

IN THE CIRCUIT COURT OF THE  
EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY,  
FLORIDA

**ADMINISTRATIVE ORDER NO.:**  
**10-33-B**

**IN RE: JAIL – DISTRIBUTION OF SUMMARIES OF CRIMINAL HISTORY NCIC/FCIC OF  
DEFENDANTS APPEARING AT FIRST APPEARANCE AT BREVARD COUNTY JAIL**

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Whereas, Florida Rule of Criminal Procedure 3.130 provides that, except when previously released in a lawful manner, every arrested person shall be taken before a judicial officer within 24 hours of arrest for First Appearance; this rule further provides that the State Attorney or an Assistant State Attorney and Public Defender or Assistant Public Defender shall attend the First Appearance; this rule further provides that the arrested person may be represented at the First Appearance by privately retained counsel, and

Whereas, Florida Rule of Criminal Procedure 3.131(b) provides that the judge at First Appearance may consider, among other delineated factors, the defendant's past and present conduct, including any record of convictions, to determine what form of release is necessary to assure the defendant's appearance, and

Whereas, at the Brevard County Jail, Pretrial Release at First Appearance provides the Court, the State Attorney, the Public Defender, and retained counsel, with a summary of the defendants' criminal history derived from the Florida Crime Information Center (FCIC) and the National Crime Information Center (NCIC), and

Whereas, Pretrial Release in Brevard County now requires an Administrative Order authorizing the continued distribution of the defendants' criminal history at First Appearance at the Brevard County Jail,

**IT IS HEREBY ORDERED that;**

Pretrial Release is authorized to distribute to the State Attorney and Assistant State Attorneys, the Public Defender and Assistant Public Defenders, and to privately retained counsel, its summary of the criminal histories of defendants appearing at the Brevard County Jail for First Appearance which are

derived from the Florida Crime Information Center (FCIC) and the National Crime Information Center (NCIC).

Done and Ordered this 17th day of December, 2010.

J. PRESTON SILVERNAIL  
J. PRESTON SILVERNAIL  
CHIEF JUDGE

Distribution:

All Circuit and County Judges ( Brevard County)  
Court Administration (Brevard and Seminole Counties)  
Clerk of Court (Brevard County)  
Public Defender (Brevard County)  
State Attorney (Brevard County)  
Sheriff (Brevard County)  
Bar Association (Brevard County)  
Law Library (Brevard County)