

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA.

CASE NO.: 2017-CF-002246

DIVISION: CR-C

STATE OF FLORIDA

VS.

RONNIE HYDE

**MOTION TO SUPPRESS
STATEMENTS, ADMISSIONS AND CONFESSIONS**

Defendant, RONNIE HYDE, by and through the undersigned attorney, pursuant to Rule 3.190(h), Florida Rules of Criminal Procedure, respectfully moves this Honorable Court to suppress as evidence in this cause any statements made by Defendant to the police or other agents of the State of Florida.

It is believed that the State intends to offer the following statements, admissions or confessions purportedly made by the accused at any trial of this cause:

Video recorded statement made at the time of his arrest on March 7, 2017.

The above-mentioned statements should be suppressed for the following reasons:

1. The statements were obtained from Defendant in violation of his privilege against self-incrimination guaranteed by Amendments Five and Fourteen, Constitution of the United States, Article I, Sections 9 and 16, Constitution of the State of Florida, and *Miranda v. Arizona*, 384 U.S. 436, 86 S. Ct. 1602, 16 L. Ed. 2d 694 (1966).

2. The statements were obtained from Defendant in violation of his right to counsel guaranteed by Amendments Six and Fourteen, Constitution of the United States, and Article I, Sections 9 and 16, Constitution of the State of Florida.

3. The statements obtained from Defendant were not freely and voluntarily given and were a result of continued and persistent questioning by members of the Jacksonville Sheriff's Office under circumstances indicating intimidation or inequality between the interrogators and Defendant so as to impair his freedom of will and thereby amount to compulsion. Said statements were in violation of Defendant's rights guaranteed by the Fifth and Fourteenth Amendments to the United States Constitution and by Article I, Section 9, of the Constitution of the State of Florida.

4. The statements were obtained from Defendant in violation of the right to be free of unreasonable searches and seizures guaranteed by the Fourth and Fourteenth Amendments to the United States Constitution by Article I, Section 12, of the Florida Constitution (1968). *Wong Sun v. United States*, 371 U.S. 471, 83 S. Ct. 407, 9 L. Ed. 2d 441 (1963).

A brief statement of the facts upon which this motion is based is as follows:

On March 6, 2017, an affidavit for an arrest warrant was executed by Affiant Det. Sgt. Jimmy Watson of the Columbia County Sheriff's Office and FBI Duty Section: FBI Violent Crimes Task Force. The affidavit was from the crime of Murder, in violation of Section 782.04 which allegedly occurred on June 5, 1994. The arrest warrant was issued by Judge T. Salvador on March 6, 2017 for the crime of Murder and bond was fixed at none.

On March 7, 2017, Defendant was stopped in possession of the above referenced vehicle, which was registered to him in the vicinity of 101 Penman Rd. S. Jacksonville Beach. The stop was to affect his arrest for the crime of murder.

There are insufficient allegations in the affidavit to support probable cause for Defendant's arrest. Specifically, it was alleged that Defendant and the victim knew one another for a period of years, and that the victim lived with Defendant off and on for short periods of time. The fact that "wearer DNA" of both the victim and Defendant is present on a flannel shirt located in a dumpster where the body was found is not probative of any issue. The remainder of the affidavit does not provide any probable cause linking Defendant to the murder of Fred Laster and specifically omits the fact that another person, TL, on one occasion admitted that he (TL) killed the victim.

Additionally, during the interview of Defendant, Defendant specifically requested counsel. Defendant's request for counsel was not scrupulously honored and he was engaged in conversation with SA Beccaccio who insisted she "sit with" Defendant after he had asked for a lawyer and who volunteered that "burying Fred...it's at the utmost of importance to them (the Laster's) after all these years...don't you want to be able to give the family this closure?" Defendant again mentions wanting to consult with an attorney, "That's why I would—I would need to consult with an attorney. I, uh, I have no idea." and SA Beccaccio states, "I want to believe you and I think you're in the ---the unique place where you can help us understand and that might simply be going back through the --the day's incidents again. You know, starting why you picked Fred up." She then volunteers that she is "not interrogating" Defendant, just trying to get a complete understanding..."

Statements made by Defendant after he requested counsel should be inadmissible because his request for counsel was not honored, and the tactics utilized were designed to impair his freedom of will.

WHEREFORE, Defendant requests this Honorable Court grant this motion.

I HEREBY CERTIFY that a copy of the above and foregoing Motion to Suppress Statements, Admissions and Confessions has been furnished to the Office of the State Attorney, by hand, this 23rd day of January 2017.

Respectfully submitted,

BY: Ann E. Finnell

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