

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR CITRUS COUNTY, FLORIDA**

CASE NO.: 2021 CA 000058 A

SCOTT MATTHEW FREUND,
Petitioner,

v.

CITRUS COUNTY SHERIFF'S OFFICE,
Respondent.

ORDER DENYING MOTION FOR WRIT OF HABEAS CORPUS

This cause came before the Court for hearing on January 29, 2021 upon the Emergency Petition for Writ of Habeas Corpus filed on January 29, 2021. Petitioner's counsel, J. Michael Blackstone, Assistant State Attorney Bryan Caughey and Probation Officer Merrilee H. Stewart appeared by Zoom/telephonically for the emergency hearing. As a result of the hearing, the Court finds as follows:

1. On January 8, 2021, Petitioner, Scott Matthew Freund was arrested by Probation Officer Merrilee H. Stewart and charged with Violation of Probation (VOP) on Pinellas County Case Number 2019-CF-5031. Mr. Freund was previously placed on eighteen (18) months of probation in Pinellas County for possession of methamphetamine and possession of diazepam and twelve (12) months of probation for driving while under the influence, possession of paraphernalia and possession of marijuana.

2. As a condition of his probation, Mr. Freund was not allowed to possess, carry or own any weapon without first procuring consent of his probation officer. During a search of Mr. Freund's bedroom at his residence in Inverness, Florida, Probation Officer Stewart located a BB pistol, a BB rifle, a machete, a mini-Katana and a Bowie knife.

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Accordingly, Officer Stewart placed Mr. Freund under arrest for VOP. As a result of the VOP arrest, Mr. Freund was taken to the Citrus County Detention Center and placed on a no bond status.

3. On January 9, 2021, the Honorable Citrus County Judge Bruce Carney held a first appearance hearing and found probable cause to detain Mr. Freund for the VOP. This court agrees with the initial probable cause determination.

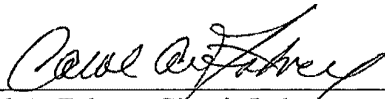
4. During the hearing on the emergency petition for writ of habeas corpus, Mr. Freund's counsel advised the undersigned that Pinellas County has refused to transport Mr. Freund back to Pinellas County because of COVID-19. Additionally, Mr. Freund's counsel advised he has been unable to secure a hearing to set bail in Pinellas County.

5. Following the hearing, the undersigned became aware that Mr. Freund's case is set for hearing on Friday, February 5, 2021 before the Honorable Susan St. John in Pinellas County.

Accordingly, it is

ORDERED and ADJUDGED that the emergency petition for writ of habeas corpus is denied. The undersigned reserves jurisdiction for thirty (30) days to enter further orders as justice requires.

2nd DONE AND ORDERED in Chambers at Inverness, Citrus County, Florida on this day of February, 2021.



Carol A. Falvey, Circuit Judge

CERTIFICATE OF SERVICE

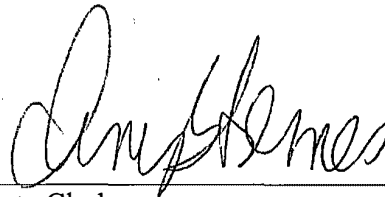
I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by U.S. Mail/E-Mail to the following this 14 day of February, 2021.

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Deputy Clerk

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If you are a person with a disability who needs accommodation in the order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Citrus County ADA Coordinator, 110 North Apopka Avenue, Inverness, Florida, 34450, at (352) 341-6700 within two (2) working days of your receipt of this Order. If you are hearing or voice impaired, call 1-800-955-8771.