

# FLORIDA LAW WEEKLY SEX CRIMES EDITION BY DENNIS NICEWANDER

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Parker v. State, 32 Fla. L. Weekly D2417 (2d DCA 2007):

A defendant facing sexual abuse allegations is entitled to impeach a child witness with evidence that he or she had previously made accusations of sexual abuse and later admitted that they were false.

Walker v. State, 966 So.2d 1004 (5th DCA 2007):

Evidence did not establish that probationer committed offense of failing to register as a sex offender and thus violated condition of his probation that he live and remain at liberty without violating any law; while probationer, who was a sex offender, was required to report in person at the sheriff's office within 48 hours after being released from Department of Corrections, 48 hours had not expired at the time the violation of parole charges were filed.

Hughes v. State, 967 So.2d 968 (4th DCA 2007):

“Petitioner seeks mandamus relief to require the trial judge to remove the designation of petitioner as a sexual offender as the judge originally ordered at sentencing. Since petitioner was convicted of an offense for which sexual offender designation is mandatory, the trial court had no authority to exempt a qualifying person from such designation. § 775.24, Fla. Stat. (2003). Mandamus relief is available only to require performance of legally authorized acts and thus cannot be invoked in this case.”