

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA  
IN AND FOR MIAMI-DADE COUNTY

CASE NO.: F25007004  
SECTION: M087  
JUDGE: CARLOS GAMEZ

THE STATE OF FLORIDA  
Plaintiff,

v.  
GABRIELA MODORCEA ,  
Defendant.

**MOTION FOR MODIFICATION OF STAY AWAY ORDER**

Gabriela Modorcea, by and through undersigned counsel respectfully moves this Honorable Court to modify the stay away order against Ms. Modorcea to allow for contact with Ms. Violeta Modorcea so long as such contact is not harmful in nature. The relevant facts, and grounds upon which this motion are based is as follows.

1. On April 6, 2025, Ms. Modorcea was arrested on suspicion of battery on a person 65 or older. The alleged victim is her mother, Ms. Violeta Modorcea.
2. Ms. Modorcea is currently set for arraignment on May 6, 2025.
3. On April 29, 2025, the undersigned Assistant Public Defender spoke to Ms. Violeta Modorcea, who confirmed she wishes to modify the stay away order and does not want the case against her daughter, Ms. Gabriela Modorcea, to proceed.

WHEREFORE, Ms. Modorcea respectfully requests that this motion be granted so that she can resume contact with her mother Ms. Violeta Modorcea until such time that her case is resolved.

I CERTIFY that a copy of this Motion has been hand-delivered to and/or eServed upon the Office of the State Attorney, 175 NW 1<sup>st</sup> Avenue, Suite 2500, Miami, Florida 33128 on April 29, 2025.

Respectfully submitted,  
Carlos J. Martinez  
Public Defender  
Eleventh Judicial Circuit of Florida

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/s/ Rebecca Fernandez  
Assistant Public Defender  
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