

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2007

DWAYNE LEE NEWTON,
Petitioner,

v.

STATE OF FLORIDA,
Respondent.

No. 4D07-2556

[August 29, 2007]

PER CURIAM.

The petition for writ of habeas corpus is granted. *See Alexander v. Judd*, 930 So. 2d 847 (Fla. 2d DCA 2006). The trial court could not rely on the violation of conditions of pretrial release in a prior case to categorically deny pretrial release in this case. *Id.*; see § 903.0471, Fla. Stat. (2006). If it has not already done so, the trial court shall hold a bond hearing and consider pretrial release for this case. If the state moves for pretrial detention and the statutory requirements are met, the court may order petitioner detained without bond in this case. See § 907.041(4)(c), Fla. Stat. (2007).

KLEIN, STEVENSON and GROSS, JJ., concur.

* * *

Petition for writ of habeas corpus to the Circuit Court for the Nineteenth Judicial Circuit, Martin County; Robert E. Belanger, Judge; L.T. Case No. 432007CF000551XXAXMX.

Dwayne Lee Newton, Stuart, pro se.

Bill McCollum, Attorney General, Tallahassee, and Katherine Y. McIntire, Assistant Attorney General, West Palm Beach, for respondent.