

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

STATE OF FLORIDA

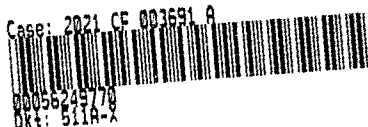
vs

CASE NO.: 01-2021-CF-003691-A  
FELONY DIVISION: V

ANDRE ABRAMS SR.,  
Defendant.

ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED  
AND PLACING DEFENDANT ON CONDITIONAL RELEASE  
[MENTAL ILLNESS] (511A-X)

THIS CAUSE having come to be heard before the Court, and the question of the competency of the defendant in this cause to proceed having been raised in accordance with the provisions of Fla.R.Crim.P. 3.210(b) and FLA. STAT. 916.12, Dr. Jennifer Rohrer, Licensed Psychologist examined the defendant to determine whether he is competent to proceed. Both the State and the Defense were afforded the opportunity to present evidence to the Court and stipulated that the written report of Dr. Rohrer should be received into evidence. The Court having received and reviewed the written report dated April 9, 2023, of the above-named expert in relation to the issue of the defendant's competency to proceed and need for treatment hereby makes the following Findings of Fact and Conclusions of Law:



Filed August 24, 2023  
Clerk of the Circuit and County Court  
Alachua County, Florida  
By: Grandjean Date: 8/25/23  
Deputy Clerk

9

### FINDINGS OF FACTS

The Court FINDS that the Defendant has a diagnosis of Bipolar I with Psychotic Features.

### CONCLUSIONS OF LAW

A. The defendant is incompetent to proceed due to the defendant's mental illness as defined in Florida Statute section 916.106(11).

B. The defendant is incompetent to proceed with

- pre-trial hearings
  - entry of a plea
  - the trial of the case
  - sentencing
  - violation of probation or community control proceedings
  - hearings on issues regarding a defendant's failure to comply with court orders or conditions
  - other matters where the mental competence of the defendant is necessary, i.e.,
- 

C. The defendant does not meet the criteria for commitment to a treatment facility of the Department of Children and Families as provided in FLA. STAT. 916.13(1) but is in need of outpatient treatment to restore competency to proceed.

Based upon the findings of facts and conclusions of law, it is ORDERED

AND ADJUDGED that:

1. The defendant is incompetent to proceed due to the defendant's mental illness as defined in FLA. STAT. 916.106(11) and all further proceedings are hereby stayed.

2. The defendant does not meet the criteria for commitment to a treatment facility of the Department of Children and Families as provided in FLA. STAT. 916.13(1) but is in need of outpatient treatment to restore competency to proceed.

3. Accordingly, the defendant is hereby released, pursuant to FLA. STAT. 916.17, and Fla.R.Crim.P. 3.212(d) on the following release conditions for a period not to exceed one year:

(a) The defendant shall remain in treatment for his mental illness for the duration of his release. His treatment will be provided by Meridian Behavioral Healthcare, 4300 SW 13<sup>th</sup> St., Gainesville, FL 32608. All aspects of his treatment will be coordinated by his assigned Forensic Specialist, currently Allyson Stewart, 4300 S.W. 13<sup>th</sup> Street, Gainesville, FL 32608, (352) 374-5600 x 8114 or (352) 538-7309.

(b) Defendant shall reside at his home located at 1816 NW 10<sup>th</sup> Street, Gainesville, FL 32609. Any changes in residence will be approved beforehand by

the Judge who presides over his case.

(c) Defendant shall attend an assessment for mental health/substance abuse outpatient treatment and comply with any recommendations.

(d) Defendant shall take all medications as prescribed by his psychiatrists and/or physicians and attend all scheduled appointments at Meridian behavioral Healthcare, Inc.

(e) Defendant shall provide any release of information requested by his treating physician, Forensic Specialist or other treatment staff concerning his mental health and compliance with the conditions of this release.

(f) Defendant shall follow the terms of the treatment plan, whether or not they are specified in this conditional release plan.

(g) Defendant will attend and participate in competency training with his Forensic Specialist and will adhere to all treatment recommendations.

(h) Defendant shall not drink alcohol or use any illegal substances. Defendant shall submit to periodic blood or urine analysis as directed by his Forensic Specialist.

(i) Defendant shall not possess or use firearms or any other weapons.

(j) Defendant shall obey all municipal, state and federal laws.

(k) Any threats or acts of physical violence towards Meridian staff members or clients will not be tolerated and may result in immediate termination from treatment services.

(l) The Defendant's assigned Forensic Specialist shall provide the court with periodic reports concerning the Defendant's compliance with the conditions of his release and his progress in treatment. The Forensic Specialist will report any violations of this plan to the Judge.

(m) The Defendant shall not leave Alachua County or the State of Florida without permission from the Judge who maintains jurisdiction over this case.

(n) Defendant shall seek voluntary hospitalization or may be involuntarily hospitalized in a local facility for stabilization and medication adjustments, if deemed necessary by his forensic specialist or law enforcement.

4. No later than six months after the date of placement on conditional release the defendant's competency shall be reevaluated under the supervision of Meridian Behavioral Healthcare, Inc. who shall report to the committing Court through the Department of Children and Families, with copies to the attorney for the state and defense **on or before January 12, 2024**, on the issue of the need for continued conditional release as provided in Fla.R.Crim.P. 3.212(d) and FLA.

STAT. 916.17(1)(c) and on an annual basis thereafter.

5. In the event the defendant has failed to comply with all conditions of his/her conditional release or that the defendant's condition has deteriorated to the point that inpatient care is required, or that the release conditions should be modified, the case manager shall immediately file an affidavit or statement under oath to that effect. The court will thereafter conduct a hearing to determine if the release conditions need to be modified.

6. The conditional release plan has been reviewed by the defendant. The defendant understands the conditions of release listed and agrees to comply with them. Pursuant to FLA. STAT. 916.304, a copy of the plan is attached to this order and copied to all parties.

7. The Court hereby retains jurisdiction in this cause, pursuant to FLA. STAT. 916.16 for the entry of such Order as may be necessary or appropriate.

8. The defendant is advised of the right to file a Habeas Corpus pursuant to FLA. STAT. 916.107(9).

9. This Cause is set for review on **August 31, 2023, at 9:00 A.M.** and a six-month review in Courtroom 3B at the Judge Stephan P. Mickle, Sr. Criminal Courthouse, 220 South Main Street, Gainesville, Florida, on **January 25, 2024, at**

STATE OF FLORIDA vs ANDRE ABRAMS, SR.  
ORDER ADJUDGING DEFENDANT INCOMPETENT TO PROCEED  
AND PLACING ON CONDITIONAL RELEASE [MENTAL ILLNESS]  
CASE NO. 01-2021-CF-003691-A  
PAGE 7

**9:00 A.M.**

**DONE AND ORDERED** in Open Court on July 27, 2023, and reduce to writing in Chambers on August 24, 2023, at Gainesville, Alachua County, Florida.



---

DAVID P. KREIDER  
CIRCUIT JUDGE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by electronic mail on this 24<sup>th</sup> day of August A.D., 2023, to the following:

Kristin Pickens, Esquire  
eservice@sao8.org,  
pickensk@sao8.org,  
parham@sao8.org

Dean Galigani, Esquire  
dean@galiganilaw.com

Department of Children and Families  
joann.humburg@myflfamilies.com,  
shannon.johns@myflfamilies.com

Meridian Behavioral Healthcare, Inc.  
shawnta\_walker@mbhci.org  
lauren\_cohen@mbhci.org  
allyson\_stewart@mbhci.org

  
\_\_\_\_\_  
Judicial Assistant



W

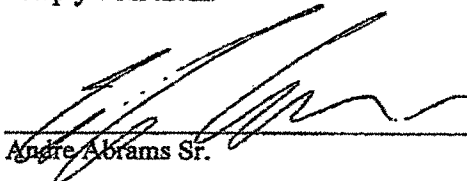
**Andre Abrams Sr.**

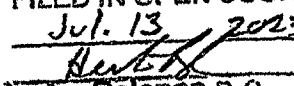
01-2021-CF-3691-A

**Mental Health Conditional Release**

1. Defendant shall remain in treatment for his mental illness for the duration of his release. His treatment will be provided by Meridian Behavioral Healthcare, 4300 SW 13<sup>th</sup> St., Gainesville FL 32608 All aspects of his treatment will be coordinated by his assigned Forensic Specialist, currently Allyson Stewart, 4300 S.W. 13<sup>th</sup> Street, Gainesville, FL 32608, (352) 374-5600 x 8114 or (352) 538-7309.
2. Defendant shall reside at his home located at 1816 NW 10<sup>th</sup> St. Gainesville, FL 32609. Any changes in residence will be approved beforehand by the Judge who presides over his case.
3. Defendant shall attend an assessment for mental health/substance abuse outpatient treatment and comply with any recommendations.
4. Defendant shall take all medications as prescribed by his psychiatrists and/or physicians and attend all scheduled appointments at Meridian Behavioral Healthcare, Inc.
5. Defendant shall provide any release of information requested by his treating physician, Forensic Specialist or other treatment staff concerning his mental health and compliance with the conditions of this release.
6. Defendant shall follow the terms of the treatment plan, whether or not they are specified in this conditional release plan.
7. Defendant will attend and participate in competency training with her Forensic Specialist and will adhere to all treatment recommendations.
8. Defendant shall not drink alcohol or use any illegal substances. Defendant shall submit to periodic blood or urine analysis as directed by his Forensic Specialist.
9. Defendant shall not possess or use firearms or any other weapons.
10. Defendant shall obey all municipal, state and federal laws.
11. Any threats or acts of physical violence towards Meridian staff members or clients will not be tolerated and may result in immediate termination from treatment services.
12. The Defendant's assigned Forensic Specialist shall provide the court with periodic reports concerning the Defendant's compliance with the conditions of his release and his progress in treatment. The Forensic Specialist will report any violations of this plan to the Judge.
13. The Defendant shall not leave Alachua County or the State of Florida without permission from the Judge who maintains jurisdiction over this case.
14. Defendant shall seek voluntary hospitalization or may be involuntarily hospitalized in a local facility for stabilization and medication adjustments, if deemed necessary by his forensic specialist or law enforcement.

Defendant has reviewed this conditional release plan. Defendant understands the listed conditions and agrees to comply with them.

  
 Andre Abrams Sr.

FILED IN OPEN COURT  
 Jul. 13, 2023  
  
 Hector Polanco D.C.

7-13-23  
 Date