

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO. 21-003634CF10A
JUDGE: MARTIN FEIN

STATE OF FLORIDA,

Plaintiff,

v.

ROBERT RUNCIE,

Defendant.

_____ /

MOTION TO DISMISS

COMES NOW the Defendant, ROBERT RUNCIE, by and through undersigned counsel, and moves this Honorable Court for an order pursuant to F.R.C.P. 3.190(b)(1), dismissing the Information pending against Defendant in the above-styled case, and as grounds therefore states:

1. The Information is so vague, indefinite and uncertain as to embarrass and hinder the Defendant in the preparation of Defendant's defense and in the event of conviction or acquittal, would subject the Defendant to multiple trials on the same circumstances, jeopardy failing to attach.
2. The Information fails to state a cause of action against the Defendant recognized by the laws of the State of Florida, or prohibited by statutory mandate.
3. The Information fails to state any fact, act or circumstances which would constitute the alleged offense, and, therefore pleads a mere conclusion of law.
4. This motion is being filed to preserve Defendant's rights under the above Rule, and in anticipation of an Information being filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was filed with the Clerk of Court via the Florida Courts E-Filing Portal, with a copy furnished to Richard Mantei at richard.mantei@myfloridalegal.com of the Statewide Prosecutor's Office on this 28th day of April, 2021.

Respectfully submitted,

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