

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

STATE OF FLORIDA,

CASE NO.: 2025-CF-000003

**WESLEY ROBERT FICKETT,
Defendant.**

MOTION TO SET BOND

COMES NOW the Defendant, WESLEY ROBERT FICKETT, by and through his undersigned attorney, pursuant to Rule 3.131, Florida Rules of Criminal Procedure, and Article 1, Section 14 of the Florida Constitution, and respectfully moves this Honorable Court to grant bail in a reasonable amount in the above-styled cases. As grounds therefore, the Defendant states as follows:

1. The Defendant is being charged with three counts of Lewd and Lascivious Behavior and three counts of Battery Over 18 YOA Cause UND 18 Contact With Bodily Fluid
2. The Defendant was arrested on January 1st, 2025, and is currently being held on No Bond in the Alachua County Jail.
3. The Defendant is willing to abide by all conditions imposed by this court.
4. Rule 3.131(b)(1), Florida Rules of Criminal Procedure establishes a presumption in favor of release on non-monetary conditions for any person who is granted pretrial release.
5. The purpose of the bail is not to punish an accused, nor to detain an accused in custody prior to disposition of the case. The purpose of bail, commensurate with the presumption of innocence, is to insure an accused's appearance in court. *Kelsey v. McMillan*, 560 So. 2d 1343 (Fla. 1st DCA 1990); *State ex re Crabb v. Carson*, 189 So. 2d 376 (Fla. 1st DCA

1966); Stack v. Boyle, 342 U.S. 1, S. Ct. 1 (1951); Pugh v. Rainwater, 572 F.2d 1053 (5th Cir. 1978).

6. Every person charged with a crime has a right to a reasonable bail until a court adjudges that person guilty, unless the state has charged that person with a capital offense punishable by life imprisonment and the State demonstrates that the proof is evident, or the presumption is great. Article I, Section 14, Florida Constitution; State v. Arthur, 390 So. 2d 716 (Fla. 1980).
7. An accused has the right to an individualized review of his bail on the facts and circumstances of his situation and alleged offenses. Kelsey v. McMillan, 560 So. 2d 1343 (Fla. 1st DCA 1990); Rawls v. State, 540 So. 2d 946 (Fla. 5th DCA 1989).

WHEREFORE, the premises considered, it is respectfully requesting this Court grant the instant motion and set a reasonable bond.

Respectfully Submitted,

JIMMIE SPARROW III., Esq

Attorney for Defendant

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing instrument was furnished to the Office of the State Attorney for Alachua County by eservice this 6 day of January 2025.

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