



STATE OF FLORIDA

JAMES UTHMEIER
ATTORNEY GENERAL

September 8, 2025

The Honorable Monique H. Worrell
Office of the State Attorney Ninth Judicial Circuit
415 North Orange Avenue
Orlando, Florida 32801

Re: Justifiable Self-Defense in *State of Florida v. Tina Allgeo*,
Case No. 2025-CF-001256-A-O

Dear State Attorney Worrell:

Floridians have the right to stand their ground when faced with imminent death or great bodily harm. With that in view, I'm troubled and puzzled by your prosecution of Tina Allgeo. As you know, on the morning of December 2, 2024, a road-rage incident occurred between Allgeo and Mihail Tsvetkov. Tsvetkov's car struck the rear of Allgeo's car, and after Allgeo exited her car, Tsvetkov drove off. Allgeo reentered her car, followed Tsvetkov, and then bumped the rear of his car. Allgeo alleged that this was an accident during an attempt to record Tsvetkov's license plate. When the two eventually stopped, Tsvetkov exited his car and walked to Allgeo's car. Two witnesses claimed—and surveillance video shows—that Tsvetkov opened Allgeo's driver-side door, repeatedly punched her, and then attempted to pull her from her car. Allgeo then shot and killed Tsvetkov with her legally owned handgun.

Florida law dictates that her actions constitute justifiable self-defense. Section 776.012(2), Florida Statutes, provides that "[a] person is justified in using or threatening to use deadly force if he or she reasonably believes that using or threatening to use such force is necessary to prevent imminent death or great bodily harm to himself or herself." Not only that, deadly force is justified to "prevent the imminent commission of a forcible felony." *Id.* Burglary with a battery—the crime Tsvetkov committed by entering Allgeo's car, striking her, and attempting to pull her from it, *see id.* §§ 776.08, 810.02(2)(a)—is a forcible felony that, as a matter of law, justifies deadly force in response. A person who uses deadly force in accordance with this subsection "does not have a duty to retreat and has the right to stand his or her ground if the person using or threatening to use deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be." § 776.012(2), Fla. Stat. "A person who uses or threatens to use force as permitted in s. 776.012 ... is justified in such conduct and is immune from criminal prosecution." § 776.032(1), Fla. Stat. That immunity bars "charging or prosecuting the defendant." *Id.*

Notwithstanding the clarity of Florida's law and its applicability here, you chose to present charges to a grand jury, where neither Allgeo nor her counsel had the opportunity to present her immunity

defense. And the result was an indictment for second-degree murder with a firearm and aggravated battery with a deadly weapon.¹ Florida's well-settled "stand your ground" laws—and the immunity those laws afford Floridians who exercise their fundamental right to self-defense—mean little in the Ninth Judicial Circuit because its State Attorney refuses, despite the evidence, to exercise sound discretion and reach the right legal conclusion. You didn't have to take this to a grand jury at all. And given the evidence and the clear legal questions at issue, you shouldn't have. See § 776.032(1), Fla. Stat.

The video speaks for itself.² Allgeo reasonably believed that the use of her legally owned firearm was necessary to prevent imminent great bodily harm to herself and to stop Tsvetkov's commission of a forcible felony. She had the right to be in her own vehicle. She had neither the duty—nor the option—to retreat. A fully grown man broke into her car, trapped her inside, and repeatedly punched her in the face. He then attempted to pull her from her car, evidently to continue the beating. There was no time for deliberation. Allgeo was violently attacked and had no choice but to use deadly force to end the assault. Allgeo's conduct was justified, and, under Florida law, she should be immune from criminal prosecution.

I understand that the Court will consider Allgeo's motion to dismiss next month. Your decision to pursue this case as you have—despite Allgeo's self-defense immunity under at least two Florida statutes—may very likely require my office to admit plain error on appeal.

You may not like Florida's self-defense laws. But those laws reflect the simple truth that a Floridian—a woman in this case—has the right to use deadly force to stop a man from brutalizing or killing her. The eyewitness testimony and surveillance video clearly establish that Allgeo acted in justifiable self-defense. Probable cause cannot, I believe, justify your decision to seek a grand jury indictment and move forward with the prosecution of Allgeo. Your actions likely constitute a breach of your ethical obligations.³ And they may also constitute misfeasance, malfeasance, neglect of duty, and incompetence.⁴ I strongly urge you to reconsider your prosecution of Allgeo. And my office will evaluate whether further intervention is warranted.

Sincerely,



James Uthmeier
Attorney General

Cc: Ryan Newman, General Counsel
Executive Office of the Governor

¹ You then moved to prevent pre-trial release, which the Court denied.

² *New video in alleged Orlando road rage shooting*, FOX 35 ORLANDO, Mar. 7, 2025, <https://www.fox35orlando.com/video/1605030>.

³ R. Regulating Fla. Bar 4-3.8(a) ("The prosecutor in a criminal case must refrain from prosecuting a charge that the prosecutor knows is not supported by probable cause."); see *Johnson v. State*, 660 So. 2d 648, 654 (Fla. 1995) (explaining that "probable cause" means "a reasonable ground of suspicion supported by circumstances strong enough in themselves to warrant a cautious person in belief that the named suspect is guilty of the offense charged.")

⁴ See Fla. Const. art. 4 § 7; see also *Worrell v. DeSantis*, 386 So. 3d 867, 869–71 (Fla. 2024) (affirming the Governor's suspension of Monique Worrell).