florida Statute 775.087.

The defense sought release on recognizance or a maximum monetary bond of \$200,000. The defense presented extensive testimony to supplement a very thorough 24 page written motion with 5 lettered attachments and 18 numbered attachments outlining the Defendants extensive ties to the community. Without hesitation, the Court finds based upon this testimony and the exhibits that the Defendant is not a flight risk.

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The defense offered testimony to the Defendant's good character. This was also supplemented by voluminous and well organized exhibits demonstrating their position that for the first 71 years of his life the Defendant was not a danger to the community and based upon that the Court should have few concerns that he will be a danger to the community if released pre-trial.

The Court considered testimony of witnesses for over 12 hours on February 5th 2014 and February 7th 2014. During both hearings there was extensive media presence. The Defendant was allowed to appear in street clothes and without hand restraints to minimize prejudicial exposure.

The factors that influenced the Court's decision to find under Florida Rule of Criminal Procedure 3.131(a) that the State met their burden of "proof of guilt is evident or the presumption is great" includes all the testimony and evidence received during the 2 day bond hearing. The Court announces that the decision is based upon evidence credibly given, with specific attention to the testimony of Corporal Alan Hamilton and the recorded statements of the Defendant and his wife.

The Court was hesitant to announce in open court a summary of the evidence the Court found credible and the specific enumeration of reasons to deny bond. First, the Court does not have any intention to aid the State in any way to formulate argument as to how the Defendant could be found guilty of a crime. Second, the proceedings were being broadcast worldwide and covered by all local television stations in Florida. The law would not be served by the Court listing the reasons that "proof of guilt is evident or the presumption is great" in a case with an unusual amount of pre-trial publicity that will go to trial in the near future.

During the hearing, the Court determined that if the State had not met the burden for pretrial detention, the bond would have been set at \$150,000 with a condition that the Defendant remain at his residence with the exception of attending religious services, for medical treatment and the grocery store. The Defendant would not be allowed to have possession of a firearm and all of his firearms would be surrendered either to the Pasco Sheriff or another person acceptable to the Court after a hearing. The Defendant would

wear the standard pretrial ankle monitor for GPS tracking of his location through one of the approved vendors.

Now after having reviewed the ruling in Curtis J. Reeves v. Chris Nocco, Case No. 2D14-1784, issued on July 10th 2014 the Court amends the previous Order of February 7th 2014 holding the defendant without bond. The Court now amends the previous order adopting the language of the appellate court ruling that “the Defendant presented exceptionally strong evidence in his support for pretrial release.” The appellate Court was correct that this Court previously denied release “because it believed it had no discretion to do otherwise if the State met its burden.” As the Appellate Court wrote, “The record suggests no special circumstances or other factors that would justify a reasoned discretionary decision to deny pretrial release.”

The Court now sets bond at the amount previously announced and in the manner previously set out at \$150,000 with a condition that the Defendant remain at his residence with the exception of attending religious services, for medical treatment and to go to the grocery store. As a condition of bonding the Defendant is not allowed to have possession of a firearm and all of his personal firearms are to be surrendered either to the Pasco Sheriff, to Richard Escobar, or another person acceptable to the Court after a hearing. The Defendant shall wear the standard pretrial Omni Link ankle monitor for GPS tracking of his location through *Roche Surety and Casualty while on bond. The Defendant may not waive his presence at any court date while on bond without the advanced approval of the Court. The Defendant may have no contact with the Nicole Oulsen.

IT IS HEREBY ORDERED that the motion to set bond is GRANTED and the Defendant may be released pretrial under the conditions set forth in this order.

DONE AND ORDERED in Pasco County, Florida, this 11th day of July, 2014.



CIRCUIT JUDGE

Copies to:
Manuel Garcia, Assistant State Attorney
Richard Escobar, Esquire

*Roche Security and Casualty is the bonding company provided by counsel for the defense for this order. Should the Defendant elect to go with another bonding agency, this can be modified.