

IN THE *(CIRCUIT or COUNTY)* COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR HILLSBOROUGH COUNTY

STATE OF FLORIDA
Plaintiff,

Case No.: *(Case Number)*

vs.

(Defendant Name)
Defendant.

Division: *(Division)*

MOTION FOR RELEASE ON RECOGNIZANCE

COMES NOW the Defendant, *(Defendant Name)*, by and through the undersigned counsel, pursuant to Rule 3.131(d) Fla. R. Crim. P. and Thirteenth Judicial Circuit Administrative Order S2020-018, and moves this court to release the Defendant on *(his or her)* own recognizance, and as grounds therefore would show:

1. On *(Arrest Date)*, the Defendant was taken into custody for *(List Charges)*.
2. The Defendant remains incarcerated on the above listed charges.
3. Pursuant to Administrative Order S-2020-018, a pretrial detainee is eligible for release if *(he or she)* was arrested for a municipal or county ordinance violation, a misdemeanor offense, a criminal traffic offense, or a third-degree felony. The Defendant is unquestionably eligible under these criteria.
4. Admin Order S-2020-018 further permits the Sheriff to his discretion in determining which eligible pretrial detainees pose a safety threat to the community and which do not. The Sheriff is only to release eligible pretrial detainees who are believed to not pose a safety threat.
5. Despite *(his or her)* eligibility for release, the Defendant remains in custody presumably based on the unfounded belief that *(he or she)* poses a safety threat.

6. The undersigned respectfully submits that the Defendant does not pose a safety threat to the community. Relative to every other inmate granted release by the Sheriff, there is no evidence that the Defendant here poses a greater specific or particularized safety threat to the community.

WHEREFORE, the Defendant prays this Honorable Court enter an Order granting the above motion and directing the Sheriff to release the Defendant on *(his or her)* own recognizance.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the State Attorney's Office and the Clerk of Court on *(Month and Day)*, 2020.

/s/(Name for E-signature) _____
(Name)
(Address Line 1)
(Address Line 2)
(Phone Number)
(Email)