

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

State of Florida
Plaintiff,

Case Number: 01-2024-CF-003593-A

Division II

vs.

Anthony Lee Gainey Jr
Defendant.

MOTION FOR PRETRIAL DETENTION

COMES NOW the State of Florida, by and through the undersigned Assistant State Attorney, and moves this honorable court to enter an Order detaining the Defendant in custody pending a final hearing on Pretrial Detention, and sets forth with particularly the grounds and essential facts, as follows:

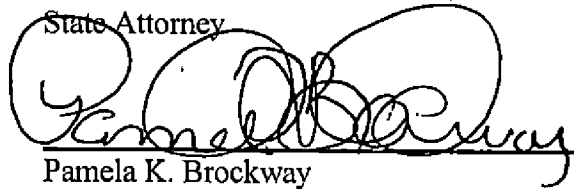
1. The Defendant has been arrested for an offense for which detention may be ordered under §907.041, Fla. Stat., to wit: Robbery
2. The defendant was on probation, parole, or other release pending completion of sentence or on pretrial release for a dangerous crime at the time the current offense was committed and/or
3. The State will show that there is a substantial probability that the defendant poses the threat of harm to the community. The defendant is presently charged with a dangerous crime, there is a substantial probability that the defendant committed such crime, the factual circumstances of the crime indicate a disregard for the safety of the community, and there are no conditions of release reasonably sufficient to protect the community from the risk of physical harm to persons.
4. The defendant did enter a Dollar General Store and approached the register. The defendant refused to pay for the items and demanded the cashier give him \$100. The cashier refused and the defendant then walked behind the counter placing the victim in fear of harm he took cigarettes and a lighter while behind the counter and left the store without paying for the items. The defendant was located and resisted the officers and after his arrest ran from the officers into a church while service was in progress.
 - a. The defendant is currently on probation in 01-2021-CF-001216-A which he has violated previously. See Exhibit A the order of probation.
 - b. See Exhibit B, the report of Ofc .Robert White which is relief upon and incorporated for the purposes of this motion.

WHEREFORE, the State respectfully moves this honorable court to find that there is probable cause to believe that the Defendant committed the offense, and that the Defendant should be detained in custody pending a final hearing on Pretrial Detention.

STATE OF FLORIDA
COUNTY OF ALACHUA

Personally appeared before me the undersigned Pamela K. Brockway, Assistant State Attorney, Eighth Judicial Circuit of Florida, who, being first duly sworn, certifies that he/she has received testimony under oath supporting the grounds and the essential facts alleged in this motion.

Brian S. Kramer
State Attorney



Pamela K. Brockway
Assistant State Attorney
Florida Bar No.: 0888664
120 West University Ave
Gainesville, FL 32601
(352) 374-3670
E-service: eservice@sao8.org
E-mail: brockwayp@sao8.org

The foregoing instrument was acknowledged before me this 29th day of October, 2024, by Pamela K. Brockway, Assistant State Attorney, who is personally known to me and who did take an oath.



NOTARY PUBLIC



SANDRA K. MAYER
Commission # HH 144267
Expires July 25, 2025
Bonded Thru Budget Notary Services

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to Linda E. Haddad, Attorney for the Defendant, by email, this 29th day of October, 2024.

s/ Pamela K. Brockway
Pamela K. Brockway
Assistant State Attorney
Florida Bar No.: 0888664
120 West University Ave
Gainesville, FL 32601
(352) 374-3670
E-service: eservice@sao8.org
E-mail: brockwayp@sao8.org

EXHIBIT A

Officer Donny Letteen
Office Location 080-Gainesville Main
Judge/Division Pena / 2

STATE OF FLORIDA

In the Circuit Court

VS

Alachua County, Florida

GAINNEY, ANTHONY

DC No. W71723

Defendant

Docket/UC No. 01-2021-CF-1216-A

ORDER OF MODIFICATION OF PROBATION

THIS CAUSE was considered due to a violation brought before the court to modify the terms of Probation which was ordered on 11/09/2022 by Circuit Judge Phillip A. Pena for a term of 4 years, in accordance with Florida Law. Having given due consideration, Probation is modified in accordance with section 948.03 Florida Statutes, in the following manner:

- All previously ordered and new monetary obligations (VOP court costs) in this case are to be paid.
- All previously ordered monetary obligations in this are to be converted to a civil judgment.
- You are hereby committed to the custody of the Alachua County Sheriff's Office for a period of 27 days with credit for 27 days time served as a special condition of this supervision and starting on 07/01/2024.
- County jail time will be served on weekends starting _____ for consecutive weekends.
- Supervision is reinstated, all previous terms and conditions shall remain in effect.
- Other: The defendant shall complete a psycho-sexual evaluation, polygraph exam and follow all recommended treatment. The defendant shall enroll in treatment within 10 days of release from custody. Must make monthly payments towards court costs or complete 10 hours of community service per month. Must report to Probation within 24 hours of release.

It is further ORDERED that the clerk of court file this order in the official records and provide certified copies to the officer for use in compliance with the requirements of the law.

DONE AND ORDERED ON THIS 1st DAY OF July, 2024.

FILED IN OPEN COURT
July 1, 2024
[Signature]
D.C.

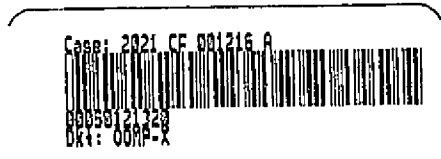
[Signature]
Phillip A. Pena
Circuit Court Judge

A certified copy of this order was delivered to the Probationer on _____.

Officer

DC3-274 (Revised 12/20/17)

Original: Court
Copy: DC Offender File



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EXHIBIT B

OBS NUMBER: 0102068029	CSE# 012024CF003593A	AGENCY CASE REPORT NUMBER: 02-24-016084
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NAME OF SUBJECT (LAST, FIRST, MI): GAINEY, ANTHONY LEE JR		ALIAS / MAIDEN:	
911 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.): 1006 NE 25TH TER	CITY: GAINESVILLE	STATE: FL	ZIP CODE: 32641
BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):		TELEPHONE NUMBER: (352) 562-6181	

MAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 911 ADDRESS):		SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION): TATTL FORE ARM / "POLAR"; TATTR FORE ARM / "BEAR"						
RACE: <input type="checkbox"/> WHITE <input type="checkbox"/> AMERICAN INDIAN <input checked="" type="checkbox"/> BLACK <input type="checkbox"/> ASIAN / ORIENTAL	SEX: M	DATE OF BIRTH: 01/27/1991	HEIGHT: 5'11	WEIGHT: 170	HAIR COLOR: BLACK	EYE COLOR: BROWN	COMPLEXION: MEDIUM	BUILD: MEDIUM
DRIVERS LICENSE / STATE ID NUMBER: G500012910270	STATE OF DL / ID: FL	SOCIAL SECURITY NUMBER:	PHOTO NUMBER:	PLACE OF BIRTH: Gainesville, FL	COUNTRY OF CITIZENSHIP: UNITED STATES OF AMERICA			
SUBJECT'S OCCUPATION:	SPN NUMBER:	AGENCY ORI NUMBER: 0010100	SO ID / AGENCY ID / NUMBER:	BOOKING NUMBER: 24-5625				
LOCATION OF ARREST: 1433 NE 16TH AVE	DATE OF ARREST: 10/27/2024	TIME OF ARREST (MILITARY): 12:00	DATE OF BOOKING: 10/27/2024	TIME OF BOOKING (MILITARY): 14:00				
SUBJECT IDENTIFIED BY WHOM (VICTIM, WITNESS, LEO, ETC.): WHITE, ROBERT		SUBJECT'S NAME VERIFIED BY (PHOTO ID, FAMILY MEMBER, KNOWN TO OFFICER, ETC.): RMS PHOTO						

#1 (NAME):	DATE OF BIRTH:	RACE:	SEX:	COURT NUMBER:	<input type="checkbox"/> ARRESTED <input type="checkbox"/> SWORN COMPLAINT <input type="checkbox"/> NTA	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC CASE	JUVENILE: <input type="checkbox"/> YES <input type="checkbox"/> NO
#2 (NAME):	DATE OF BIRTH:	RACE:	SEX:	COURT NUMBER:	<input type="checkbox"/> ARRESTED <input type="checkbox"/> SWORN COMPLAINT <input type="checkbox"/> NTA	<input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC CASE	JUVENILE: <input type="checkbox"/> YES <input type="checkbox"/> NO
JUVENILE DISPOSITION: <input type="checkbox"/> RELEASED TO JAC <input type="checkbox"/> ISSUED NTA AND RELEASED	NAME OF PARENT / GUARDIAN (NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO):		WORK TELEPHONE NUMBER:				
PARENT / GUARDIAN HOME ADDRESS (STREET, APARTMENT #, PO BOX, ETC.):		CITY:	STATE:	ZIP CODE:	HOME TELEPHONE NUMBER:		
#1 (NAME):	ADDRESS:		TELEPHONE NUMBER:				
#2 (NAME):	ADDRESS:		TELEPHONE NUMBER:				

OFFENSE DESCRIPTION: ROBBERY-UNARMED	<input checked="" type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NTA	COMPLETE STATUTE / ORDINANCE NUMBER: 812-13/2C	VICTIM NOTIFICATION: ARREST: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO RELEASE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> WARRANT <input type="checkbox"/> JUVENILE PU ORDER <input type="checkbox"/> CIVIL ORDER <input type="checkbox"/> CITATION	DATE OF OFFENSE: 10/27/2024	TIME OF OFFENSE: 11:53	BAIL AMOUNT:
<input type="checkbox"/> CAPIAS NUMBER:	VICTIM'S TELEPHONE NUMBER:		
VICTIM (NAME):	ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):	CITY:	STATE: ZIP CODE:
[REDACTED]			
OFFENSE DESCRIPTION: PETTY THEFT (RETAIL)	<input checked="" type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NTA	COMPLETE STATUTE / ORDINANCE NUMBER: 812-014(1)	ARREST: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO RELEASE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<input type="checkbox"/> WARRANT <input type="checkbox"/> JUVENILE PU ORDER <input type="checkbox"/> CIVIL ORDER <input type="checkbox"/> CITATION	DATE OF OFFENSE: 10/27/2024	TIME OF OFFENSE: 11:53	BAIL AMOUNT:
<input type="checkbox"/> CAPIAS NUMBER:	VICTIM'S TELEPHONE NUMBER: (352) 448-5610		
VICTIM (NAME):	ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):	CITY:	STATE: ZIP CODE:
DOLLAR GENERAL 1080 NE 16 AV 1080NE 16TH AVE GAINESVILLE FL 32601			

THE FOLLOWING INCIDENT OCCURRED AT (ADDRESS / LOCATION): 1080 NE 16TH AVE	CITY OF: GAINESVILLE	COUNTY OF: ALACHUA	STATE OF: FLORIDA
On 10/27/2024, I responded a Dollar General store in reference to a theft.			
VIC3, who is an employee at the store called 911 to report that a black male, wearing a white t-shirt, black head covering, and green and pink shorts had just left the store with merchandise that he did not pay for. VIC3 advised that he was walking east from the store.			
I observed the DEF waking east from the store approximately 3 blocks east of the store,			

<input type="checkbox"/> MANDATORY APPEARANCE IN COURT AT:	DATE OF APPEARANCE:	TIME OF APPEARANCE: <input type="checkbox"/> AM <input type="checkbox"/> PM
I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS NOTICE TO APPEAR. WILLFUL REFUSAL TO ACCEPT AND SIGN THIS NOTICE TO APPEAR MAY RESULT IN PHYSICAL ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF MY RIGHTS.		DEFENDANT (SIGNATURE): [Signature]
DATE: 27 DAY OF OCTOBER 2024		
SWORN TO AND SUBSCRIBED BEFORE ME THIS: 27 DAY OF OCTOBER 2024		I SWEAR THE ABOVE, AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
SIGNATURE: [Signature]		NAME (PRINT): WHITE, ROBERT P.
TITLE: LEO		SIGNATURE: [Signature]
		AGENCY: GAINESVILLE POLICE DEPARTMENT LEO ID NUMBER: 0797

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

OSTG NUMBER:
AGENCY ORI NUMBER:
0010100

SPN NUMBER:
AGENCY CASE REPORT NUMBER:
02-24-016084

NAME OF SUBJECT (LAST, FIRST, MI): **GANEY, ANTHONY LEE JR** ALIAS/MAIDEN:

RACE: WHITE AMERICAN INDIAN BLACK ASIAN/ORIENTAL
SEX: **M** DATE OF BIRTH: **01/27/1991** HEIGHT: **5'11** WEIGHT: **170** JAIL NUMBER: SO ID / AGENCY ID / NUMBER:

#3 (NAME): ADDRESS: TELEPHONE NUMBER:
#4 (NAME): ADDRESS: TELEPHONE NUMBER:

CHARGE 3
OFFENSE DESCRIPTION: **RESIST/OBSTRUCT/OPOSE OF OFFICER WITHOUT VIOLENCE**
 WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION FELONY MISDEMEANOR TRAFFIC NTA
DATE OF OFFENSE: **10/27/2024** TIME OF OFFENSE: **12:00** COMPLETE STATUTE / ORDINANCE NUMBER: **843-02**
VICTIM (NAME): **The State Of Florida** ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

CHARGE 4
OFFENSE DESCRIPTION: **ESCAPE**
 WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION FELONY MISDEMEANOR TRAFFIC NTA
DATE OF OFFENSE: **10/27/2024** TIME OF OFFENSE: **12:00** COMPLETE STATUTE / ORDINANCE NUMBER: **944-40**
VICTIM (NAME): **The State Of Florida** ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

CHARGE
OFFENSE DESCRIPTION:
 WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION FELONY MISDEMEANOR TRAFFIC NTA
DATE OF OFFENSE: TIME OF OFFENSE: COMPLETE STATUTE / ORDINANCE NUMBER:
VICTIM (NAME): ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

CHARGE
OFFENSE DESCRIPTION:
 WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION FELONY MISDEMEANOR TRAFFIC NTA
DATE OF OFFENSE: TIME OF OFFENSE: COMPLETE STATUTE / ORDINANCE NUMBER:
VICTIM (NAME): ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

PROSECUTIVE SUMMARY CONTINUED
exactly matching the description given by VIC3. He was carrying a Dollar General bag full of items. I exited my fully marked patrol vehicle wearing a full patrol uniform and ordered him several times to "stop". The DEF refused to stop, so I attempted to grab a hold of him. He pulled away and continued walking away from me. At one point he stopped, turned toward me and said "You want one", while taking a defensive stance. I laser targeted the DEF with my Taser. He once again began walking away from me. Ofc Cavett arrived and cut him off. I ordered the DEF to "get on the ground". He refused. Ofc Cavett grabbed a hold of the DEF in an attempt to gain control of him, but the DEF resisted, by attempting to get free of his grasp. Ofc Cavett then tased the DEF. The DEF fell to the ground. At this point, any reasonable person would know that they are not only not free to leave, but actually under arrest. The DEF got back up off of the ground and ran away, leaving the area of confinement during the "transportation phase" of the arrest (Escape). The DEF then ran into a church in session, and continued to resist several officers attempting to detain him, completely disrupting the church service. The DEF was eventually detained, two blocks from the initial area of arrest.

According to VIC3, the DEF brought several items to the register, refused to pay for the items, and then demanded that WIT3 give him \$100 from the register. When VIC3 did not comply, the DEF walked behind the counter, placing VIC3 in a well-founded fear for her safety. She advised that because of his demeanor, she feared that the DEF might try to harm her. While behind the counter, the DEF took a pack of cigarettes and a lighter. The DEF then left the store with the cigarettes, lighter, candy, and a Gatorade.

The DEF is listed in GPD's RMS as a documented/verified "Out East" gang member.

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

QCTS NUMBER:
AGENCY ORI NUMBER:
0010100

SPN NUMBER:
AGENCY CASE REPORT NUMBER:
02-24-016084

NAME OF SUBJECT (LAST, FIRST, MI): **GAINES, ANTHONY LEE JR.** ALIAS/MAIDEN:

RACE: WHITE AMERICAN INDIAN BLACK ASIAN/ORIENTAL
SEX: **M** DATE OF BIRTH: **01/27/1991** HEIGHT: **5'11"** WEIGHT: **170** JAIL NUMBER: SQ ID / AGENCY ID / NUMBER:

#3 (NAME): ADDRESS: TELEPHONE NUMBER:

#4 (NAME): ADDRESS: TELEPHONE NUMBER:

CHARGE
OFFENSE DESCRIPTION: FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO
 WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION DATE OF OFFENSE: TIME OF OFFENSE: BAIL AMOUNT: VICTIM'S TELEPHONE NUMBER:
 CAPIAS NUMBER:
VICTIM (NAME): ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

CHARGE
OFFENSE DESCRIPTION: FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO
 WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION DATE OF OFFENSE: TIME OF OFFENSE: BAIL AMOUNT: VICTIM'S TELEPHONE NUMBER:
 CAPIAS NUMBER:
VICTIM (NAME): ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

CHARGE
OFFENSE DESCRIPTION: FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO
 WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION DATE OF OFFENSE: TIME OF OFFENSE: BAIL AMOUNT: VICTIM'S TELEPHONE NUMBER:
 CAPIAS NUMBER:
VICTIM (NAME): ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

CHARGE
OFFENSE DESCRIPTION: FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO
 WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION DATE OF OFFENSE: TIME OF OFFENSE: BAIL AMOUNT: VICTIM'S TELEPHONE NUMBER:
 CAPIAS NUMBER:
VICTIM (NAME): ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

PROSECUTIVE SUMMARY - CONTINUED
The DEF is currently of probation for "Willful child abuse".