

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

State of Florida
Plaintiff,

Case Number: 01-2024-CF-001535-A

Division III

vs.

Freddie Lee Martin III
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: Burglary of a dwelling
2. The State will show that there is a substantial probability that the defendant has previously violated conditions of release and that no further conditions of release are reasonably likely to assure the defendant's appearance at subsequent proceedings. and
3. 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. see attached exhibit A, arrest mittimus.

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 Darla K. Whistler, 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.

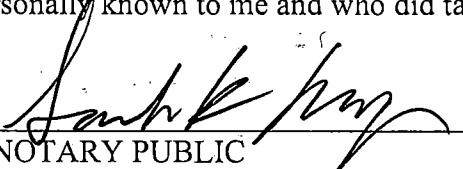
Brian S. Kramer
State Attorney



Darla K. Whistler
Assistant State Attorney
Florida Bar No.: 0567485
120 West University Avenue

Gainesville, FL 32601
(352) 374-3670
E-service: eservice@sao8.org
E-mail: whistlerd@sao8.org

The foregoing instrument was acknowledged before me this 6th day of May, 2024, by Darla K. Whistler, Assistant State Attorney, who is personally known to me and who did take an oath.


NOTARY PUBLIC

CERTIFICATE OF SERVICE



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

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to Caleb Wood, Attorney for the Defendant, by email, this 6th day of May, 2024.

s/ Darla K. Whistler
Darla K. Whistler
Assistant State Attorney
Florida Bar No.: 0567485
120 West University Avenue
Gainesville, FL 32601
(352) 374-3670
E-service: eservice@sao8.org
E-mail: whistlerd@sao8.org

OBTS NUMBER:

AGENCY CASE REPORT NUMBER:

02-24-006685

NAME OF SUBJECT (LAST, FIRST, MI):

ALIAS / MAIDEN:

MARTIN, FREDDIE LEE 3

911 HOME ADDRESS (STREET, APARTMENT NUMBER, ETC.):

CITY:

STATE:

ZIP CODE:

TELEPHONE NUMBER:

929 HUNTERS CREEK DR 201

DELAND

FL

32720

BUSINESS / SCHOOL ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):

TELEPHONE NUMBER:

MAILING ADDRESS (PO BOX, ETC. IF DIFFERENT THAN 911 ADDRESS):

SCARS, MARKS, TATTOOS, FACIAL HAIR, UNIQUE PHYSICAL FEATURES (LOCATION, TYPE, DESCRIPTION):

RACE:

SEX:

DATE OF BIRTH:

HEIGHT:

WEIGHT:

HAIR COLOR:

EYE COLOR:

COMPLEXION:

BUILD:

WHITE AMERICAN INDIAN

BLACK ASIAN / ORIENTAL

M

09/28/1992

6'01

240

Baldy

Brow

Med bul

DRIVERS LICENSE / STATE ID NUMBER:

STATE OF DL / ID:

SOCIAL SECURITY NUMBER:

PHOTO NUMBER:

PLACE OF BIRTH:

COUNTRY OF CITIZENSHIP:

M635252923480

FL

Volusia County

UNITED STATES OF AMERICA

SUBJECT'S OCCUPATION:

SPN NUMBER:

AGENCY ORI NUMBER:

SO ID / AGENCY ID / NUMBER:

BOOKING NUMBER:

0010100

LOCATION OF ARREST:

DATE OF ARREST:

TIME OF ARREST (MILITARY):

DATE OF BOOKING:

TIME OF BOOKING (MILITARY):

3101 NE 15TH ST APT#E40

05/03/2024

06:00

05/03/2024

06:21

SUBJECT IDENTIFIED BY WHOM (VICTIM, WITNESS, LEO, ETC.):

SUBJECT'S NAME VERIFIED BY (PHOTO ID, FAMILY MEMBER, KNOWN TO OFFICER, ETC.):

OFC POVEDA

FL DL

#1 (NAME):

DATE OF BIRTH:

RACE:

SEX:

COURT NUMBER:

ARRESTED
 SWORN COMPLAINT
 NTA

FELONY
 MISDEMEANOR
 TRAFFIC CASE

JUVENILE:
 YES
 NO

#2 (NAME):

DATE OF BIRTH:

RACE:

SEX:

COURT NUMBER:

ARRESTED
 SWORN COMPLAINT
 NTA

FELONY
 MISDEMEANOR
 TRAFFIC CASE

JUVENILE:
 YES
 NO

JUVENILE DISPOSITION:

NAME OF PARENT / GUARDIAN (NOTIFIED YES NO):

WORK TELEPHONE NUMBER:

RELEASED TO JAC
 ISSUED NTA AND RELEASED

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:

FALSE IMPRISONMENT

FELONY
 MISDEMEANOR
 TRAFFIC NTA

COMPLETE STATUTE / ORDINANCE NUMBER:

787-02/2

VICTIM NOTIFICATION:

ARREST: YES NO
RELEASE: YES NO

WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION
 CAPIAS NUMBER:

DATE OF OFFENSE:

TIME OF OFFENSE:

BAIL AMOUNT:

VICTIM'S TELEPHONE NUMBER:

05/03/2024

06:09

(352) 665-6908

VICTIM (NAME):

ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):

CITY:

STATE:

ZIP CODE:

DAWSON, CLARANELLE PERCELL

2002NE 36TH AVE

GAINESVILLE

FL

32605

OFFENSE DESCRIPTION:

BURGLARY OF OCCUPIED STRUCTURE

FELONY
 MISDEMEANOR
 TRAFFIC NTA

COMPLETE STATUTE / ORDINANCE NUMBER:

810-02/3C

VICTIM NOTIFICATION:

ARREST: YES NO
RELEASE: YES NO

WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION
 CAPIAS NUMBER:

DATE OF OFFENSE:

TIME OF OFFENSE:

BAIL AMOUNT:

VICTIM'S TELEPHONE NUMBER:

05/03/2024

06:18

(352) 665-6908

VICTIM (NAME):

ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.):

CITY:

STATE:

ZIP CODE:

DAWSON, CLARANELLE PERCELL

2002NE 36TH AVE

GAINESVILLE

FL

32605

THE FOLLOWING INCIDENT OCCURRED AT (ADDRESS / LOCATION):

CITY OF:

COUNTY OF:

STATE OF:

3101 NE 15TH ST - E40

GAINESVILLE

ALACHUA

FLORIDA

On the above date, time, and location, DEF did commit criminal mischief (felony X2), burglary to an occupied structure, false imprisonment, resisting without violence, and drug possession.

DEF showed up at the VIC's (front door and asked her to open it. VIC did not see DEF, but recognized his voice, as she knows him by his nickname, RED. VIC never opened her

MANDATORY APPEARANCE IN COURT AT:

DATE OF APPEARANCE:

TIME OF APPEARANCE:

AM
 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):

DATE:

SWORN TO AND SUBSCRIBED BEFORE ME THIS:

I SWEAR THE ABOVE, AND REVERSE AND ATTACHED PAGES AND STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME (PRINT): **POVEDA, ARNOLDO J.**

SIGNATURE: *Poveda*

AGENCY: **GAINESVILLE POLICE DEPARTMENT**

LEO ID NUMBER: **0998**

MAY DAY OF 3RD 2024
Signature: *DP's Jon M. [unclear] #934*
TITLE: **DEPUTY SHERIFF**

Exhibit A

SUPPLEMENT

EIGHTH JUDICIAL CIRCUIT

OBTs NUMBER:

SPN NUMBER:

AGENCY ORI NUMBER:

AGENCY CASE REPORT NUMBER:

0010100

02-24-006685

NAME OF SUBJECT (LAST, FIRST, MI): **MARTIN, FREDDIE LEE 3** ALIAS / MAIDEN:

RACE: WHITE AMERICAN INDIAN BLACK ASIAN / ORIENTAL
SEX: **M** DATE OF BIRTH: **09/28/1992** HEIGHT: **6'01** WEIGHT: JAIL NUMBER: SO ID / AGENCY ID / NUMBER:

#3 (NAME): ADDRESS: TELEPHONE NUMBER:

#4 (NAME): ADDRESS: TELEPHONE NUMBER:

CHARGE 3: OFFENSE DESCRIPTION: **CRIMINAL MISCHIEF** FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: **806-13** VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO

WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION DATE OF OFFENSE: **05/03/2024** TIME OF OFFENSE: **06:04** BAIL AMOUNT: VICTIM'S TELEPHONE NUMBER: **(352) 665-6908**

VICTIM (NAME): **DAWSON, CLARANELLE PERCELL** ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): **2002NE 36TH AVE** CITY: **GAINESVILLE** STATE: **FL** ZIP CODE: **32605**

CHARGE 4: OFFENSE DESCRIPTION: **CRIMINAL MISCHIEF** FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: **806-13** 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:

VICTIM (NAME): **SOCIETY,** ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): **545NW 8TH AVE** CITY: **GAINESVILLE** STATE: **FL** ZIP CODE: **32601**

CHARGE 5: OFFENSE DESCRIPTION: **POSSESSION OF LESS THAN 20G OF CANNABIS** FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: **893-13/6(B)** VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO

WARRANT JUVENILE PU ORDER CIVIL ORDER CITATION DATE OF OFFENSE: **05/03/2024** TIME OF OFFENSE: **06:10** BAIL AMOUNT: VICTIM'S TELEPHONE NUMBER:

VICTIM (NAME): **SOCIETY,** ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): **545NW 8TH AVE** CITY: **GAINESVILLE** STATE: **FL** ZIP CODE: **32601**

CHARGE 6: 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:

VICTIM (NAME): ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

PROSECUTIVE SUMMARY: apartment door. DEF willfully and maliciously damaged the VIC's apartment door by proceeding to kick the door three times, leaving a clear shoe imprint on it. VIC's apartment door remained closed, but the force DEF used to kick the door kept it closed in the locked position creating total damage of approximately \$1500.00. According to online estimates, the average cost for replacing an exterior door and frame is approximately \$1400. The VIC was not able to get out of her apartment. DEF left the area and was unable to be located by LEO upon arrival.

LEO assisted VIC with opening her apartment door in order to allow the VIC to exit her apartment. Approximately one hour later, DEF returned to the residence, entered uninvited, and forced the VIC's door apartment door open. VIC was inside the apartment at the time of DEF entering the apartment.

As DEF entered the apartment, DEF told VIC, "Y'all go nowhere, or everybody dies in here." DEF placed a chair below the lock of the door to keep it closed.

VIC advised DEF said, "Oh, you motherfuckers are snitching and going to call the police on me. Okay, I got something for you." VIC advised DEF stated, "They're going to have to take me down and get me out of here. Or I'm snitching in the air about going to die here tonight." DEF forcibly threatened VIC and confined her against her will to the apartment.

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

OBTS NUMBER:
AGENCY ORI NUMBER:
0010100

SPN NUMBER:
AGENCY CASE REPORT NUMBER:
02-24-006685

NAME OF SUBJECT (LAST, FIRST, MI): **MARTIN, FREDDIE LEE 3** ALIAS / MAIDEN:
 RACE: WHITE AMERICAN INDIAN BLACK ASIAN / ORIENTAL
 SEX: **M** DATE OF BIRTH: **09/28/1992** HEIGHT: **6'01** WEIGHT: JAIL NUMBER: SO 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:

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 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
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 CAPIAS NUMBER:
 VICTIM (NAME): ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

PROSECUTIVE SUMMARY CONTINUED

LEO was still on scene in the apartment complex, when VIC called law enforcement again. LEO approached VIC's apartment. VIC opened the door and pointed at DEF, who was sitting on the sofa. LEO gave a verbal commands to DEF to turn around and put his hands on his back. Additional backup arrived and were able to place DEF in handcuffs.

DEF was searched prior to being placed inside my patrol vehicle. A search of DEF yielded 6.30 grams of cannabis, which I was recognized by sight and smell, as well as training and experience.

Post-Miranda, DEF stated he did not kick the VIC's door. I opened the vehicle door and asked DEF for one of his shoes. The sole of DEF's shoes matched a footprint left on the door when it was kicked earlier. DEF was informed me that he was being arrested for criminal mischief (misdemeanor). The DEF then began to act extremely violent, intentionally and maliciously kicking the rear right door of the patrol vehicle from the inside, creating damages of approximately \$2000.00. The GPD's patrol vehicle had the door bent on its upper side, the interior is as well damages which impided closed the door normally, force is need it to do so. DEF stated, "You will have to kill me," implying he was attempting to escape the rear seat of my patrol vehicle, while in custody.

SUPPLEMENT EIGHTH JUDICIAL CIRCUIT

OBTS NUMBER:
AGENCY ORI NUMBER:
0010100

SPN NUMBER:
AGENCY CASE REPORT NUMBER:
02-24-006685

NAME OF SUBJECT (LAST, FIRST, MI): **MARTIN, FREDDIE LEE 3** ALIAS / MAIDEN:

RACE: WHITE AMERICAN INDIAN BLACK ASIAN / ORIENTAL
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#4 (NAME): ADDRESS: TELEPHONE NUMBER:

CHARGE
OFFENSE DESCRIPTION: FELONY MISDEMEANOR TRAFFIC NTA COMPLETE STATUTE / ORDINANCE NUMBER: VICTIM NOTIFICATION: ARREST: YES NO RELEASE: YES NO
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NUMBER:
VICTIM (NAME): ADDRESS (STREET, APARTMENT NUMBER, PO BOX, ETC.): CITY: STATE: ZIP CODE:

PROSECUTIVE SUMMARY
CONTINUED
The DEF was identified via FL ID/DL