



To: Miriam S. Ramos; Israel Reyes; Manny Guarch

From: Craig E. Leen, City Attorney for the City of Coral Gables

A handwritten signature in blue ink, appearing to be "CL", is written over the end of the "From:" line.

RE: Legal Opinion Regarding Nolle Prose and Dismissals

Date: October 12, 2016

Consistent with the Justice Advocate Program, please advise whenever a criminal matter occurring within the jurisdiction of Coral Gables is nolle prossed or otherwise dismissed by the State Attorney's Office, so that it can be reviewed for potential prosecution by the City Attorney's Office as a municipal ordinance violation or for potential enforcement of Ordinance No. 2016-39 (amending section 38-1 of the City Code) as a code enforcement matter. Of course, the City will evaluate each matter on the specific facts and law, and exercise appropriate prosecutorial discretion in bringing any action. I am copying the Director of Public Safety, Chief of Police, and Code Enforcement Director as well so that they are aware.

**From:** [Leen, Craig](#)  
**To:** [Paulk, Enga](#)  
**Subject:** FW: Nolle Prose and Dismissals  
**Date:** Wednesday, October 12, 2016 11:10:14 AM  
**Attachments:** [image001.png](#)  
**Importance:** High

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Please publish.

**Craig E. Leen, City Attorney**

*Board Certified by the Florida Bar in  
City, County and Local Government Law*  
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405 Biltmore Way  
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**From:** Leen, Craig  
**Sent:** Wednesday, October 12, 2016 11:01 AM  
**To:** Ramos, Miriam; 'Israel Reyes'; Manny Guarch ([mguarch@reyeslawfirm.com](mailto:mguarch@reyeslawfirm.com))  
**Cc:** Fernandez, Frank; Hudak, Edward; Ortiz, William  
**Subject:** Nolle Prose and Dismissals  
**Importance:** High

Madam City Prosecutor and Justice Advocates,

Consistent with the Justice Advocate Program, please advise whenever a criminal matter occurring within the jurisdiction of Coral Gables is nolle prossed or otherwise dismissed by the State Attorney's Office, so that it can be reviewed for potential prosecution by the City Attorney's Office as a municipal ordinance violation or for potential enforcement of Ordinance No. 2016-39 (amending section 38-1 of the City Code) as a code enforcement matter. Of course, the City will evaluate each matter on the specific facts and law, and exercise appropriate prosecutorial discretion in bringing any action. I am copying the Director of Public Safety, Chief of Police, and Code Enforcement Director as well so that they are aware.

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