

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

STATE OF FLORIDA,

v.

MATTHEW MOULTON,

Defendant.

CASE NO.: 2025 102222 CFDI

JUDGE A. KATHLEEN McNETILLY

MEMORANDUM BRIEF

2025 OCT -9 AM 11:25
CLERK OF THE CIRCUIT
& CITY COURT VOLUSIA
CC 35

FILED

Romero v. State, 314 So.3d 699 (Fla App. 2021)

This Florida case defends the state's criminal threat statutes by asserting such laws follow "True Threats Doctrine" as defined:

"Those statements where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence."

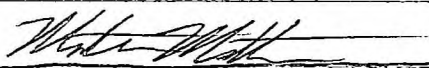
The state argued: "Proof of scienter is necessary to guard against the impermissible regulation of the lawful exercise of Constitutionally protected speech.

Without such proof, remarks made in jest or mere puffery, political hyperbole, or involuntary communication could conceivably subject an accused to prosecution.

The term threaten must be narrowly construed as encompassing only true threats; as defined above."

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been mailed to: Jeanne Stratis, Assistant State Attorney, on October 1st, 2025.


Matthew Moulton Defendant

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