

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 PHYSICAL EVIDENCE (836 4th Av. N.)

Defendant, RONNIE HYDE, by and through the undersigned attorney, pursuant to Rule 3.190(g), Florida Rules of Criminal Procedure, respectfully requests this Honorable Court to suppress the following evidence: all evidence seized from 836 4th Av. N., a residence belonging to Defendant (see attached inventory and receipt attached to the return of the search warrant).

As grounds for this motion, Defendant states the evidence mentioned above was illegally seized and searched upon authority of a warrant for which there was no probable cause to believe the existence of the grounds on which the warrant was issued in violation of Defendant's rights guaranteed by the Fourth and Fourteenth Amendments to the United States Constitution and Article I, Section 12, of the Florida Constitution, and in violation of Defendant's right to privacy guaranteed by Article I, Section 23 of the Florida Constitution.

Defendant further states he has standing to contest the legality of said seizure.

A general statement of the facts on 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 for the crime of Murder, in violation of Section 782.04, Florida Statutes, 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.

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On March 6, 2017, an affidavit for a search warrant for the premises located at 836 4th Av. N., Jacksonville Beach, Fl., was executed by Det. Sgt. Watson. Said affidavit alleged that the premises were being used for the purpose of containment of evidence relevant to proving the commission of Murder, Kidnapping, Aggravated Child Abuse, Sexual Battery, Tampering with Evidence, Possession of Child Pornography, and Abuse of a dead human body.

Judge Salvador issued the warrant for a search of 836 4th Av. N on March 6, 2017.

On March 7, 2017, Defendant was stopped in his 2010 Toyota in the vicinity of 101 Penman Rd. S. Jacksonville Beach. The stop was to affect his arrest for the crime of murder (the only crime mentioned in the arrest warrant.) The vehicle was seized and towed to secure storage at the City of Jacksonville Beach Police Department Property Department (as opposed to a regular towing company lot), and held in the custody of the City of Jacksonville Beach until Detective Sgt. Jimmy Watson executed an affidavit for a search warrant of the vehicle on March 9, 2017 before Judge Norton, who issued a warrant.

Nothing in the affidavit for the search of the premises located at 836 4th Av. N and executed on March 6, 2017, supports probable cause for a search of that premises. Specifically, there was no good faith belief that the premises located at 836 4th Av. N was in any way associated with the “containment of evidence” relating to any of the enumerated felonies listed in the affidavit and the warrant. Additionally, the affidavit does not provide a sufficient nexus between this home and any evidence associated with any of the alleged listed felonies.

Defendant is not charged with kidnapping, child abuse, sexual battery, evidence tampering or abuse of a dead human body. Presumably, these are all intertwined with the alleged homicide of Fred Laster. The affidavit does not allege probable cause to believe that this home was used in connection with any kidnapping, child abuse, sexual abuse, abuse of a dead human body or evidence tampering. Indeed, the affidavit fails to list any witness who can provide any information that Fred Laster was seen at the residence on or about June 5, 1994, or that he was killed at the residence on that date, or that any witness saw any evidence relating to his death at the residence on or about that date, or that Defendant made any statements to anyone admitting

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to any criminal conduct at or about the premises on or about that date. In short, the affidavit wholly fails to allege any facts linking 836 4th Av. N. to the death of Fred Laster or to the dismemberment of his body or to any child abuse or sexual abuse. Additionally, it fails to allege any witness that has information relevant to any sexual abuse or child abuse by Defendant toward Fred Laster. It omits any statements Fred Laster made to anyone wherein he complained of sexual or child abuse by Defendant, presumably because there are no such statements. Additionally, the affidavit does not mention any evidence that ties Defendant to any kidnapping, sexual abuse, child abuse of a dead human body or evidence tampering of Fred Laster or the body of Fred Laster. Nor does the affidavit mention any basis for believing that this home was used to help commit these crimes.

Additionally, no good faith belief is articulated in the affidavit that this home was in any way associated with any possession of child pornography. In the affidavit, it is alleged that Defendant's name was on a customer list for a company selling alleged child pornography. Specifically, it is alleged that Defendant placed 8 orders for 23 items between May 2008 and July 2010. The affidavit specifies an invoice regarding a purchase on July 4, 2010 showing billing details for Defendant at 836 4th Av. N., Jacksonville Beach. The affiant further stated that based upon his training and experience the purchased files contained child pornography. The affidavit is devoid of any allegation by any person that viewed or observed the alleged child pornography on or within the premises located at 836 4th Av. N. at any time.

Information detailed under the heading "T.L. Interview" mentions that TL was allegedly abused by Defendant from the age of 11 or 12 to 16-17. It fails to state the dates during which this happened. It omits any mention that any abuse occurred at 836 4th Av. N, and instead states it occurred in a church bus behind the Strength for Living Church. It does state that TL was attending Florida Junior College at Jacksonville in 1994. Presumably TL was an adult by 1994. This information is irrelevant to any probable cause needed for the search of this home.

The affidavit in support of the warrant is devoid of any nexus between 836 4th Av. N., and any of the charged or otherwise alleged offenses. There is a 23-year difference between the

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homicide of Fred Laster and the search at 836 4th Av. N. and at least a 7-year difference between the alleged purchase of and/or possession of alleged pornographic videos and the search. As previously discussed, there was no information presented linking this residence to any of the alleged offenses other than the 2010 invoice for videos which listed this address. Assuming *arguendo* any nexus exists, it is so stale that probable cause to believe that the residence still contained the fruits of any crime is lacking.

WHEREFORE, Defendant respectfully requests the Court to suppress the above-mentioned evidence.

I HEREBY CERTIFY that a copy of the above and foregoing Motion to Suppress Physical Evidence has been furnished to the Office of the State Attorney, by hand, this 23rd day of January 2018.

Respectfully submitted,

BY: 

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