

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR VOLUSIA COUNTY, FLORIDA**

STATE OF FLORIDA,
Plaintiff,

CASE NUMBER: 2026-102441-CFDL

v.
LINDSEY BROOKE ISAACS,
Defendant.

MOTION TO SET BOND

COMES NOW the Defendant, LINDSEY BROOKE ISAACS, by and through undersigned counsel, and moves this Honorable Court to set a reasonable bond and appropriate conditions of pretrial release in this cause. In support thereof, the Defendant states:

1. The Defendant seeks an Order of this Court setting a reasonable bond and appropriate conditions of release in this matter.
2. Florida law permits the Court to impose monetary conditions of release for a defendant charged with a “dangerous crime” unless and until the State satisfies its burden to obtain a pretrial detention order pursuant to Florida Statute § 907.041.
3. Florida Statute § 907.041 identifies homicide as a “dangerous crime,” precludes nonmonetary release at first appearance upon a finding of probable cause, and authorizes pretrial detention only upon motion by the State and proof of the statutory elements set forth therein.
4. Critically, the State bears the burden of establishing the need for pretrial detention. Florida Statute § 907.041(5)(h).
5. Where detention is sought, the Court must find not only probable cause, but also a substantial probability that the Defendant committed the charged offenses, and that no conditions of release will reasonably protect the community, ensure the Defendant’s presence at trial, or assure the integrity of the judicial process. Florida Statute § 907.041(5)(d).

6. The charged offense under Florida Statute § 316.027(2)(c) is a first-degree felony carrying a mandatory minimum term of imprisonment upon conviction. However, the statute's custody provisions apply only where a defendant has a prior qualifying conviction. No such qualifying prior conviction has been alleged.
7. Even assuming arguendo that probable cause was sufficient for issuance of the arrest warrant, the State must still satisfy the separate and significantly higher burden required for pretrial detention under Florida Statute § 907.041.
8. The State must ultimately prove that the Defendant was the driver, knew she was involved in a crash, knew or should have known of injury or death, and willfully failed to stop and remain.
9. At present, the State has not presented competent, non-speculative evidence establishing that the Defendant was the driver. Identity of the driver remains the central contested issue.
10. The State's own filings indicate that further forensic testing is required to determine the identity of the operator, including DNA, fingerprint, and electronic data analysis.
11. The existence of such ongoing testing demonstrates that the State has not yet established the identity of the driver.
12. Any DNA or fingerprint evidence inside the vehicle would be expected given the Defendant's ownership and use of the vehicle and would not be dispositive of who was driving at the time of the crash.
13. The physical and forensic evidence described does not conclusively establish that the Defendant was operating the vehicle at the time of the incident.
14. The State's witness descriptions do not identify the Defendant as the driver and are based in part on assumptions rather than direct observation.

15. This is not a case involving clear, direct evidence of identity. Rather, the State's theory remains inferential and dependent upon further investigation.

16. Speculation or the possibility of future evidence does not satisfy the State's burden to establish a substantial probability under Florida Statute § 907.041.

17. Even if that burden were met, the State must also prove that no conditions of release can reasonably protect the community or ensure appearance, which it cannot do.

18. Florida Statute § 903.046 requires the Court to consider factors including community ties, residence, employment, and history of court appearances.

19. The Defendant has strong ties to the community, a stable residence, and no evidence suggests a risk of flight.

20. There is no evidence that the Defendant has attempted to interfere with witnesses or obstruct the judicial process.

21. Any concerns can be addressed through reasonable conditions of release, including travel restrictions, reporting requirements, and other appropriate safeguards.

22. Continued detention is not warranted under the law.

WHEREFORE, the Defendant respectfully requests that this Honorable Court set a reasonable bond, impose appropriate conditions of release, and grant such further relief as this Court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a copy of this document was served upon the Volusia County State Attorney's Office via the Florida E-File Portal on this 20th day of April, 2026.

By:

/s/ *Patrick J. McGeehan*

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