

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT,
IN AND FOR ALACHUA COUNTY, FLORIDA

STATE OF FLORIDA
Plaintiff,

vs.

NOEL CRUZ
Defendant.

CASE NUMBER: 01-2023-CF-003348-A

DIVISION I

MOTION TO MODIFY PRE-TRIAL RELEASE TO REMOVE GPS MONITOR

COMES NOW Defendant, NOEL CRUZ, by and through undersigned Counsel, and moves this Honorable Court to Modify the Terms of Pre-Trial Release imposed to remove the condition of GPS monitoring.

AS GROUNDS for this Motion, the Defendant states the following:

1. On or about October 25, 2023, a sworn complaint was filed in the above-captioned case.
2. On or about January 25, 2024, the State filed its Information charging the Defendant with one count of Lewd or Lascivious Battery on a person under 16 and above 12 years of age.
3. On February 20, 2024, the State filed its Motion for Pretrial Detention which was set for hearing before the Honorable David P. Kreider.
4. On February 23, 2024, an Order denying the State's Motion for Pretrial Detention was entered, and the Defendant was released on a \$100,000 bond with the following conditions: 1) no contact with the listed victim, 2) no unsupervised contact with minors, 3) no weapons or firearms, and 4) GPS monitor prior to release.
5. The Defendant has been wearing a GPS monitor since approximately February 23, 2024. Compliance reports from Court Services have been filed monthly since his release indicating that the Defendant has been complying with his conditions without issue.
6. The Defendant and his parents maintain good contact with undersigned counsel and appear for every court event and appointment.
7. The State is opposed to this request.

WHEREFORE, the Defendant respectfully requests this Court to enter its Order Modifying his Pre-trial Release to modify the requirement of the GPS monitor.

CERTIFICATE OF SERVICE

THE UNDERSIGNED CERTIFIES that a true and correct copy of the foregoing has been furnished to DARLA WHISTLER, Assistant State Attorney, via E-Service, on July 9, 2024.

s/ Alexis J. Giannasoli
Assistant Public Defender

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