

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

**CASE NUMBER: 01-2021-CF-003691-A
Circuit Criminal Division I**

**STATE OF FLORIDA,
Plaintiff,**

-vs-

**ANDRE NMN ABRAMS, SR,
Defendant.**

**ORDER DENYING DEFENDANT'S MOTION
FOR POST-TRIAL RELEASE PENDING APPEAL**

THIS CAUSE was considered by the Court on the Defendant's Motion for Post-Trial Release Pending Appeal filed with the Clerk of Court on Thursday, April 24, 2025. The Court having reviewed the Motion and file, considered the position of the State, and being otherwise fully advised, the Court finds as follows:

1. The Statement of Judicial Acts To Be Reviewed, filed 4/14/25 by Counsel for the Defendant, states that the Judicial Acts To Be Reviewed are 1) Denial of Defendant's Motion for Judgment of Acquittal and 2) Any other issue the appellant attorney sees as being viable.
2. The legal argument made for the Judgment of Acquittal was that evidence of an intentional threat was not provided to the jury for the charged crime of Aggravated Assault of a Deadly Weapon. (Page 160 of the March 6, 2025 Jury Trial Transcript lines 11-20.)
3. An intentional threat is not an element of the convicted lesser included crime of Improper Exhibition of a Weapon.
4. The Court fails to find that the appeal is taken "in good faith, on grounds not frivolous but fairly debatable."

It is hereby

ORDERED AND ADJUDGED that the Defendant's Motion for Post-Trial Release Pending Appeal is **DENIED**.

DONE AND ORDERED on Monday, June 2, 2025.

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Sean Brewer, Circuit Judge

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was furnished by U.S. Mail, or via filing with the Florida Courts E-Filing Portal, or by electronic mail, on Monday, June 2, 2025 to the following:

Public Defender 8Th Circuit
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State Attorney 8Th Circuit
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Jenna Morgan, Judicial Assistant

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