

IN THE COUNTY COURT, POLK COUNTY, FLORIDA

STATE OF FLORIDA

Plaintiff,

vs.

CASE NO. 532023CT001555A000BA
(23CT001555BA)

JAMES DANIEL PEACH,

Defendant.
_____ /

MOTION TO MODIFY PROBATION

Defendant, through counsel and pursuant to Section 948.03(2) Florida Statutes (2022), moves this Court to modify the condition of probation requiring no weapons, firearms, and/or ammunition.

In support of this motion, Defendant states:

1. On July 18, 2023, this Court placed Defendant on probation for a period of 12 months and made a special condition that Defendant is not permitted to have weapons, firearms, and/or ammunition.
2. Defendant is a former Polk County Sheriff Office Deputy.
3. There is a safety concern that individuals which Defendant was chiefly responsible for arresting in the past could seek to do harm to the Defendant in the present.
4. Defendant is not contesting the fairness or severity of the Court's disposition, per se.
5. Assistant State Attorney Beth Peterson was contacted regarding this motion.
6. A hearing for this motion is requested.

WHEREFORE, Defendant respectfully requests that this Court modify the condition of Defendant's probation requiring no weapons, firearms, and/or ammunition.

HOWARD L. "REX" DIMMIG, II
Public Defender

/s/ JACOB C. RICKARD
JACOB RICKARD
FLORIDA BAR # 1044350
Assistant Public Defender

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the State Attorney's Office by electronic transmission this 25th day of July, 2023

HOWARD L. "REX" DIMMIG, II
Public Defender

/s/ JACOB C. RICKARD _____

JACOB RICKARD
FLORIDA BAR # 1044350
Assistant Public Defender

cc: Judge

KEVIN

M.

KOHL