

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN
AND FOR PALM BEACH COUNTY,
FLORIDA

STATE OF FLORIDA

CRIMINAL DIVISION: X

vs.

CASE NO.: 2024CF000531AXX

JULIE K. MITCHELL,
Defendant

_____ /

AGREED MOTION TO RESET PRETRIAL DETENTION HEARING

COMES NOW the Defendant, JULIE K. MITCHELL, by and through undersigned counsel, NELLIE L. KING, and with the agreement of ASSISTANT STATE ATTORNEY ALEXCIA COX, and hereby files this Agreed Motion to Reset Pretrial Detention Hearing. As grounds therefore, the Defendant would state:

1. The Defendant is charged with two counts of Aggravated Battery with a Deadly Weapon (Domestic); two counts of Aggravated Battery on a Law Enforcement Officer; and two counts of Resisting a Law Enforcement Officer with Violence.
2. This cause is set on January 23, 2024, at 11:00 a.m. for the State Attorney's Motion for Pretrial Detention pursuant to Fla.R.Crim.P. 3.132 and Fla. Stat. § 907.041.
3. Pursuant to Fla. Stat. § 907.041(8)(f), the Defendant may request a continuance of the pretrial detention hearing. However, said extension may be granted for only a period of five (5) days unless extenuating circumstances exist to justify resetting the matter for a longer period of time.
4. There are extenuating circumstances which exist supporting the request that this matter be reset for a minimum of 30-45 days from today's date.
5. Upon her arrest, MS. MITCHELL was transported to JFK Hospital for assessment pursuant to a Baker Act commitment. She was thereafter transported to the Palm Beach County Jail and is currently being housed in the Psychiatric Unit. As of the time of this writing, MS. MITCHELL is awaiting psychiatric evaluation and treatment.

6. Undersigned counsel has concerns that, given the circumstances outlined above, as well as observations of her client while in custody, MS. MITCHELL may be unable to participate in the hearing due to her current mental status. Note, however, that the undersigned is not requesting a competency evaluation of MS. MITCHELL at this time until more information can be known about MS. MITCHELL'S mental status.
7. Undersigned counsel contacted TIMOTHY MITCHELL, the husband of the Defendant, and the victim in this matter. MR. MITCHELL is in agreement with this request. MR. MITCHELL does not wish to appear tomorrow for the pretrial detention hearing and requests additional time before these issues are to be determined. MR. MITCHELL also asserts this position on behalf of his minor daughter, R.M., who is also a victim in this matter.
8. The parties agree that MS. MITCHELL'S current bond and detention status on this case shall remain in effect until such time as this Honorable Court rules on the State's request for pretrial detention.
9. Undersigned counsel has also recently been retained in this matter, was just advised of the hearing date, and has a conflict in her schedule which cannot be altered. Specifically, the undersigned is to be in Tallahassee on Tuesday and Wednesday, January 23 and 24, 2024. Airline tickets have been purchased for this trip.
10. It should be noted that the pretrial detention hearing before this Honorable Court only pertains to Counts 3 and 4, Aggravated Battery on a Law Enforcement Officer, as the First Appearance Judge, The Honorable Ted Booras found probable cause for attempted first degree murder on Counts 1 and 2.
11. Undersigned counsel contacted Assistant State Attorney Alexia Cox regarding this request, and she is in agreement with a 30-day reset of the pretrial detention hearing.
12. The Defendant hereby waives Speedy Trial.

WHEREFORE, based on the foregoing grounds, the Defendant respectfully requests this Court enter an Agreed Order resetting this cause for State Attorney's Motion for Pretrial Detention on _____, at _____ a.m.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via the Florida E-Portal this 22nd day of January, 2024, to the Office of the State Attorney, 401 North Dixie Highway, West Palm Beach, FL 33401, to FELDIVX@SA15.ORG.

Respectfully submitted,

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