

IN THE COUNTY COURT OF THE 17TH JUDICIAL CIRCUIT, IN AND
FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA

vs.

ZACHARY CRUZ
Defendant.

CASE NO. 18002513MM10A

JUDGE: BROWN

**MOTION TO RELEASE FROM CUSTODY ON THE PREVIOUSLY POSTED BOND
OR IN THE ALTERNATIVE TO REDUCE BOND AND DELETE CERTAIN
PRETRIAL RESTRICTIONS**

The Framers of our Constitution were all too aware of the hysteria that often results from a crime that shocks the community's conscience. This was the age of the Boston Massacre and the Salem Witch Trials and tar-and-feathering after all. And so those Framers created protections in our Constitution to try to protect ordinary citizens – the guilty, and the innocent – from the unreasonable actions of an overzealous government. The right to be free from unreasonable searches and seizures. The right to be free from cruel and unusual punishment. The right to be free from excessive bail. These are protections that are not just necessary during times we feel safe, but also times we do not. The Constitution is at its strongest – and its most necessary – during times of community upheaval. The Constitution is at its strongest when we are hurting and our emotions are frayed and we are tempted to lock up anyone that makes us feel even remotely uncomfortable. Zachary Cruz should not be in a jail cell. In the light most favorable to the State, he skateboarded around the campus of Marjory Stoneman Douglas High School after-hours. On March 21, 2018, the Constitution failed him when a judge set this unreasonable bond amount and conditions. Today, we ask this Court to enforce the Constitution and release Mr. Cruz from his confinement.

The Defendant, Zachary Cruz, by and through the undersigned attorney, moves this

Honorable Court for an order releasing him from custody on his previously posted bond or in the alternative, reducing the Defendant's bond and deleting certain pretrial restrictions. The Defendant would show the following as grounds for this motion:

FACTS

1. On March 19, 2018, Mr. Cruz was arrested by the Broward Sheriff's Office for Trespassing on School Grounds pursuant to Florida Statute § 810.097, a second degree misdemeanor, punishable by up to 60 days jail and a fine of up to \$500. Florida Statute § 775.082(6)(c)(4)(b); § 775.083. According to the Probable Cause Affidavit, Mr. Cruz is alleged to have been skateboarding through the grounds of Marjory Stoneman Douglas High School after being told that he was not permitted to be there.
2. Mr. Cruz was issued an initial bond of \$25 pursuant to the 17th Judicial Circuit's "Administrative Order Establishing a Bond Schedule."
3. At 9:54 p.m. on the evening of March 19, 2018, the \$25 cash bond was posted on Mr. Cruz's behalf. (See "Cash Appearance Bond", attached hereto as Exhibit A).
4. Despite the bond being posted and there no longer being any legal reason to continue to jail Mr. Cruz, the Broward Sheriff's Office continued to hold him. Mr. Cruz was held in the Broward County Jail overnight and into the following day, March 20, 2018. Approximately fifteen hours passed between the time that Mr. Cruz posted the bond and the time he was brought to the First Appearance Court.
5. On March 20, 2018 at approximately 1:15 p.m., Mr. Cruz, though he had already posted a bond, was brought before First Appearance Judge Kim Mollica. Judge Mollica found probable cause to believe Mr. Cruz had committed the offense of Trespass on School Grounds.

6. At the First Appearance, the State requested that a bond be set in the amount of \$750,000 as well as for the court to impose a number of pretrial conditions.
7. Notably, the State did not move to revoke the previously posted bond, did not file a motion for preventive detention pursuant to Florida Statute § 907.041, nor did they file a motion to increase any bond. The State and the Court simply acted as though the previous bond that Mr. Cruz had posted had never existed.
8. Undersigned counsel pointed out to the Court that Mr. Cruz had already posted a bond of \$25 and that he should have already been released.
9. In its argument for the extraordinary bond, the State argued that Mr. Cruz was a danger to the community. In support thereof, the State argued that Mr. Cruz was the brother of Nicholas Cruz and “presented all the same red flags as his brother.” The State argued Mr. Cruz had no business being at the school, that he lived in Lake Worth, that he had previously been Baker Acted, that he had had contact with his brother in the jail, that he had a juvenile record, and that some parents at Marjory Stoneman Douglas High School had decided to keep their children home from school that day. All of this information was proffered but no actual testimony or evidence was introduced.
10. There was no evidence presented at the hearing that Mr. Zachary Cruz had threatened anyone during his arrest, that he resisted arrest in any way, or that he was uncooperative with police. In fact, there was no evidence presented that since his brother’s arrest, Mr. Zachary Cruz has ever threatened anyone, has ever exhibited or shown violence toward anyone, or that he has been seen by anyone with a weapon.
11. The Court found Mr. Zachary Cruz indigent. No additional testimony was taken regarding his ability to pay a bond or the likelihood that he would flee prior to trial.

12. Ultimately, the Honorable Judge Kim Mollica, citing “the totality of the circumstances,” set bond in the amount of \$500,000 for this second degree misdemeanor. She did not revoke his previously posted bond, increase the previously posted bond, or find he met the criteria for preventive detention. She also ordered that, if he were to post bond, Mr. Cruz should be released on Level 1 Pretrial Release with an ankle monitor, must undergo a psychological evaluation, must stay away from all schools and child care facilities, must have no contact with his brother Nicholas Cruz, must have no contact with any Stoneman Douglas student or employee, must not possess any firearms, must submit to his home being searched by police, and must not enter Broward County except to see his attorney. (See Probable Cause Determination and Order, attached hereto as “Exhibit B”).

ARGUMENT

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. – 8th Amendment of the Constitution of the United States.

A \$500,000 bond for this second degree misdemeanor is unreasonable and outrageous. The Eighth Amendment to the United States Constitution forbids this “excessive bail,” as does Article I, Section 14 of the Florida Constitution. This bond was set contrary to Florida law after Mr. Cruz had already posted a bond. is utterly void of “reasonable conditions,” was not established in consideration of Florida Statute § 903.046, and is tantamount to no bond. In addition, this half a million dollar bond, all but ensuring that Mr. Cruz will remain incarcerated prior to trial, violates Mr. Cruz’s presumption of innocence, his right to due process, his right to a fair trial, and his right to be free from cruel and unusual punishment.

I. Mr. Cruz Should Be Released Because He Has Already Posted a Bond.

At 9:54 p.m. on the evening of March 19, 2018, a \$25 bond was posted on Mr. Zachary Cruz’s behalf. He waited and waited and waited to be released. He had a friend waiting in the

waiting room of the jail to drive him home. The jail never released him. The Broward Sheriff's Office gave Mr. Cruz no explanation as to why he was not being released. Instead, Mr. Cruz was held in the jail an additional fifteen hours *after he had already posted bond*. He was not taken to a hospital. He was not allowed to go home.

At approximately 1:15 p.m. on March 20, 2018, Mr. Cruz was brought to the First Appearance Court where an entirely new bond of \$500,000 was set. The original bond was not revoked, amended, or increased. The State and the Court acted as though the original bond that had been posted did not exist. When undersigned counsel pointed out that it appeared that Mr. Cruz had already posted bond, neither the Court nor the State had any response.

Mr. Cruz has posted a cash bond in this case of \$25. That bond was never revoked and is still good. There was no authority for the First Appearance Court to create an entirely new bond with entirely new bond conditions. Every minute that Mr. Cruz has been held in the custody of the Broward Sheriff's Office since posting his bond has been unlawful and unconstitutional. This continued incarceration violates Mr. Cruz's right to be free from an unreasonable seizure, his right to be free from excessive bail, and his rights to due process. He should be released, forthwith, on the original \$25 bond.

II. The \$500,000 Bond Should Be Reduced to a Reasonable Amount.

Even if the brand new additional bond of \$500,000 is a valid governmental exercise, the bond must still be reduced to a reasonable amount for a second degree trespass. An arrested person in Florida has a state Constitutional right to pre-trial release under "reasonable conditions" unless charged with a capital crime or an offense punishable by life. Art I, § 14, Fla. Constitution. This cannot be eviscerated by setting an amount as punishment or at a level so unreasonably high that it amounts to no bond at all. *Norton-Nugin v. State*, 179 So.3rd 557, 559 (Fla. 2nd D.C.A. 2015);

Alexander v. Broward Sheriff's Office, 6 So.3rd 707, 708 (Fla. 4th D.C.A. 2009). "Bail set at a figure higher than an amount reasonably calculated to fulfill this purpose [of assuring the presence of the accused at trial] is 'excessive' under the Eighth Amendment. *Stack v. Boyle*, 342 U.S. 1 (1951).

In the determination of bond, a judge must consider the criteria set forth in Florida Statute § 903.046, which include the following:

- a) The nature and circumstances of the crime charged.
- b) The weight of the evidence against the defendant.
- c) The defendant's family ties, length of residence in the community, employment history, financial resources, and mental condition.
- d) The defendant's past and present conduct, including any record of convictions, previous flight to avoid prosecution, or failure to appear at court proceedings ...
- e) The nature and probability of danger which the defendant's release poses to the community.
- f) The source of funds used to post bail or procure an appearance bond ...
- g) Whether the defendant is already on release pending resolution of another criminal proceeding ...
- h) The street value of any drug or controlled substance connected to or involved in the criminal charge ...
- i) The nature and probability of intimidation and danger to victims.
- j) Whether there is probable cause to believe that the defendant committed a new crime while on pretrial release.
- k) Any other facts the court considers relevant.
- l) Whether the crime charged is a violation of chapter 874 ...
- m) Whether the defendant ... is required to register as a sexual offender ...

None of these factors even remotely justify setting a bond of \$500,000. As to factor a), Mr. Cruz is accused of skateboarding on school grounds. He is not accused of being threatening, violent or uncooperative. As to factor b) the weight of the evidence is unknown to the defense at this time, specifically with regards to where Mr. Cruz was located, who saw him there, who allegedly warned him not to return to the property, or when those warnings allegedly took place. As to factor c), Mr. Cruz was raised in South Florida and is a long-time resident of Broward and Palm Beach Counties. He does not have the financial resources to post a half a million dollar

bond, nor has he exhibited any mental condition that would suggest he was a threat to others. The defendant's past conduct (factor d.) includes no adult priors. His only involvement with the juvenile justice system was for non-violent property crimes. Mr. Cruz has not shown any indication that he poses a danger to the community (factor e.), nor was he already on release (factor g.) None of the other factors apply to Mr. Cruz.

The Standard Bond Amount for Trespassing on School grounds is \$25. (See "Administrative Order Establishing Bond Schedule"). Mr. Cruz's half a million dollar bond represents an increase 20,000 times above the standard amount. There is no evidence that could possibly be presented on a trespass case that would justify this draconian increase over the standard bond amount – not on this case, not on any case, not on the worst trespassing case imaginable.

"The setting of an excessive bond is the functional equivalent of setting no bond at all." *Narducci v. State*, 952 So.2d 622 (Fla. 4th D.C.A. 2007). Florida case law is replete with overturned bonds from every circuit for being unreasonable in cases and charges much more serious than this one. In *Norton-Nugin*, the Third D.C.A. found a \$150,000 bond as unreasonable for a twenty-four year-old charged with third degree felonies, no priors, a car as his only asset, and no evidence of being a flight risk. 179 So.3rd at 559. In *Robinson v. State*, the Fifth D.C.A. found a \$500,000 bond excessive for two first degree felonies when it was "well beyond [the defendant's] financial abilities. 95 S. 3rd 437, 438 (5th D.C.A. 2012).

The Fourth D.C.A. has issued a number of opinions finding bail excessive – all for charges and cases more serious than this one. In *Narducci v. State*, the Fourth D.C.A. found a \$300,000 bond for two counts of lewd computer solicitation of a child as excessive. 952 So. 2nd 622, 623-24 (Fla. 4th D.C.A. 2007). Again in *Patterson v. Neumann*, the Fourth D.C.A. found a \$100,000 bond for a non-punishable-by-life sex offense was excessive. 707 S. 2nd 946, 947 (Fla. 4th DCA

1998). In *Good v. Wille*, the court found a \$500,000 bond for drug trafficking excessive when the defendant had no failures to appear, just \$7000 on hand, and no priors. 382 So.2d 408, 409-10 (Fla. 4th D.C.A. 1980). In each of these cases, the amount of bond was either equal to or substantially less than the \$500,000 bond in this case, and in each of these cases, the defendants were charged with felonies much more serious than Mr. Cruz's and carrying a maximum punishment substantially greater than 60 days.

This \$500,000 bond is also wildly out of proportion when compared to another recent arrest from Marjory Stoneman Douglas High School. On March 20, 2018, a student at the school was arrested for bringing a knife to the school. At her First Appearance hearing, the student was held on \$12,500 bond for one count of Possession of a Weapon on School Grounds and one count of Exhibition of a Destructive Device. (See *2nd high bond set in Stoneman Douglas-related case*, ABC News, at <http://abnews.go.com/US/wireStory/500k-bond-shooting-suspects-brother-school-trespass-53894590>) (Broward Circuit Case Number 18003426CF10A). This \$12,500 bond – 40 times lower than Mr. Cruz's bond – was set on a felony and in a case in which a weapon was actually brought onto the campus and exhibited – factors we do not have present in Mr. Cruz's case.

The unreasonableness of this \$500,000 bond is further apparent when compared with the maximum potential fine in this case. If Mr. Cruz is ultimately found guilty, the greatest fine he can receive is one of \$500. F.S.A. § 775.083. And yet, while presumed innocent and prior to any finding of guilt, the Court is requiring that he post a bond of \$500,000 – 1000 times greater than the greatest potential fine Mr. Cruz may receive.

This \$500,000 bond all but guarantees that Mr. Cruz will receive the maximum sentence for this Trespass on School Grounds – *before ever going to trial*. Since Mr. Cruz is unable to

afford this bond, he will remain in custody until trial. Even if Mr. Cruz were to demand speedy trial today, without having received any discovery, the State would still have up to sixty days to bring him to trial. Fla. R. Crim. Pro. 3.191(b). Of course, Mr. Cruz has not received any discovery as of this writing. He is thus presented with a Hobson's Choice; push for a trial without being able to fully investigate the case, or accept that he will likely remain in custody beyond the statutory maximum punishment.

"Axiomatic and elementary, the presumption of innocence lies at the foundation of our criminal law." *Nelson v. Colorado*, 581 U.S. ___ (2017) (citing *Coffin v. United States*, 156 U.S. 432 (1985)). This \$500,000 bond and additional conditions shreds any notion of a presumption of innocence by punishing Mr. Cruz before he has been convicted. This bond offends decency. It offends due process. It offends the Constitution.

Zachary Cruz is not Nicholas Cruz. Zachary is an eighteen year-old kid who up until four months ago had led a relatively normal life. He went to school. He hung out with friends. He skateboarded. He spent time with the only family he knew -- his mother and brother. Then in November his mother unexpectedly died. And on February 14 his brother committed an unspeakable crime. Overnight, the world's attention turned on Zachary's family and Zachary's entire life was put under a microscope. Such an experience would be overwhelming for anyone. And yet, Zachary never hurt himself. He never hurt anyone else. He never lashed out at threatened anyone. He coped, as best he could. Zachary Cruz did not bring any of this upon himself. There is no justice where the government seeks to hang a man for the crimes of his brother. It is immoral and reprehensible to attempt to punish Zachary Cruz for the sins of Nicholas. It is also unconstitutional.

III. This Court Should Strike All Pretrial Conditions That are Excessive, Unconstitutional, or Not Reasonably Related to the Trespassing Offense.

In addition to setting an unreasonably high bond, Judge Mollica also imposed certain conditions of release which do not comport with Florida law. Specifically, the following conditions imposed on Mr. Cruz at the First Appearance Hearing should be stricken:

1. That Mr. Cruz, if released, should be on Level 1 Pretrial Release with an Ankle Monitor.

“The primary purpose of bail is to ensure the defendant’s presence at trial,” and “it is improper to use bail as a means to prevent possible future misconduct by the defendant.” *Glinton v. Willie*, 457 So.2d 563 (Fla. 4th D.C.A. 1984). In addition, “bail may not be used to punish an accused.” *Rodriguez v. McCray*, 871 So.2d 1001 (Fla. 3rd D.C.A. 2004). “At the stage of the proceedings when the court is considering pretrial release or detention, the court is not engaged in a determination of guilt or punishment.” *State v. Torres*, 890 So.2d 292 (Fla. 2nd D.C.A. 2004). “Like pretrial detention, conditional pretrial release is, even more so, remedial and not punitive.” *Id.*

The condition that Mr. Cruz be placed on Level 1 Pretrial Release with an ankle monitor – a house arrest in which Mr. Cruz cannot leave his home for any reason at all – has been enacted as punishment and has no remedial effect. If Mr. Cruz were to eventually be found guilty of this offense, house arrest would be a draconian *punishment* for trespass. In fact, there is no statutory authority that would even permit a *sentence* of house arrest after a finding of guilt on a second degree misdemeanor. There is simply no evidence that has been presented or that could possibly be presented on a trespass case that would justify a pretrial condition of Level 1 Pretrial Release with an ankle monitor.

2. That Mr. Cruz must submit to a psychological evaluation.

There is no basis in law for which permitted the court to order Mr. Cruz undergo a psychological evaluation.¹ There is no statute or case law that permits this psychological evaluation, no reason for Mr. Cruz to have to undergo it, and nothing that anyone can learn from it that will be of any use to this criminal prosecution for trespass.

In *State v. Torres*, the defendant was arrested and charged with lewd and lascivious battery. 890 So.2d 292 (Fla. 2nd D.C.A. 2004). As a condition of his bond, the trial court ordered that he submit to an evaluation and undergo some sex offender counseling. *Id.* The Second D.C.A. found no statutory authority for this and found that the pretrial release condition should be stricken. *Id.* We have the same situation here. *Id.*

3. That Mr. Cruz must submit to have his home searched by the Sheriff's Department.

The Fourth Amendment to the United States Constitution forbids the search of any home absent a warrant. In order to obtain a search warrant, the government must present probable cause to believe that evidence from a crime is present within the home. To the defense's knowledge, law enforcement has not sought a search warrant in this case. Any search of Mr. Cruz's home absent a search warrant violates Mr. Cruz's rights to be free from unreasonable search and seizure under the Fourth Amendment to the United States Constitution and Article I, Section 12 of the Florida Constitution.

4. That Mr. Cruz must have no contact with his brother, Nicholas.

Zachary Cruz is the only person in the world that Nicholas Cruz has left to speak to. This condition was meant to punish Nicholas Cruz – not Zachary -- by taking away any communication with family that Nicholas has left. To take away that familial connection is inhumane. This

¹ The results of said psychological evaluation would be confidential – under HIPAA, the evaluator would not be permitted to share those results with this Court, the State, or anyone.

condition has absolutely no bearing on Zachary Cruz's case. does not comport with any of the factors listed in Florida Statute Section § 903.046, and is an unconstitutional infringement of Mr. Cruz's rights to due process. It is also just cruel.

5. That Mr. Cruz must not step foot in Broward County.²

"The freedom to travel throughout the United States and the freedom of movement have been recognized as basic rights under the federal constitution." *State v. J.P.*, 907 So.2d 1101 (Fla. 2004). In fact, "this freedom of movement is the very essence of our free society, setting us apart. Like the right of assembly and the right of association, it often makes all other rights meaningful – knowing, studying, arguing, exploring, conversing, observing, and even thinking." *Aptheker v. Sec'y of State*, 378 U.S. 500 (1964). The United States Supreme Court has declared the freedom of movement as a fundamental right. *Crandall v. Nevada*, 73 U.S. 35 (1868). Article 13 of the Universal Declaration of Human Rights reads: "1) Everyone has the right to freedom of movement and residence within the borders of each State."

This banishment from Broward County amounts to a restraint on Mr. Cruz's freedom of movement in violation of the commerce clause, the privileges and immunities clause, and the due process clauses of the United States and Florida Constitutions. This banishment also constitutes cruel and unusual punishment as prohibited by the Florida and Federal Constitutions.

For the court to banish Mr. Cruz from Broward County because he is alleged to have committed a trespass is unfathomable.

6. That Mr. Cruz not have any contact with *any* Marjory Stoneman Douglas High School Student or Employee.

Mr. Cruz was a student at Marjory Stoneman Douglas High School up until late last year.

² This condition, while administered orally by Judge Mollica, is not reflected in her written order. To the extent the written order conflicts with Judge Mollica's verbal order, the Defense objects to this condition and asserts that the lack of the condition in the written order should govern.

He has friends who support him and who still attend the school. The school has over 3000 current students and staff. To essentially create 3000 restraining orders against Mr. Cruz is entirely unwieldy, does nothing to assure Mr. Cruz's presence in court, and violates Mr. Cruz's due process rights.

7. That Mr. Cruz not go within 500 feet of *any* child care facility.

Mr. Cruz is alleged to have trespassed at one very specific high school. He is not alleged to have threatened, hurt, or victimized any children in any way. To ban Mr. Cruz from going within 500 feet of *any* child care facility is a dramatic, unconstitutional overreaction that has no nexus whatsoever to the crime with which Mr. Cruz is charged, nor does it do anything to guarantee Mr. Cruz's appearance in court. Mr. Cruz was himself a high school student up until November of 2017. He may want to finish his own schooling. He may want to pick up a friend from another school. He may want to play basketball or go skateboarding at a park that borders a school. He may want to go get a slurpee at a 7-11 that is next to a day-care facility. None of these activities are activities that Mr. Cruz should be prevented from doing because he is accused of committing a trespass. This condition is a reflection of the First Appearance Court lumping Zachary Cruz with his brother. Zachary Cruz did not kill 17 people on a high school campus. He should not be treated like he did.

The Defense has no objection to the condition that Mr. Cruz not return to Marjory Stoneman Douglas High School, and would have no objection to a condition that Mr. Cruz not *trespass* on any child-care facilities. Those conditions would be reasonable. This one is not.

CONCLUSION

This bond and the conditions associated with it are an affront to the Constitution. Mr. Zachary Cruz is relying on this Court, and on the State, to acknowledge and protect his

constitutional rights. For the reasons stated above, the Defense respectfully requests that this Court release Mr. Cruz on his previously posted bond or, in the alternative, to reduce his bond to a reasonable amount and delete these illegal and unreasonable pretrial conditions.

WHEREFORE, the Defendant respectfully requests this Honorable Court grant this Motion to Release from Custody.

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Release from Custody or in the Alternative to Reduce Bond has been E-Filed to the Office of the State Attorney, Broward County Courthouse, Fort Lauderdale, Florida, 03/22/2018.

OFFICE OF CRIMINAL CONFLICT AND
CIVIL REGIONAL COUNSEL
ANTONY P. RYAN, DIRECTOR,
DISTRICT 4
600 S. Andrews Avenue, 6th Floor
Fort Lauderdale, FL. 33301
954-713-1220

/s/ Joseph Kimok

By: Joseph Alan Kimok, Esq.
Florida Bar Number: 86033
Assistant Regional Counsel



Cash Appearance Bond

3/19/2018 9.54.02 PM

CIS Number 201800021

Bond Number 5106586

State of Florida, County of Broward

Bond Amount \$25.00

Defendant
ZACHARY PAUL CRUZ
AT LARGE
LANTANA,

18-2513mm10A

Depositor
ANDREA J HADYAR
22171 SANDS POINT DR
BOCA RATON, FL 33433

KNOW ALL MEN BY THESE PRESENTS THAT I, ANDREA J HADYAR
have deposited with the Sheriff of Broward County, Florida, the sum of **\$25.00**
as security for the appearance of the Defendant upon the conditions hereinafter set forth Defendant shall appear

before the County Court, in and for, Broward County, City of Ft. Lauderdale

Florida at a time to be set by the Court to answer to a charge of

TRESPASS SCHOOL GROUNDS

or such other charges as may result therefrom Defendant shall appear in said court from day to day and term to term and shall not depart the same without leave, else the sum deposited herein to be forfeited or estreated by order of the above court Pursuant to § 903.286, and § 939.17, Florida Statutes, Depositor understands and agrees that the Clerk of Court shall withhold from the return of the cash bond deposited herein, sufficient funds to pay for any unpaid cost of prosecution, costs of representation as provided by § 27 52 and 938 29, court fees, court costs, and criminal penalties on behalf of the criminal defendant, regardless of who posted the funds.

The above sum received and this bond taken and approved by

me this 19 day of March 2018
Sheriff of Broward County, Florida

Defendant Signature

X [Handwritten Signature]

Depositor Signature

By bs17845

\$ _____	Apply to Costs
\$ _____	Return to Depositor
Date: _____	
_____ Clerk's Signature (blue ink)	

Original Copy

Cash Bond copy

Depositor copy

Clerk copy

Permanent copy

"Exhibit A"



Cash Appearance Bond

3/19/2018 9 54 02 PM

CIS Number 201800021

Bond Number 5106586

State of Florida, County of Broward

Bond Amount \$25.00

Defendant
ZACHARY PAUL CRUZ
AT LARGE
LANTANA,

Depositor
ANDREA J HADYAR
22171 SANDS POINT DR
BOCA RATON, FL 33433

KNOW ALL MEN BY THESE PRESENTS THAT I, ANDREA J HADYAR
have deposited with the Sheriff of Broward County, Florida, the sum of **\$25.00**
as security for the appearance of the Defendant upon the conditions hereinafter set forth Defendant shall appear
before the County Court, in and for, Broward County, City of Ft Lauderdale
Florida at a time to be set by the Court to answer to a charge of

TRESPASS SCHOOL GROUNDS

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criminal penalties on behalf of the criminal defendant, regardless of who posted the funds

The above sum received and this bond taken and approved by

me this 19 day of March 2018
Sheriff of Broward County, Florida

Defendant Signature

Depositor Signature

By bs17845

\$ _____	Apply to Costs
\$ _____	Return to Depositor
Date _____	
_____ Clerk's Signature (blue ink)	

- Original Copy
 Cash Bond copy
 Depositor copy
 Clerk copy
 Permanent copy

"Exhibit A"

CRUZ, ZACHARY PAUL

18-2513MM10A
MA

FINDINGS AND ORDER

201800021

RECEIVED
17th CIRCUIT COUNTY COURT
BROWARD COUNTY, FL.

18 MAR 20 PM 4:18

T & M

The Defendant having been arrested by: PARKI AND

Arrest Number:

and having been brought before the undersigned as Committing Magistrate, the Court makes the following findings and enters the following ORDER:

I. Having reviewed the Affidavit(s) attached hereto of RYLIKOWSKI ROBERT, the Court finds:

A. Probable cause to believe the Defendant has committed, and shall be held to answer for the offense(s) of

Charges
1- TRESPASS SCHOOL GROUNDS

Case #

BD

Bond
\$500,000.00

NO CONTACT w/ ^{anyone} Stoneman Douglas
Employee/ Student - Campus
NO CONTACT w/ Brother - Nikolas Cruz.
Police to search home for weapons, NO WEAPON & AMMO

But finds no probable cause as to the offense(s) of

and this cause is hereby continued for most stay 1 mile away from Stoneman Douglas High School
TO DO PSYCH-EVALUATION and shall be brought back before the committing Magistrate on _____ day of _____ OR

B. No Probable cause to believe the defendant has committed any offense, and he is hereby ordered discharged from custody unless held on other undetained charges

II. The Court has now advised the Defendant:

- A. Of the charges Against him, (see I.A. above),
- B. That he is not required to say anything, and anything he says may be held against him.
- C. Of his right to counsel, or if he cannot afford counsel, that the Court appointed Counsel.
- D. Of his right to an adversary Proceeding Hearing, (see Fla. Bar) unless it is indicated or information is not filed against him within 21 days of his arrest.

III. BOND: A. Bond is set at the amount indicated.

IV. COUNSEL: A. Defendant has or will retain private counsel: OR

B. Defendant is declared indigent, and the Public Defender is appointed to represent him, subject to review at a later date.

V. Where the Defendant is detained under the Uniform Extradition Act, F. S. 944, this finding of Probable Cause shall operate to commit the Defendant to the county jail for a period of thirty (30) days.

VI. Defendant is hereby remanded to the custody of the sheriff unless and until bailed (if bond has been set heretofore) or further proceedings according to law.

DONE AND ORDERED at Ft. Lauderdale, Broward County, Florida on 3/20/2018

PSYCHO EVAL. - 10 DAYS

Original to: Clerk
Copies to: Sheriff
State Attorney

GAS!

MUST STAY 500 FEET AWAY FROM ALL SCHOOLS AND CHILD CARE FACILITIES
NO WEAPONS
FINANCING/AMMO - Sheriff Dept to check residence.

COMMITTING MAGISTRATE
Judge Kim Theresa Maccica
"Exhibit B"