

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
SECOND DISTRICT, POST OFFICE BOX 327, LAKELAND, FL 33802-0327

August 04, 2017

CASE NO.: 2D15-5266  
L.T. No.: 14-4248CFAWS

LARRY JAMES BRADLEY

v. STATE OF FLORIDA

---

Appellant / Petitioner(s),

Appellee / Respondent(s).

---

**BY ORDER OF THE COURT:**

Appellant's motion for rehearing, certification and request for written opinion is denied.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

Served:

Susan D. Dunlevy, A. A. G.

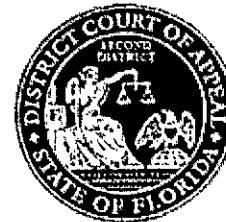
Dane K. Chase, Esq.

Larry James Bradley

Paula S. O'Neil, Clerk

mep

Mary Elizabeth Kuenzel  
Mary Elizabeth Kuenzel  
Clerk



# M A N D A T E

from

**DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA**

## **SECOND DISTRICT**

THIS CAUSE HAVING BEEN BROUGHT TO THIS COURT BY APPEAL, AND  
AFTER DUE CONSIDERATION THE COURT HAVING ISSUED ITS OPINION;

YOU ARE HEREBY COMMANDED THAT SUCH FURTHER PROCEEDINGS  
BE HAD IN SAID CAUSE, IF REQUIRED, IN ACCORDANCE WITH THE OPINION OF  
THIS COURT ATTACHED HERETO AND INCORPORATED AS PART OF THIS ORDER,  
AND WITH THE RULES OF PROCEDURE AND LAWS OF THE STATE OF FLORIDA.

WITNESS THE HONORABLE EDWARD C. LAROSE CHIEF JUDGE OF THE  
DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA, SECOND DISTRICT, AND  
THE SEAL OF THE SAID COURT AT LAKELAND, FLORIDA ON THIS DAY.

DATE: October 12, 2017

SECOND DCA CASE NO. 2D15-5266

COUNTY OF ORIGIN: Pasco

LOWER TRIBUNAL CASE NO. 14-4248CFAWS

CASE STYLE: LARRY JAMES BRADLEY v. STATE OF FLORIDA



Mary Elizabeth Kuenzel  
Mary Elizabeth Kuenzel  
Clerk

cc: (Without Attached Opinion)

Susan D. Dunlevy, A.A.G. Dane K. Chase, Esq. Larry James Bradley

mep

227 So.3d 576 (Table)

Unpublished Disposition

(This unpublished disposition is  
referenced in the Southern Reporter.)

District Court of Appeal of Florida,  
Second District.

**Larry James BRADLEY**, Appellant,  
v.

STATE of Florida, Appellee.

Case No. 2D15-5266

Opinion filed June 28, 2017

Appeal from the Circuit Court for Pasco County; Mary  
M. Handsel, Judge.

#### Attorneys and Law Firms

Dane K. Chase of Chase Law Florida, P.A., Saint  
Petersburg, for Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and  
Susan D. Dunlevy, Assistant Attorney General, Tampa,  
for Appellee.

#### Opinion

PER CURIAM.

\*1 Affirmed.

VILLANTI, C.J., and BLACK and SALARIO, JJ.,  
Concur.

#### All Citations

227 So.3d 576 (Table), 2017 WL 2790931

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IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PASCO COUNTY, FLORIDA  
CRIMINAL DIVISION

STATE OF FLORIDA

v.

LARRY BRADLEY,  
A/KA/ ABDUL IDRIS  
SPN: 00683084, Defendant

CASE NO.: CRC14-04248CFAWS  
UCN: 512014CF004248A000WS  
DIVISION: 3

**ORDER DENYING DEFENDANT'S "MOTION TO CORRECT A SENTENCING  
ERROR"; DIRECTIONS TO THE CLERK**

THIS CAUSE came before the Court on the Defendant's "Motion to Correct a Sentencing Error," filed July 28, 2016, pursuant to Florida Rule of Criminal Procedure 3.800(b)(2). After reviewing the motion, court record, and applicable law, the Court finds as follows:

**PROCEDURAL HISTORY**

On November 18, 2015, after a jury trial, the Defendant was found guilty of one count of Lewd or Lascivious Molestation (Count One) and one count of Harassing a Witness (Count Two). On that same date, the Defendant was sentenced to life imprisonment as to Count One, with a 15-year minimum-mandatory imposed as a Prison Releasee Reoffender (PRR), and 117.375 months' imprisonment as to Count Two. In addition, the sentence imposed as to Count Two was ordered to run concurrent with the sentence imposed as to Count One.

**ANALYSIS**

**I. Motion to Correct a Sentencing Error**

In the instant motion, the Defendant, through counsel, alleges that the PRR statute, § 775.082(9), Fla. Stat., is unconstitutional, as-applied to the Defendant. According to the Defendant, the PRR statute violates the equal protection safeguards of both the United States and Florida constitutions because the application of the statute "causes different treatments." Specifically, the Defendant claims that an offender, such as himself, who commits a life felony within three years of their release from custody is subject to a mandatory life sentence; whereas, another offender, who may have also committed a life felony, *three years and a day* after their

release from custody, would not be subjected to a mandatory-minimum sanction at all. Therefore, the Defendant argues, "the application of the PRR statute to his case which mandates [a life sentence] violates the equal protection clause as-applied to [the Defendant]."

Pursuant to Florida Rule of Criminal Procedure 3.800(a), the trial court may correct any illegal sentence if the record reveals on its face that the defendant is entitled to such relief. *See Judge v. State*, 596 So. 2d 73 (Fla. 2d DCA 1991) (en banc) (holding the court should not look beyond the face of the record when determining whether a sentence is illegal). In order for a sentence to be held illegal under Rule 3.800(a), it must impose a sentence under which "the terms or conditions of the punishment for a particular offense are impermissible as a matter of law." *Carter v. State*, 786 So. 2d 1173, 1181 (Fla. 2001) (quoting *Young v. State*, 716 So. 2d 280, 282 (Fla. 2d DCA 1998)).

The Defendant's claim is without merit. Various district courts of appeal and the Florida Supreme Court have issued sound and consistent opinions rejecting equal protection challenges to the PRR statute. *Grant v. State*, 770 So. 2d 655 (Fla. 2000). In *Grant*, the Florida Supreme Court addressed and denied a defendant's claim that the PRR statute drew "no rational distinction...between those [offenders] who commit a new offense on the third anniversary of release from prison and others who commit a similar offense three years and a day after release." *Id.* at 660. In rejecting the aforementioned argument, which is akin to the argument raised in the instant motion, as well as other arguments advanced by the defendant concerning the constitutionality of the PRR statute, the Florida Supreme Court found that the PRR statute did not involve suspect classification; therefore, "the statute need only bear a reasonable relationship to a legitimate state interest." *Grant*, 770 So. 2d at 660 (quoting *Acton v. Fort Lauderdale Hospital*, 440 So.2d 1282, 1284 (Fla.1983)). The court went on to find that the PRR statute did indeed bear a reasonable relationship to a legitimate state interest and that "[s]ome inequality or imprecision will not 'render a statute invalid.'" *Id.* at 660-661. Consistent with opinions from the First, Second and Fourth District Court of Appeals, the Florida Supreme Court ultimately held that PRR statute does *not* violate the equal protection clause. *Id.* at 661. The Court recognizes that the Defendant's claim is that *as-applied* to him, the PRR statute violates equal protection safeguards, because an offender who may have also committed a life felony, three years and a day after their release from custody, would not be subjected to a mandatory life sentence. However, the Court still does not find merit in the Defendant's claim. The fact that a

non-PRR offender who commits a life felony would not be subjected to a mandatory life sentence does not in and of itself constitute an equal protection violation, as-applied to the Defendant. "Equal protection deals with intentional discrimination and *does not require proportional outcomes.*" *Rollinson v. State*, 743 So. 2d 585, 589 (Fla. 4th DCA 1999), *approved*, 778 So. 2d 971 (Fla. 2001) (internal citations omitted). Indeed, the enhanced penalty imposed in this case reflects the legislative goal of preventing additional serious crimes committed by recidivists, such as the Defendant. In *State v. Cotton*, 769 So.2d 345 (Fla.2000), the Florida Supreme Court found that:

"The criteria included in the [PRR] Act encompass those recidivists who have shown either a repeated or an escalating pattern of criminal behavior, reflecting resistance to prison's prospectively deterrent effect...[the Act focuses] on the character (and severity) of the latest criminal conduct, **together with the fact that recent imprisonment did not dissuade the defendant from engaging in the qualifying offense...**[t]hus, for this particular set of "violent felony offenders" (meaning, in this context, those offenders who commit any of the Act's enumerated felonies), the legislative goal of preventing the commission of additional serious crimes is accomplished by providing enhanced incapacitation, through longer prison terms."

*Cotton*, 769 So.2d at 356. By the Defendant's own admission, just "1 year and 74 days after he was released from incarceration," he committed the offense of Lewd or Lascivious Molestation. The state has a legitimate interest in preventing violent crimes committed by "recidivists who have shown either a repeated or an escalating pattern of criminal behavior, reflecting resistance to prison's prospectively deterrent effect." *Grant*, 770 So. 2d at 661 (quoting *Cotton*, 769 So.2d at 356). The fact that the Defendant did not, as he claims, "[wait] 1 year and 291 more days to commit [this] offense," is the precise reason the PRR statute imposes enhanced penalties upon offenders, who, like the Defendant, commit a new violent offense within a certain period of time after release from incarceration. Based on the foregoing, the Court finds that the Defendant has failed to raise a single cognizable claim meriting relief.

## II. Directions to the Clerk .

In reviewing the instant motion, a scrivener's error has become apparent to this Court. This error, apparent from the face of the record, merits correction.

The Judgment and Sentence in this case reflects that the Defendant pleaded guilty to one count of Lewd or Lascivious Molestation (Count One) and one count of Harassing a Witness (Count Two). (*Exhibit A: Judgment and Sentence*). However, in reviewing the record in this

case, it is evident that the Defendant was tried and found guilty by a jury of the aforementioned offenses. (*Exhibit B: Excerpt of Jury Trial Transcript*, pg. 624; *Exhibit C: Verdict Forms*). Based on the foregoing, it is apparent that the Defendant's judgment and sentence contains a scrivener's error. *See Ashley v. State*, 850 So. 2d 1265 (Fla. 2003). Because relief in this matter is the correction of a scrivener's error, the Defendant's presence is not required for entry of the corrected sentence. *See Bell v. State*, 635 So. 2d 1080 (Fla. 2d DCA 1994). Therefore, the Court, *sua sponte*, directs that the Clerk amend the Defendant's judgment and sentence to reflect that the Defendant was tried and found guilty by a jury of one count of Lewd or Lascivious Molestation (Count One) and one count of Harassing a Witness (Count Two).

Accordingly it is:

**ORDERED AND ADJUDGED** that the Defendant's "Motion to Correct a Sentencing Error" is hereby **DENIED**.

**IT IS FURTHER ORDERED AND ADJUDGED THAT THE CLERK OF THE CIRCUIT COURT IS HEREBY DIRECTED TO AMEND the Judgment and Sentence imposed by this Court on November 18, 2015. [filed November 23, 2015] in Case No.: CRC14-04248CFAWS, to reflect that the Defendant was tried and found guilty by a jury of one count of Lewd or Lascivious Molestation (Count One) and one count of Harassing a Witness (Count Two), *nunc pro tunc* to November 18, 2015. The Clerk shall then record the newly amended judgment and sentence and forward a certified copy of the newly amended Judgment and Sentence to the Department of Corrections, attention: Sentence Structure, 501 South Calhoun Street, Tallahassee, FL 32399-2500.**

**DONE AND ORDERED** in Chambers at New Port Richey, Pasco County, Florida, this \_\_\_\_\_ day of September, 2016. A true and correct copy of the foregoing has been furnished to the parties below.

ORIGINAL SIGNED

\_\_\_\_\_  
Mary M. Handsel, Circuit Judge

SEP 07 2016  
MARY HANDSEL  
Circuit Judge

cc: State Attorney; Staff Attorney  
Dane K. Chase, Esq.; Chase Law Florida, P.A.; 111 2<sup>nd</sup> Ave. NE, Suite 334; St. Petersburg, FL 33701  
Larry Bradley, DC#: D07388; Taylor Correctional Institution; 8501 Hampton Springs Rd.; Perry, FL 32348

**CIRCUIT COURT, PINELLAS COUNTY, FLORIDA  
FELONY DIVISION**

Pinellas County Justice Center  
14250 49th Street North  
Clearwater, Florida 33762  
Phone: (727) 464-7000  
01/15/2015

STATE OF FLORIDA VS. BRADLEY, LARRY J

Person ID: 3290743

Division K

UCN: 522013CF011835XXXXNO

CASE NUMBER: 1311835CFANO

CHARGE(s): TELEMARKETING WITHOUT A LICENSE

**NOTICE OF FELONY PRE-TRIAL HEARING**

\*\*\*\*\* PLEASE BRING THIS NOTICE WITH YOU \*\*\*\*\*  
\*\*\*\*\* APPROPRIATE ATTIRE REQUIRED \*\*\*\*\*

**The above case is set at 1:30 PM on Wednesday, March 18, 2015. In  
Courtroom 1, 4th Floor, at the Pinellas County Justice Center,  
14250 49th Street North, Clearwater, Florida 33762.**

All interested parties listed on the reverse side are notified of said PRE-TRIAL date.

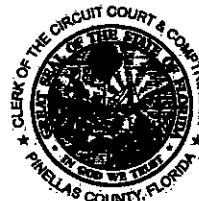
You are further notified that attorney's fees and mandatory and discretionary costs may be imposed against you. If you are requesting appointment of a Public Defender, you must bring a \$50.00 fee to this hearing. If you fail to appear as required by this court notice, and are not currently in custody, a warrant will be issued for your arrest, and your Release-On-Recognizance (ROR) will be revoked or your surety or cash bond will be estreated.

**\*\*\* NOTICE \*\*\***

If you need a foreign language interpreter for this hearing, please call (727) 453-7177. Si usted necesita un interprete el dia de su cita en la corte, favor de llamar al (727) 453-7177.

**\*\*\* See bottom of the reverse side for disability accommodation information. \*\*\***

LARRY J BRADLEY  
10715 IPSWICH COURT  
PORT RICHEY FL 34668



  
**KEN BURKE, CPA**  
CLERK OF THE CIRCUIT COURT  
& COMPTROLLER

Yes

**Inmate Charge Summary**  
**PINELLAS COUNTY SHERIFF'S OFFICE**

01/21/2015 22:38

Docket No. 1617767	SPN 3290743	Inmate Name <b>BRADLEY,LARRY</b>	Housing Location SD-4F-POD03-01-006	Security Level Maximum	SRA MB39	Projected Release Date: Actual: with pending charge(s) Scheduled: Amt. Due: \$10,000.00
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**Charges:**

Statute	Statute Description	Degree	Chrg Type	UCR Code	Chrg Status	Case No.	Disposition
948.06/F	VIOLATION OF PROBATION	3	F	5012	Awaiting Trial	1311835CFANO-1	
Sent Start 00/00/0000 00:00	Sent Date 00/00/0000 00:00	Replace	Years <input type="text" value="0"/> 0	Months <input type="text" value="0"/> 0	Days <input type="text" value="0"/> 0	Hours <input type="text" value="0"/> 0	
Admit Date 12/04/2014 14:56	Activate Dt 12/04/2014 15:00	Classify Value:					Time in Jail: 48 Day(s) and 7 Hour(s)
Concurrent Gain 0	Good 0	<input type="checkbox"/> Weekender	<input type="checkbox"/> RTS	Bond	Fine \$0.00	Purge \$0.00	Bond Grp
Charge Cmts: DANGEROUSNESS HEARING 1/14/15 9:30AM DIV Q							
Sentence Cmts: 1311835CFANO-1 sucessfully added.							
9999999-05	DNY-MISSING STATUTE OR UNKN		F	0000	Awaiting Trial	14-02626-OC-CF-1	
Sent Start 00/00/0000 00:00	Sent Date 00/00/0000 00:00	Replace	Years <input type="text" value="0"/> 0	Months <input type="text" value="0"/> 0	Days <input type="text" value="0"/> 0	Hours <input type="text" value="0"/> 0	
Admit Date 12/04/2014 14:56	Activate Dt 12/04/2014 15:00	Classify Value:					Time in Jail: 48 Day(s) and 7 Hour(s)
Concurrent Gain 0	Good 0	<input type="checkbox"/> Weekender	<input type="checkbox"/> RTS	Bond \$10,000.00	Fine \$0.00	Purge \$0.00	Bond Grp
Charge Cmts: PASCO #CRC1404248CFAWS L&L MOLESTATION							
Sentence Cmts: 14-02626-OC-CF-1 sucessfully added.							

IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
OF FLORIDA IN AND FOR PASCO COUNTY

STATE OF FLORIDA

CRC14-04248CFAWS-03

VS.

## FELONY INFORMATION

**LARRY BRADLEY**  
A/K/A ABDUL IDRIS  
SPN 00683084  
B/M; DOB: 07/21/75

ATTEMPTED LEWD OR LASCIVIOUS  
MOLESTATION, 2° F

IN THE NAME AND BY THE AUTHORITY FOR THE STATE OF FLORIDA:

BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pasco County, prosecuting for the State of Florida, in the said County, under oath, Information makes that

**LARRY BRADLEY, A/K/A ABDUL IDRIS**

in the County of Pasco and State of Florida, on the 8th day of June, in the year of our Lord, two thousand fourteen, did while 18 years of age or older, intentionally attempt to touch in a lewd or lascivious manner the breasts, genitalia, genital area, or buttocks, or the clothing covering them, of Jenay Long, a child less than 12 years of age or did force, or entice Jenay Long to so touch **LARRY BRADLEY, A/K/A ABDUL IDRIS**; contrary to Chapter 800.04(5)(b)/777.04, Florida Statutes, and against the peace and dignity of the State of Florida. [Q14]/8

STATE OF FLORIDA  
PASCO COUNTY

Personally appeared before me, BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pasco County, or his duly designated Assistant State Attorney, who being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged; hence this information is filed in good faith in instituting this prosecution, and that he has received testimony under oath from the material witness or witnesses for the offense.

The foregoing instrument was acknowledged before me this day of AUG 07 2014, 2014  
by Michael Hodges, who is personally known to me and who did take an oath.

NOTARY PUBLIC

W.H.  
Assistant State Attorney for the Sixth Judicial Circuit of the State of Florida, Prosecuting for said State

SW14-020577 AD/0731sb12



FILED FOR RECORD  
PASCO COUNTY, FLORIDA  
2014 AUG - 7 PM 2:38

Tanya S. O'Neil  
Clark & Company  
Pasco County, Florida

PD 8/11

IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
OF FLORIDA IN AND FOR PASCO COUNTY

STATE OF FLORIDA

VS.

LARRY BRADLEY  
A/K/A ABDUL IDRIS  
SPN 00683084  
B/M; DOB: 07/21/75

CRC14-04248CFAWS-03  
(CRC15A0 269 CFAWS ENCOMPASSED)  
AMENDED FELONY INFORMATION

1. LEWD OR LASCIVIOUS MOLESTATION, Life Felony
2. HARASSING A WITNESS, 1°PBL

IN THE NAME AND BY THE AUTHORITY FOR THE STATE OF FLORIDA:

BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pasco County, prosecuting for the State of Florida, in the said County, under oath, Information makes that

LARRY BRADLEY, A/K/A ABDUL IDRIS

in the County of Pasco and State of Florida, on or between the 1st day of March, in the year of our Lord, two thousand thirteen and the 9th day of June, in the year of our Lord, two thousand fourteen, on one or more occasions did while 18 years of age or older, intentionally touch in a lewd or lascivious manner the genitals or genital area, or the clothing covering them, of Jenay Long, a child less than 12 years of age or did force, or entice Jenay Long to so touch LARRY BRADLEY, A/K/A ABDUL IDRIS; contrary to Chapter 800.04(5)(b), Florida Statutes, and against the peace and dignity of the State of Florida. [Q14]/9

COUNT TWO 15A0 269 CFAWS

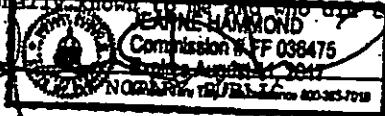
And the State Attorney aforesaid, under oath as aforesaid, further information makes that LARRY BRADLEY, A/K/A ABDUL IDRIS, in the County of Pasco, State of Florida, on the 9th day of June, in the year of our Lord, two thousand fourteen, did intentionally harass Jenay Long thereby hindering, delaying, preventing, or dissuading the commission or possible commission of an offense or a violation of a condition or probation, parole, or release pending a judicial proceeding, to-wit: lewd and lascivious molestation; or attempting to do so; contrary to Chapter 914.22(3), Florida Statutes, and against the peace and dignity of the State of Florida. [Z22]/9

STATE OF FLORIDA  
PASCO COUNTY

Personally appeared before me, BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pasco County, or his duly designated Assistant State Attorney, who being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged; hence this information is filed in good faith in instituting this prosecution, and that he has received testimony under oath from the material witness or witness for the offense.

The foregoing instrument was acknowledged before me  
this 31<sup>st</sup> day of July, 2015.

person(s) known to me who are to take an oath.



Assistant State Attorney for the Sixth  
Judicial Circuit of the State of Florida,  
Prosecuting for said State

SW14-020577 AD/0731tn34

THIS 31<sup>st</sup> DAY OF JULY, 2015  
PAULA S. O'NEIL, CLERK & COMPTROLLER  
PASCO COUNTY, FLORIDA  
BY *[Signature]*

IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
OF FLORIDA IN AND FOR PASCO COUNTY

STATE OF FLORIDA

VS.

CRC14-04248CFAWS-03

*Second* (CRC15-A0269CFAWS-03 ENCOMPASSED)  
AMENDED FELONY INFORMATION

LARRY BRADLEY  
A/K/A ABDUL IDRIS  
SPN 00683084  
B/M; DOB: 07/21/75

1. LEWD OR LASCIVIOUS MOLESTATION, Life Felony
2. HARASSING A WITNESS, 1°PBL

IN THE NAME AND BY THE AUTHORITY FOR THE STATE OF FLORIDA:

BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pasco County, prosecuting for the State of Florida, in the said County, under oath, Information makes that.

LARRY BRADLEY, A/K/A ABDUL IDRIS

in the County of Pasco and State of Florida, on or about the 8th day and the 9th of June, in the year of our Lord, two thousand fourteen, did while 18 years of age or older, intentionally touch in a lewd or lascivious manner the genitals or genital area, or buttocks, or the clothing covering them, of Jenay Long, a child less than 12 years of age; contrary to Chapter 800.04(5)(b), Florida Statutes, and against the peace and dignity of the State of Florida. [Q14]/9

FILED IN OPEN COURT

THIS 10 DAY OF Sept, 2015  
COUNT TWO PAULA S. O'NEIL, CLERK & COMPTROLLER  
PASCO COUNTY, FLORIDA

And the State Attorney aforesaid, under oath, as aforesaid, further information makes that LARRY BRADLEY, A/K/A ABDUL IDRIS, in the County of Pasco, State of Florida, on the 9th day of June, in the year of our Lord, two thousand fourteen, did intentionally harass Jenay Long thereby hindering, delaying, preventing, or dissuading Jenay Long from reporting to a law enforcement officer or judge of a condition or possible commission of an offense or a violation proceeding, to-wit: lewd and lascivious molestation; or attempting to do so; contrary to Chapter 914.22(3), Florida Statutes, and against the peace and dignity of the State of Florida. [222]/9  
STATE OF FLORIDA  
PASCO COUNTY

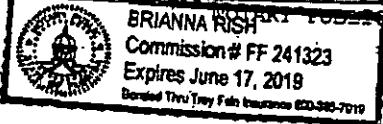
Personally appeared before me, BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pasco County, or his duly designated Assistant State Attorney, who being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged; hence this information is filed in good faith in instituting this prosecution, and that he has received testimony under oath from the material witness or witnesses for the offense.

The foregoing instrument was acknowledged before me this day of SEP 10 2015, 2015  
by E. Vergos

is personally known to me and who did take an oath.

Assistant State Attorney for the Sixth Judicial Circuit of the State of Florida, Prosecuting for said State

SW14-020577 AD/0731tn34



**PASCO COUNTY COMPLAINT AND DAVID**

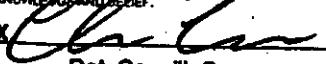
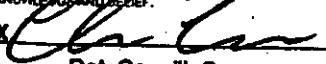
CITIS NUMBER		FELONY MISD.		CO. ORD. CIVIL INF.	SHIFT CIB	SECTOR F2	REC. 21	PP. 25	RNO. 16	AGENCY REPORT NUMBER 14-20577		
ADMINISTRATIVE	ARREST ALL THAT APPLY.		1. FELONY 2. TRAFFIC FELONY 3. MISD. 4. MISD. TRAFFIC 5. OTHER	6. ORDINANCE 7. V.O.P. 8. PROBABLE CAUSE	9. CIV. INF.	10. ADULT 11. JUVENILE	REVIEWED BY ASSISTANT STATE ATTORNEY					
	NOTICE TO APPEAR CHECK ONLY ONE		MANDATORY APPEARANCE NON-MANDATORY APPEARANCE		JUVENILE NON/ARREST INFO.	REQUEST FOR CHECK ONLY ONE	CAPTION WARRANT	SUMMONS A.J.V. PICK-UP	DATE			
LOCATION OF ARREST (INCLUDE NAME OF BUSINESS) Robert's Pancake US 19, Weston, FL 34667		LOCATION OF OFFENSE (BUSINESS NAME, ADDRESS) 10715 IPSWICH COURT, PORT RICHEY, FL 34688										
DATE OF ARREST 7-14-14		TIME OF ARREST 1000	BOOKING DATE 2014-08-07	BOOKING TIME 00483084	JAIL DATE ROLE NUMBER ALIAS 538935	JAIL TIME DOC NUMBER PER NUMBER	SEARCHED YES NO	INDEXED TYPE	F.P.S.S. Notified □ Juv. □ Elderly □ Handicap			
NAME (LAST, FIRST, MIDDLE) BRADLEY, LARRY, JAMES		DOMESTIC RELATED Domestic Related □ Y □ N										
RACE 1 - WHITE 2 - BLACK 3 - AMERICAN INDIAN 4 - ASIAN/ PACIFIC ISLANDER		CODE B	SEX M	DATE OF BIRTH 07/21/1975	AGE 38	HEIGHT 6'	WEIGHT 220	EYE COLOR BLACK	HAIR COLOR BLACK	COMPLEXTION DARK		
BOARDS, MARKS, TATTOOS, ETC. MULTIPLE TATTOOS		MEDICAL INFORMATION ALCOHOL/DRUGS DRUG INFLUENCE										
PHYSICAL ADDRESS (STREET & APT #) 10715 IPSWICH CT, PORT RICHEY, FL 34688		ADDRESS MAILING ADDRESS (STREET & APT #) SAME										
BIRTHPLACE LARRY IS FROM FLORIDA		CITY Z. COUNTY OUT OF STATE										
BUSINESS ADDRESS (NAME & STREET)		ADDRESS SOURCE DEF										
DRIVER'S LICENSE STATE / NUMBER FL DL B634 530 75 261 0		SOCIAL SECURITY NUMBER 309-82-9558			MM NUMBER			PLACE OF BIRTH GARY, IN				
CITIZENSHIP USA		CITIZENSHIP USA										
CO-DEFENDANT NAME (LAST, FIRST, MIDDLE) N/A		RACE SEX DATE OF BIRTH AGE TRANSPORTED BY 1. FELONY 2. MURDER 3. ASSAULT 4. AGGRESSION 5. VIOLENCE										
CO-DEFENDANT NAME (LAST, FIRST, MIDDLE) N/A		RACE SEX DATE OF BIRTH AGE TRANSPORTED BY 1. FELONY 2. MURDER 3. ASSAULT 4. AGGRESSION 5. VIOLENCE										
PARENT □ OTHER LEGAL CUSTODIAN ADDRESS (STREET, APT NUMBER) N/A		IMPRISONMENT STATUS RELEASED TO NAME RELATIONSHIP DATE TIME										
RELEASED TO NAME RELATIONSHIP DATE TIME		IMPRISONMENT STATUS 1. REMOVED / PROCESSED WITHIN DEPT. AND RELEASED 2. TURNED OVER TO HRS / CYS 3. INCARCERATED (COUNTY JAIL)										
IMPRISONMENT STATUS RELEASED TO NAME RELATIONSHIP DATE TIME		IMPRISONMENT STATUS 1. REMOVED / PROCESSED WITHIN DEPT. AND RELEASED 2. TURNED OVER TO HRS / CYS 3. INCARCERATED (COUNTY JAIL)										
CHARGE DESCRIPTION Lewd and lascivious conduct		F.A. <input type="checkbox"/> CIVL. <input type="checkbox"/> ORD. REF.			STATUTE VIOLATION NUMBER 800.04(6)(b)		COUNTS 1	INCIT. 3601	COURT CASE 404248 CFAU			
ACQUITTY 1. SELL 2. BUY 3. TRAFFIC 4. POSSESS		F.A. <input type="checkbox"/> CIVL. <input type="checkbox"/> ORD. REF.			TYPE 1. RIBA 2. AMPHETAMINE		TYPE 1. RIBA 2. COCAINE 3. HEROIN			TYPE 1. RIBA 2. COCAINE 3. HEROIN		
ACQUITTY 1. SELL 2. BUY 3. TRAFFIC 4. POSSESS		F.A. <input type="checkbox"/> CIVL. <input type="checkbox"/> ORD. REF.			TYPE 1. RIBA 2. AMPHETAMINE		TYPE 1. RIBA 2. COCAINE 3. HEROIN			TYPE 1. RIBA 2. COCAINE 3. HEROIN		
REQUEST FOR INVESTIGATIVE COSTS RECOVERY FSS 938.27(1)		THE UNDERSIGNED CERTIFIES AND SWEARS THAT HE / SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE THAT THE ABOVE-NAMED DEFENDANT COMMITTED THE FOLLOWING VIOLATION OF LAW:										
CJIS # 2749		ON THE 8th DAY OF June, 2014 AT 1130 AM □ PM										
# of Investigative hrs. 10.00 = \$26.00 = \$260.00		(SPECIFICALLY INCLUDE FACTS CONSTITUTING CAUSE FOR ARREST.)										
On 06/09/2014 I spoke with the witness who advised on the night of 06/08/2014, at approximately 10:00 PM, she was in bed in her bedroom when her live-in boyfriend, the defendant, came home after being out drinking alcohol. The witness reported the defendant wanted to have sexual intercourse with her and she said no. The witness reported the defendant grabbed some type of lubrication and entered their bathroom to ejaculate. The witness reported the defendant left her bedroom to watch movies with the witness' 7 year old daughter. The witness advised at approximately 11:30 PM, she exited her bedroom and did not see anyone in the living room. The witness reported she walked into her daughter's bedroom and observed the defendant lying across her 7 year old daughter. The witness reported she turned on the light and the defendant jumped off the bed and turned around. The witness reported she observed the defendant had an erection and his penis was out of his shorts. The witness reported her daughter appeared to be scared and her shorts were pulled down slightly.												
I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED WHEN I AM NOTIFIED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED ONCE I AM NOTIFIED, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED. IF CITED FOR A CIVIL INFRACTION, I AGREE TO APPEAR BEFORE THE COUNTY COURT OR COMPLY WITH THE REQUIREMENTS FOR PAYING THE FINE AND MEETING ANY OTHER SPECIFIED CONDITIONS AS INDICATED ON THE BACK SIDE OF THIS AFFIDAVIT.												
SIGNATURE OF DEFENDANT / JUVENILE AND PARENT OR CUSTODIAN												
F.D. EXHIBITS FOR CHARGE(S) JUDGE'S SIGNATURE DATE												
BEFORE THE COURT AS REQUIRED ONCE I AM NOTIFIED, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED. IF CITED FOR A CIVIL INFRACTION, I AGREE TO APPEAR BEFORE THE COUNTY COURT OR COMPLY WITH THE REQUIREMENTS FOR PAYING THE FINE AND MEETING ANY OTHER SPECIFIED CONDITIONS AS INDICATED ON THE BACK SIDE OF THIS AFFIDAVIT.												
DATE												
NOTICE												
ADMINISTRATIVE												
HOLD FOR OTHER AGENCY WARNING: NAME:		VERIFIED BY NAME:		EXHIBIT NUMBER PD		DATE	VICTIM NOTIFIED YES <input type="checkbox"/> NO <input type="checkbox"/>	BOND CHARGE 1. BOND 2. BOND / 3. BOND	BOND CHARGE 1. BOND 2. BOND / 3. BOND			
ADULT ONLY <input type="checkbox"/> HOLD FOR FIRST APPEARANCE DO NOT BOND OUT - REASON:												
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE, TO THE BEST OF MY KNOWLEDGE AND BELIEF.												
X Detective C. Cougill		2749										
NAME (PRINTED)		CJS #										
CLERK OF COURT												
PAGE 1 OF 1												

**CLERK OF COURT**

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Pasco Sheriff's Office

## COMPLAINT AFFIDAVIT CONTINUATION SHEET

DEFENDANT										PAGE <u>2</u> of <u>2</u>			
BRADLEY, LARRY										AGENCY REPORT NO. 14-20577			
CHARGE DESCRIPTION													
<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> O.R.O.					STATUTE VIOLATION NUMBER		COUNTS	INDC #	COURT CASE #				
ACTIVITY	B. SELL	B. SHARABLE	C. DISPENSE / D. DELIVER	M. MANUFACTURE / N. PRODUCE / O. CULTIVATE	Z. OTHER	CODE	AMOUNT	CODE	B. BARBITURATE C. COCAINE D. HEROIN A. AMPHETAMINE	H. MALLOROCHEEN I. MARIJUANA G. OPIUM/HERV.	P. PHARMACEUTICAL / EQUIPMENT Q. SYNTHETIC	U. UNKNOWN Z. OTHER	CODE
CHARGE DESCRIPTION													
<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> O.R.O.					STATUTE VIOLATION NUMBER		COUNTS	INDC #	COURT CASE #				
ACTIVITY	B. SELL	B. SHARABLE	C. DISPENSE / D. DELIVER	M. MANUFACTURE / N. PRODUCE / O. CULTIVATE	Z. OTHER	CODE	AMOUNT	CODE	B. BARBITURATE C. COCAINE D. HEROIN A. AMPHETAMINE	H. MALLOROCHEEN I. MARIJUANA G. OPIUM/HERV.	P. PHARMACEUTICAL / EQUIPMENT Q. SYNTHETIC	U. UNKNOWN Z. OTHER	CODE
<p>The witness reported she ordered the defendant to leave the residence and later in the day the witness reported the incident to Law Enforcement. I spoke with the 7 year old victim who reported she was lying in bed and the lights came on and her mother was yelling at the defendant. The victim reported seeing the defendant jump off her and then he left the bedroom. On 06/10/2014 at 12:01 AM a controlled phone call was conducted between the defendant and the witness. During the recorded phone call the defendant admitted he was in the bedroom and lying on the victim with an erection. During the phone call the defendant alleged he was too intoxicated to know what his intentions were. On 07/14/2014 I arrested the defendant for the above charge. Post-Miranda the defendant denied the allegations and advised all he remembers is arguing with his wife, the witness.</p>													
NARRATIVE / CONTINUATION													
<p>ADMINISTRATIVE: UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE, TO THE BEST OF MY KNOWLEDGE AND BELIEF.</p> <p>          X           Det. Cougill, C. 2749          NAME (PRINTED) G.M.B.</p>													

CLERK OF COURT

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ARRESTING COMPLAINT AFFIDAVIT.....

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