

IN THE CIRCUIT COURT OF THE FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE NO.:16-2010-CF-8579-AXXX-MA  
DIVISION: CR-G

STATE OF FLORIDA

vs.

MARISSA ALEXANDER,  
Defendant

**STATE'S MOTION TO MODIFY OR REVOKE BOND**

The State of Florida, by and through the undersigned Assistant State Attorney, hereby moves this Honorable Court for an Order Revoking Defendant's bond in the instant case. In support of the instant Motion, the State submits the following:

(1) On November 27, 2013, Defendant was released by this Court on bond in the instant case, with the Court noting that it was "not this court's customary practice to allow continued pretrial release for defendants who commit a crime while they are out on bond awaiting trial" (as Defendant had done). Defendant was given a series of special conditions, which the court called "stringent," most notably including the provision that Defendant (paragraph #4) "remain on home detention.... and ***will not be allowed to leave her residence*** except for court appearances, medical ***emergencies***, and to satisfy any ***requirements***" of her pretrial services programs (such as providing a drug test).

(2) Beginning December 6, 2013 (mere days after being released), and continuing on multiple dates (December 6, twice on Dec. 9, Dec. 12, 13, 15, 16, 17, 18, and Dec. 20, 2013) (nine days in a 14-day span), Defendant repeatedly flouted the above-referenced conditions. She did so in order to, *inter alia*, go shopping for clothes; ferry family members to and from such places as the hair shop and airport;

visit the bank; collect funds to give to her bond agent; get estimates for getting her vehicle repaired; get new glasses; get a new driver's license; and travel to the office of a former attorney. During one such sojourn, Defendant went to the residence of the brother of the victim in this case. Defendant neither sought nor obtained permission from *the Court* for any of the above.

“The object of bail in a criminal case is to put the accused as much under the power of the court as if he were in custody of the proper officer.” Hernandez v. Roth, 890 So.2d 1173 (Fla. 3d DCA 2004). Defendant has not submitted herself to the power of the Court; rather, she continues to demonstrate her utter disregard for conforming her behavior to the rules others (including other Defendants granted bond by the courts) must abide by.

If an order is to have any true meaning, if a party is to be able to place any justifiable reliance on an order, if a court is to have any credibility and command any respect, then it *must* enforce its own orders.

In re Malmgren, 277 B.R. 755, 759 (Bankr. E.D. Wis. 2002). Defendant was granted bond once before, and violated the Court's order on multiple occasions— whereupon the Court revoked it. Defendant is once again violating the Court's orders, and this Court should not continue to allow itself to be disrespected in such blatant fashion.

WHEREFORE, the state requests this Honorable Court revoke Defendant's bond (*again*) in the instant case.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing motion has been furnished to Bruce Zimet, Esq., Attorney for Defendant, this \_\_\_<sup>th</sup> day of January, 2014.

Respectfully submitted,  
ANGELA B. COREY  
STATE ATTORNEY

By: \_\_\_\_\_  
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Assistant State Attorney  
Fla. Bar Number 119296