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03-DC-2024-900346.00
DISTRICT COURT OF
MONTGOMERY COUNTY, ALABAMA
GINA J. ISHMAN, CLERK

**IN THE DISTRICT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT
MONTGOMERY COUNTY, ALABAMA**

STATE OF ALABAMA,
Plaintiff,

v.

KHALFANI HARDWICK
Defendant.



DC-2024-900346

ORDER DENYING BAIL

This matter is before the Court for a pretrial detention hearing pursuant to §15-13-3, Code of Alabama (1975). The Court has conducted a hearing as required by law and hereby finds as follows:

1. The nature and circumstances of the offense weigh against the granting of bail. The evidence produced by the State establishes that the offense was especially violent and calculated to cause serious physical injury to the victim. The victim is the father of the defendant and is over seventy years old. The State's evidence established that the defendant inflicted stabbing and/or cutting wounds to the victim before being begged to stop by his mother. The defendant then stopped his knife attack before producing a gun and shooting his father. The victim remains in critical condition at the hospital because of the wounds inflicted by the defendant.
2. The weight of the evidence against the defendant weighs against the granting of bail. The attack took place in the victim's home which he shared with his wife who is also the mother of the defendant. The mother identified the defendant as her husband's attacker. The State's evidence established that a 9mm shell casing found near the victim's body

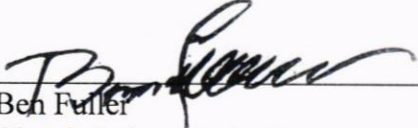
has been identified as "highly likely" to have been fired in the pistol found on the defendant's person when he was arrested. The weight of the evidence against the defendant is strong.

3. The defendant's history and character weigh against the granting of bail. The defendant has a prior conviction for Assault Second Degree pled down from Attempted Murder. The defendant also has a prior federal conviction for lying on a form required to purchase a handgun. This purchase occurred while he was under indictment for the Attempted Murder charge. Additionally, the defendant is a certain person forbidden by both State and Federal law from possessing a firearm. Nonetheless, after he shot his father, he was taken into custody in possession of a pistol. The defendant has demonstrated that he is a violent felon and that he cannot be trusted to abide by the laws applicable to him.
4. Finally, the nature and seriousness of the danger to any person or the community if the defendant is released weighs against the granting of bail. The defendant's prior conviction is for a violent offense committed against a relative. He has now violently attacked his father. The State's evidence shows that he was angry at and arguing with his mother before he attacked his father. The State has demonstrated that the defendant is a danger to his family and the public at large.
5. The State of Alabama has proven by clear and convincing evidence that no condition or combination of conditions of release can protect the safety of the community. The defendant has a violent criminal history and has failed to abide by multiple laws intended to prevent the very type of offense for which he is charged.

6. The Court has weighed the factors enumerated above and codified in §15-13-3, Code of Alabama (1975) and considered the evidence produced by the State as well as arguments of counsel. The Court finds that the State has met its burden of establishing that the defendant should not be admitted to bail.

Based on the forgoing, it is hereby ORDERED that the defendant is to be held without bail pending trial.

DONE, this 15th day of March, 2024.


Ben Fuller
Circuit Judge (Retired)
Specially Appointed District Judge
15th Judicial Circuit