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09/08/2004 at 02:34 PM, BOB INZER, CLERK OF COURTS

RECORDED IN THE PUBLIC
RECORDS OF LEON CO. FLA.
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NOTED
CLERK OF CIRCUIT COURT

IN THE COUNTY COURT OF THE
SECOND JUDICIAL CIRCUIT IN
AND FOR LEON COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 85-3

WHEREAS, the power to admit to bail is judicial, and

WHEREAS, standing judicial orders establishing bond amounts for specific criminal offenses are permitted, and sheriffs may administer such orders in a ministerial way under color of judicial authority, and

WHEREAS, it is the intent of this Court to permit the use of a standing judicial bail order only under criteria that will protect the citizens of Leon County, and,

WHEREAS, the Supreme Court of Florida has, by its Criminal Rules, provided for the first appearance detention hearing which ensures that no one will remain detained in this state for longer than twenty-four (24) hours without being brought before a judicial officer for the purpose of addressing the question of release in an individualized manner. It is therefore

ORDERED AND ADJUDGED that all existing bond schedules in effect in Leon County, Florida, including the one established by Administrative Order Number 79-5, and the one effective February 22, 1982, origin unknown, are hereby revoked. It is further

ORDERED AND ADJUDGED that release from adult detention shall be based on either:

1) a notice to appear issued by the arresting officer as provided by law, or

2) by pre-set bail when the amount of bail or other condition of release is endorsed on a warrant or capias issued by a Judge of the County or Circuit Court, or

3) after written motion and order signed before this Court or the Circuit Court, or

4) after first appearance detention hearing, or

5) after hearing for the purpose of setting the conditions

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of release from detention, or

6) by writ of habeas corpus or any other manner provided by law, or

7) by a pre-established bail schedule under the following conditions:

a) the information on the defendant required by Administrative Order 85-2 must be available;

b) If the present offense be a felony of any degree, the defendant must have no prior history of being found guilty of any felony, including withholding of adjudication;

c) the offense charged must not carry a mandatory jail or prison sentence upon conviction (firearm, second DUI, etc.)

d) if the present offense is a felony or a misdemeanor, the defendant shall have no past record of escape or failure to appear at any criminal proceeding;

e) if the offense is a felony or misdemeanor, there must have been no firearm used, or other weapon as defined in Section 790.001, Florida Statutes;

f) if the offense is a felony or misdemeanor, it must not involve a crime of violence against the person;

g) the defendant must have resided continuously in Florida for at least the last past year;

8) notwithstanding that the defendant may otherwise be eligible for release by the posting of money bail, the arresting officer or agency may require that he or she be held for first appearance;

9) if each of the above conditions are met, a defendant not wishing to await a first appearance hearing before a judicial officer is eligible to be admitted to bail in the amount set forth in the following schedule:

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LEON COUNTY BOND SCHEDULE

CAUTION: If bond is not posted, subject must be brought before the Judge within twenty-four (24) hours of being taken into custody.

A. TRAFFIC

1)	No driver's license	$ 50.00
2)	Displaying another's driver's license	150.00
3)	Possession of revoked license	200.00
4)	Driving with suspended license:	
	1st offense	250.00
	2nd offense	500.00
5)	Driving with suspended license - Financial Responsibility Division Suspension:	
	1st offense	250.00
	2nd offense	500.00
6)	Driving while under influence (1st offense)	500.00
7)	Driving vehicle without owner's consent	100.00
8)	Reckless driving	200.00
9)	Passing school bus	150.00
10)	Leaving scene of accident:	
	Property damage or personal injury to driver only	200.00
	Property damage only to other person	200.00
	Person injury to others	500.00
11)	Persons refusing to sign traffic citation	100.00
12)	False accident report	250.00
13)	Fleeing or eluding officer	250.00
14)	Obstructing officer without violence	500.00

B. CRIMINAL

1)	Resisting arrest or obstructing officer without violence	500.00
2)	Selling beer after hours	200.00
3)	Selling beer to minors	500.00
4)	Whiskey violations:	
	1st offense	1,000.00
	2nd offense	1,500.00
5)	Gambling	50.00
6)	Bolita	300.00
7)	Operating dance hall on Sunday:	
	1st offense	100.00
	2nd offense	200.00
8)	Contributing to delinquency of minors	500.00
9)	Prostitution	250.00
10)	Narcotics:	
	Marijuana less than 20 grams	250.00
	Possession of paraphernalia**	250.00
	**see possession charge under felonies where it is in connection with felony charge	
11)	Petty theft (including shoplifting):	
	1st offense	100.00
	2nd offense	1,000.00
12)	Passing worthless bank checks (per check)	50.00

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13)	Removing property under lien	200.00
14)	Disorderly conduct or disorderly intoxication	75.00
15)	Indecent exposure	1,000.00
16)	Indecent exposure (urinating in public)	100.00
17)	Trespassing	100.00
18)	Trespass after warning	500.00
19)	Obscene phone calls	2,500.00
20)	Harassing phone calls	300.00
21)	Withholding support from minor child	250.00
22)	Cruelty to an animal (not serious)	250.00
23)	Cruelty to an animal (serious)	1,000.00
24)	Criminal mischief	250.00
25)	Public Assistance fraud	150.00
26)	Camping in other than a designated campsite	100.00
27)	Loitering and prowling	250.00
28)	Littering	100.00
29)	Failure to compel school attendance	100.00
30)	Obtaining lodging with intent to defraud	150.00
31)	Culpable negligence with personal injury	1,000.00
32)	Interference with custody	1,000.00
33)	Public nuisance	500.00
34)	False report to law enforcement officer	250.00

C. VIOLATION OF CITY OR COUNTY ORDINANCES

Minor	50.00
Major	250.00

D. VIOLATION OF PUBLIC UTILITY COMMISSION RULES AND REGULATIONS

Minor	50.00
Major	250.00

E. VIOLATION OF GAME AND FRESH WATER FISH COMMISSION RULES

I. BOATING

1)	No life safety devices	50.00
2)	No boat registration	50.00
3)	Reckless operation of boat	200.00
4)	Improper safety equipment	50.00
5)	Improper or no running lights	50.00
6)	Water skiing without observer or wide-angle rear view mirror	50.00
7)	Operation of motor boat while intoxicated	500.00
8)	No wake	25.00

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II. FISHING

1)	No fishing license	$ 50.00
2)	Fishing in closed area	50.00
3)	Failure to exhibit license upon request	50.00
4)	Illegal fishing devices	250.00
5)	Over bag limit of fish *plus $5.00 per fish	50.00*
6)	Unlawful trotline	100.00
7)	Net fishing in fresh water	150.00

III. HUNTING

1.	No hunting license	$ 75.00
2.	Unlicensed or unidentified hunting vehicle	25.00
3.	No management area permit	75.00
4.	Hunting in closed area	75.00
5.	Hunting while intoxicated	500.00
6.	Unplugged gun	75.00
7.	Shooting ducks after legal hours	100.00
8.	Shooting doves after legal hours	100.00
9.	Failure to exhibit license upon request	50.00
10.	Fleeing or attempting to elude officer	250.00
11.	Possession of gun in management area without area permit or during closed season	50.00
12.	Possession of steel traps	500.00
13.	Possession of loaded gun in closed area	75.00
14.	Possession of shells of improper size	75.00
15.	Possession of loaded guns, dogs or trapping devices in management area during closed season	100.00
16.	Possession of loaded gun in management area after legal hours w/o permit	75.00
17.	Possession of dogs in still-hunt area	150.00
18.	Taking or attempting to take short-horned buck	500.00
19.	Taking or attempting to take doe	500.00
20.	Taking ducks without duck stamp, permit or license (plus $15.00 duck)	50.00
21.	Illegal taking or possession of deer or wild turkey	500.00
22.	Taking or attempting to take game in management area w/o permit	50.00
23.	Taking game on or over bait	250.00
24.	Taking squirrel in closed season	25.00/squirrel
25.	Taking or attempting to take migratory birds over bait	250.00
26.	Taking bear in closed season	500.00
27.	Over bag limit (plus $10.00/bird or small game)	50.00
28.	Running wildlife with dogs during Spring Gobbler season	250.00
29.	Free running dogs molesting deer in closed season	250.00
30.	Unlawful killing of fox	250.00
31.	Commercial taking of turtle	250.00
32.	Illegal hunting with gun and light/ wildlife	500.00
	deer	500.00
33.	Running or ralling ducks	50.00
34.	Illegal entry or exit from management area	50.00
35.	No Quota Permit	25.00

IV. OTHER

1.	Unlawful sale, possession or transportation of alligators or alligator skins (plus $100.00 per skin)	500.00
2.	Poaching Alligator	750.00
3.	Advertising crocodilia as alligator	150.00
4.	Florida litter law (under 5 pounds-Civil)	25.00
	(over 5 pounds-M-2)	150.00
5.	Unlawful burning	25.00

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FELONY BOND SCHEDULE

I. NO BOND OFFENSES AND MANDATORY FIRST APPEARANCE

NO BOND is to be allowed except by Circuit Court order on the following charges as these offenses are not bondable as of right unless after an adversary detailed evidentiary hearing the Circuit Court finds the proof of guilt is not evident nor is the presumption of guilt great:

A. Burglary if a firearm is possessed or stolen by the defendant or if any person is assaulted or injured by the defendant (LIFE)

B. Escape from a prison or jail facility

C. Kidnapping (LIFE)

D. Murder (1st degree - capital or 2nd degree - LIFE)

E. Armed Robbery (LIFE)

F. Sexual Battery

a) victim under 11 years (CAPITAL)
b) deadly weapon used or threatened (LIFE)

II. FELONY

1)	Arson (less than 1st degree)	$ 3,500
2)	Criminal Mischief (over $1,000 malicious destruction of property)	1,000
3)	Heroin (possession or sale)	50,000
4)	L.S.D. (Possession or sale)	50,000
5)	Burglary (no firearm or assault)	
	a) of a dwelling house or apartment	2,500
	b) of a commercial building while business is closed or other structure	2,500
	c) of a motor vehicle or other conveyance	1,000
6)	Credit Card (fraudulent use over $100)	1,000
7)	Other Controlled Substances (893, Florida Statutes)	
	a) Cannabis - possession of over 20 grams but less than 10 lbs.	1,500
	b) Cannabis - possession of 10 lbs to 50 lbs	10,000
	c) Cannabis - possession of 50 lbs or more	50,000
	d) Cannabis - sale of less than 50 lbs	10,000
	e) Cannabis - sale of more than 50 lbs	50,000
	f) Cannabis paraphernalia	1,000
	g) Cocaine - possession	5,000
	h) Cocaine - possession with intent to sell	20,000
	i) Cocaine, sale of	35,000
	j) Obtaining controlled substance by forgery or fraud	1,500
	k) Possession of controlled substances not specifically enumerated	5,000
	i) with intent to sell	20,000
	ii) sale	35,000

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8)	Forgery and/or uttering	
	a) Forgery	$ 500
	b) Uttering	1,000
9)	Grand Theft	2,500
10)	PWBC felony	500
11)	Receiving, possession stolen property	1,500
12)	Public Assistance Fraud	500

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DONE AND ORDERED in Chambers, Tallahassee, Leon County, Florida, this 24 day of July, 1985.

ADMINISTRATIVE JUDGE

COUNTY JUDGE

COUNTY JUDGE

Approved by:

CHIEF JUDGE

Copies furnished to:

Leon County Sheriff's Department
Tallahassee Police Department
Florida Highway Patrol
Leon County Jail
State Attorney's Office
Public Defender's Office
Florida State University Security
Florida A & M Security
Game and Fresh Water Fish Commission
Tallahassee Bar
Circuit Judges
County Judges
Court Administrator
Clerk of the Court

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