

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2012

KIMOTHY MARQUEZ MASSIE,
Petitioner,

v.

RIC L. BRADSHAW, as Sheriff of Palm Beach County, Florida,
Respondent.

No. 4D11-4714

[December 29, 2011]

PER CURIAM.

Arriving in court no more than 22 minutes after his case was called, petitioner's bond was revoked and he was taken into custody. At a bond hearing three days later, the circuit judge determined that no condition of bond could assure the court that petitioner would either commit no new offenses or appear in court in this case. The record does not support the court's findings. The determination was based in part on a criminal charge in Dade County that occurred prior to the criminal incident in this case. Petitioner had not previously failed to appear or been tardy for a court appearance in this case. We grant the petition and remand to the circuit court to impose conditions of release. See art. I, § 14 Fla. Const.

GROSS, CIKLIN and CONNER, JJ., concur.

* * *

Petition for writ of habeas corpus to the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; John Kastrenakes, Judge; L.T. Case No. 2011CF010014AXX.

Carey Haughwout, Public Defender, and Cherry Grant, Assistant Public Defender, West Palm Beach, for petitioner.

Pamela Jo Bondi, Attorney General, Tallahassee, and Georgina Jimenez-Orosa, Senior Assistant Attorney General, West Palm Beach, for respondent.