

DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

Onelio Castro v. The State of Florida

No. 3D23-2176 · No. No. 3D23-2176 · Decided September 24, 2025

SUMMARY

The Third District Court of Appeal of Florida held that the trial court violated due process by revoking Onelio Castro’s probation without entering a written order stating the evidence relied on and reasons for revocation. The court remanded with instructions to enter a written order and expressed no opinion on the other issues raised.

CASE DETAILS

COURT	District Court of Appeal of Florida, Third District
WRITING FOR THE COURT	Lindsey, J.; Scales, C.J.; Bokor, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	September 24, 2025
DOCKET	No. 3D23-2176
DISPOSITION	remanded
PROCEDURAL POSTURE	Castro appealed the revocation of his probation and resulting sixty-year prison sentence after a probation violation hearing.
PRECEDENTIAL VALUE	Published
PARTIES	Onelio Castro v. The State of Florida

TOPICS

- probation
- criminal procedure
- appellate procedure

PRACTICE AREAS

- criminal procedure
- probation
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court was required to enter a written order stating the evidence relied on and reasons for revoking Castro's probation.

HOLDINGS

1. A trial court must reduce its oral pronouncement of probation violations and revocation to a written order stating the evidence relied on and the reasons for revocation.

KEY QUOTATIONS

“The United States Supreme Court has stated that the due process requirements of a probation revocation hearing include . . . a written statement by the factfinder as to the evidence relied on and the reasons for revoking probation.” (unpaginated)

“It is well-settled that a trial court must ‘reduce to writing its oral pronouncement of the violations and revocation of . . . probation.’” (unpaginated)

FACTUAL BACKGROUND

Following a probation violation hearing, the trial court revoked Onelio Castro's probation and sentenced him to sixty years in prison. The trial court did not issue a written order documenting the probation violations, the evidence relied on, or the reasons for revocation. Castro and the State agreed that a written order was required.

PROCEDURAL HISTORY

The Circuit Court for Miami-Dade County revoked Castro's probation and sentenced him to sixty years in prison. Because the trial court did not issue a written order stating the evidence relied on and reasons for revoking probation, the Third District Court of Appeal remanded with instructions to enter a written revocation order.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The trial court must enter a written order of revocation of probation stating the probation violations, the evidence relied on, and the reasons for revocation.

CASES CITED

- McCloud v. State, 653 So. 2d 453, 454-55 (Fla. 3d DCA 1995)
- Black v. Romano, 471 U.S. 606, 612 (1985)
- Mitchell v. State, 238 So. 3d 386, 386 (Fla. 3d DCA 2018)
- Brown v. State, 127 So. 3d 831, 831 (Fla. 3d DCA 2013)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed September 24, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D23-2176 Lower

Tribunal No. F14-18631 _____ Onelio Castro, Appellant, vs. The State of Florida, Appellee. An Appeal from the Circuit Court for Miami-Dade County, Ellen Sue Venzer, Judge.

Carlos J. Martinez, Public Defender, and Jennifer Thornton, Assistant Public Defender, for appellant. James Uthmeier, Attorney General, and Christina L. Dominguez, Assistant Attorney General, for appellee. Before SCALES, C.J., and LINDSEY, and BOKOR, JJ. LINDSEY, J. Appellant Onelio Castro appeals from the trial court's revocation of his probation. Following a probation violation hearing, the court revoked Castro's probation and sentenced him to sixty years in prison.

The court did not issue a written opinion revoking Castro's probation. "The United States Supreme Court has stated that the due process requirements of a probation revocation hearing include... a written statement by the factfinder as to the evidence relied on and the reasons for revoking probation." *McCloud v. State*, 653 So. 2d 453, 454–55 (Fla. 3d DCA 1995) (quoting with emphasis *Black v. Romano*, 471 U.S. 606, 612 (1985)). "It is well-settled that a trial court must 'reduce to writing its oral pronouncement of the violations and revocation of... probation.'" *Mitchell v. State*, 238 So.

3d 386, 386 (Fla. 3d DCA 2018) (quoting *Brown v. State*, 127 So. 3d 831, 831 (Fla. 3d DCA 2013)). Both Castro and the State properly agree that we must remand with instructions to enter a written order. Accordingly, we remand for the trial court to enter a written order of revocation of probation. 1 Remanded with instructions. 1 We express no opinion on any of the other issues raised.