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IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT IN AND
FOR ORANGE COUNTY, STATE OF FLORIDA
FELONY DIVISION

STATE OF FLORIDA

CASE NUMBER: 48-2026-CF-012151

v.

LUCAS GILBERT VAN HOEK DIVISION: 22
_____/

**DEFENDANT'S RESPONSE TO STATE'S MOTION FOR PRETRIAL DETENTION & MOTION TO SET BOND**

COMES NOW, the Defendant, LUCAS GILBERT VAN HOEK by and through his undersigned counsel, pursuant to Rule 3.131, Florida Rules of Criminal Procedure, Chapter 903, Florida Statutes and Article I, Section 14, Florida Constitution, and files this response to the State's Motion for Pretrial Detention and in support states as follows:

## I. Position

Considering the nature and circumstances of the accusations, the Defendant, Mr. Van Hoek's past and present behavior, and the criteria listed in § 903.046, the State cannot prove that less intrusive means than pretrial detention will not safeguard the safety of the community and Mr. Van Hoek's presence at future court events. Mr. Van Hoek therefore respectfully requests this Honorable Court deny the motion for pretrial detention and set reasonable conditions of release.

## II. Procedural Posture

a. On September 14, 2026, Mr. Van Hoek was booked into the Orange County Sherriff's Office on the charges of Principal to Aggravated Battery (second degree felony) and Principal to Armed Robbery with a mask (first degree felony).

b. On September 16, 2026, the State filed a Motion for Pretrial Detention as to the offense of Principal to Robbery with a Deadly Weapon with a mask.

c. The instant Response and Motion to Set Bond follows.

**Factual Statement**

1. Mr. Van Hoek is 20 years old. He has never been arrested and has no criminal history.
2. Mr. Van Hoek lives with his parents in Tampa, Florida, and will be welcomed back to his family home should he be granted release from custody.
3. Mr. Van Hoek has spent his entire life in the greater Tampa area and has significant ties to the community, to include a close network of aunts, uncles, and cousins, and neighbors, several of whom have provided letters of support for Mr. Van Hoek's release.
4. Mr. Van Hoek's family is highly supportive. His parents are both law-abiding citizens with spotless records and deep commitment to the rule of law. Both parents are prepared to support their son and ensure his compliance with any pretrial restrictions and presence at any future court events.
5. As a child, Mr. Van Hoek struggled with a speech delay and was diagnosed with and a severe neurodevelopmental and psychiatric disorder: Central Auditory Processing Disorder (CAPD). This impairment significantly impacts Mr. Van Hoek's brain capacity to filter, interpret, and process spoken language. This is not a hearing loss issue, but rather a complex cognitive-processing disability, which is exacerbated by noisy and high-stress environments.

6. Mr. Van Hoek's treating audiologist opined that he presents the most severe case of CAPD seen in over 25 years of practice.
7. Central Auditory Processing Disorder impairs Mr. Van Hoek's ability to timely process ambient dialogue, social cues, or rapid fire-directives typical in a pretrial detention setting.
8. Mr. Van Hoek's condition has led to social isolation, low self-esteem, and a lack of social connectivity throughout his life.
9. Mr. Van Hoek's family have dedicated themselves to understanding and supporting Mr. Van Hoek's developmental needs, to include a specialized school setting, therapy, family counseling. They are prepared to fully support Mr. Van Hoek, and protect the integrity of the judicial proceedings, as third party custodians should he be released from custody.
10. Mr. Van Hoek also has a younger brother with severe, near non-verbal autism who requires high intensity care. Mr. Van Hoek has a strong bond of mutual affection with his brother and Mr. Van Hoek's absence has been distressing for his brother, who checks Mr. Van Hoek's bedroom for him many times throughout the day.
11. Because of his brother's high-profile special needs, Mr. Van Hoek developed a deep fear of being labeled as "special needs" or "impaired." As a result, Mr. Van Hoek experiences profound shame regarding his CAPD diagnosis and actively conceals it from his peers. However, this reluctance to disclose his disability often leads others to misinterpret his processing delays, quietness, or misheard instructions as defiance, disinterest, or aloofness.

12. Mr. Van Hoek was 14 years old when the COVID-19 pandemic began in 2020. Quarantine and virtual learning during these critical developmental years exacerbated his social isolation from his peers.
13. Mr. Van Hoek successfully completed secondary school and aspires to become an electrician.
14. Mr. Van Hoek has a secure position in an electrical apprenticeship program which includes full-time field work and classroom instruction. Mr. Van Hoek would be permitted to return to this program upon release from custody.
15. Mr. Van Hoek is highly regarded in his workplace due to his dedicated work ethic. His work crew represents his primary daily community and social anchor.
16. Mr. Van Hoek is a parishioner at St. Stephen Catholic Church in Riverview, where he regularly attends church services.
17. Mr. Van Hoek has a dedicated record of civic contribution. Prior to finishing secondary school, he dedicated his summer vacations to full-time volunteer work with Metropolitan Ministries.
18. For the past two years, Mr. Van Hoek has also volunteered with the Electrical Workers Union (IBEW) to help organize union events.
19. Mr. Van Hoek is deeply attached to Jake, a retired service dog originally assigned to his brother. Jake transitioned to Lucas several years ago as a personal companion animal, providing significant emotional stability and support.
20. The facts of this offense do not reflect any financial benefit to Mr. Van Hoek. There is no concern that any bond money would be sourced from ill-gotten gains.

21. In preparation, Mr. Van Hoek's parents have removed all firearms from their home to a secure location to ensure that Mr. Van Hoek will have no access.

22. Mr. Van Hoek is prepared to surrender his passport.

23. Mr. Van Hoek has retained private counsel to assist him in his defense. He will not abscond or make any other attempts to evade justice in this matter.

## III. Legal Standard

a. Article 1, Section 14 of the Florida Constitution recognizes the importance of pretrial release: "Unless charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or presumption great, every person charged with a crime or violation of a municipal or county ordinance shall be entitled to pretrial release on reasonable conditions." See also, Fla. R. Crim. P. 3.131.

b. When a defendant is accused of an enumerated offense under § 907.041(5)(a) which is a capital, life, or first-degree felony, Florida law permits the State or this Court to motion for pretrial detention. § 907.041, *Fla. Stat.*

c. Under Florida Statute § 907.041, this Court must grant pretrial release unless the Court finds that (1) there is a substantial probability that the defendant committed the offense and (2) based on the defendant's past and present behavior, consideration of the criteria in § 903.046, and any other relevant facts, that no conditions of release or bail will reasonably protect the community from risk of physical harm, ensure the presence of the defendant at trial, or assure the integrity of the judicial process. See § 907.041(5)(d), *Fla. Stat.*

## IV. Argument

1. Mr. Van Hoek has been accused of participating as a principal to a first-degree felony falling under § 907.041(5)(a).
2. For this Court to hold Mr. Van Hoek without bond, the State must prove that there is a substantial probability that Mr. Van Hoek committed the offense alleged.
3. If the State can overcome that burden, the State **cannot** prove that are no conditions of release which will reasonably protect the community from risk of physical harm, ensure the presence of Mr. Van Hoek at future court proceedings, and assure the integrity of the judicial process. § 907.041, *Fla. Stat.*
4. In addition to the State's evidence, this Court must also consider the criteria listed in § 903.046, to include that Mr. Van Hoek is a very young man with zero criminal history, and there is nothing in his past or present conduct which would support the conclusion that he should be held without bond.
5. Mr. Van Hoek has significant family ties and support, a stable address and transportation to court. He is actively employed and completing his education. He is completely willing to comply with any release conditions that this Court deems just and proper.
6. Mr. Van Hoek's severe neurological condition is a primary factor weighing in favor his release. His condition caused Mr. Van Hoek to become socially withdrawn and ashamed due to his inability to timely process dialogue and social cues. However, his Central Auditory Processing Disorder also makes Mr. Van Hoek particularly vulnerable in pretrial detention due to his inability to understand rapid-fire directives and social interactions can be easily misconstrued as intentional defiance,

insubordination, disrespect, or contempt. This condition also makes him unusually impressionable by any perceived social acceptance.

7. Though they find the allegations incongruous with the quiet and peaceful young man that they know, Mr. Van Hoek's family understand the allegations that have been made against him. They are prepared to support Mr. Van Hoek's compliance with all release requirements to ensure the safety of the public and the integrity of the judicial process. They likewise understand their responsibility to this Court as intended third party custodians.
8. Mr. Van Hoek is not a flight risk. He has never lived independently without his family and relies on them significantly due to his condition. He has no means or motive to flee the area and will surrender his passport to further ensure his continued presence.
9. The facts and circumstances of this case suggest that there are certainly less intrusive conditions which will ensure the protection of the community and the integrity of this judicial proceeding, to include participation in supervised pretrial release with any relevant conditions.

**CONCLUSION**

WHEREFORE, the Defendant, LUCAS GILBERT VAN HOEK, by and through his undersigned counsel, respectfully requests that this Court deny the State's request for pretrial detention in this case and set reasonable conditions of release in this matter.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically and sent by E-Mail from the Florida E-Filing Portal system on all counsel or parties of record, this 21st day of September 2026.

By: /s/ Olivia M. Goodman
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