

IN THE CIRCUIT COURT OF THE NINTH
JUDICIAL CIRCUIT, IN AND FOR
ORANGE COUNTY, FLORIDA

STATE OF FLORIDA
Plaintiff,

CASE NO: 48-2023-CF-010870-O

DIVISION: 17

vs.

KEVIN RUDOLPH HOLMES
Defendant.

_____ /

MOTION FOR PRETRIAL DETENTION

COMES NOW the State of Florida and moves this Court pursuant to F.S. 907.041(4)(c) and F.R.C.P. 3.132(a) to order continued Pre-Trial Detention in this case. As grounds therefore the State would show that:

1. Pursuant to F.S. 907.041(4)(c), the Court “may order pretrial detention if it finds a substantial probability” that certain circumstances exist.

2. The State alleges there is a substantial probability that the following statutory circumstances exist in 907.041(4)(c):

3. The Defendant has threatened or intimidated the victim and potential witnesses with the intent to obstruct the judicial process.

4. The Defendant poses a threat of harm to the community as he is charged with dangerous crimes and there is a substantial probability that the Defendant committed these crimes. The facts charged indicate an immediate danger to the community and disregard for public safety. There are no conditions of release that are reasonably sufficient to protect the community from the risk of physical harm to persons.

5. The Defendant has been arrested in the above-styled case and charged with the crimes of Kidnapping and False Imprisonment with a weapon. Kidnapping being a crime for which detention may be ordered under Fla. Stat. 907.041.

6. The charge of kidnapping is a First-Degree Felony punishable by life in prison and as such the defendant is not entitled to bond.

7. The facts upon which this motion is based are as follows:

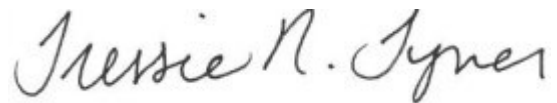
- a. The defendant did forcibly confine, abduct or imprison the victim against their will by for the purpose of inflicting bodily harm

or terrorizing the victim. This action was done by the defendant tying the victim's hands together and forcing the victim inside of a vehicle. The defendant did so while the victim was being threatened with a firearm. The defendant did participate in transporting the victim to another location by force. This was done for the defendant to obtain information from the victim, namely the victim's address, in regard to a potential stolen item. All actions are in violation of Florida statute 787.01(1)(A)(2)-5.

- b. The defendant did forcibly, by threat, confined, abducted, and restrained the victim against their will without lawful authority. The defendant did this by using a cord to restrain the victim's hands to transport inside of an automobile. Upon arriving at the destination, the defendant did further restrain the victim by duct taping her hand and feet together, as well as taped the victim's mouth closed. The defendant assisted in restraining the victim inside of the vehicle after the victim attempted to escape. These actions are in violation of Florida statute 787.02(2)-2.
8. The State asks the court to hold the defendant in custody to ensure the safety of the community, and more importantly, the safety of the victim.
9. The State respectfully asks that the Court set this hearing five days from the date of filing to prepare necessary testimony and evidence.

WHEREFORE, the undersigned Assistant State Attorney requests this Honorable Court to order pretrial detention.

Respectfully submitted,

A handwritten signature in cursive script that reads "Tressie N. Tyner". The signature is written in black ink and is positioned above a horizontal line.

Tressie Nicole Tyner
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