

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR OSCEOLA COUNTY, FLORIDA

Case No.: [REDACTED]

STATE OF FLORIDA
VS
[REDACTED]

cc: so injunctions

Defendant

JUDGMENT AND SENTENCE / FINGERPRINTS

CHARGES:

1. Attempted First degree murder with a firearm (min. man.) (Life)
2. Robbery with a firearm (with a mask) (min. man.) (F1 Pbl)

3. Attempted robbery with a firearm (with a mask) (min. man.) (F1)
4. Grand theft third degree (F3)

THE FOLLOWING WITNESSES WERE DULY SWORN AND TESTIFIED IN THIS CAUSE FOR SENTENCING PURPOSES:
PROSECUTION DEFENSE

Judge KEITH A. CARSTEN Defense Attorney R. Malove / A. Demetrius Deputy: PUIG / ROSARIO
Assistant State Attorney: N. Larrigan
Defendant was tried and found guilty of:

CHANGE OF PLEA: DEFENDANT:

[X] present not present Plea to the Bench Interpreter Translated
SWORN AND PLED Guilty Guilty-Best interest [X] Nolo Contendre
Count(s) 2-4 as charged / LIO (F)(M)
Count(s) as charged / LIO (F)(M)
Count(s) as charged / LIO (F)(M)
Count(s) as charged / LIO (F)(M)
Count(s) 1 Nolle Prosequi

[X] Adjudged Guilty: count(s) Adj. of Guilt Withheld; count(s) Minimum Mandatory: yr(s) Count
Habitual Offender Years Violent Habitual Offender Years Minimum Mandatory: yr(s) Count

SENTENCE: Youthful Offender Departure Sentence Prison Release Re-offender
OCJ w/ Days CTS; Count/s () Release as to this case today
OCJ w/ Days CTS; Count/s () Remanded to serve sentence
[X] 10 yrs DOC w/ 2501 Days CTS; Count/s 2,3 () Parties Stipulate to CTS
[X] 6.95 yrs DOC w/ 2501 Days CTS; Count/s 4 () Jail Term Condition of Probation

Split Sentence: d / m / y jail/doc, then m / y C.C. 1 / 2, followed by m / y probation.-Count
Split Sentence: d / m / y jail/doc, then m / y C.C. 1 / 2, followed by m / y probation -Count
[X] Concurrent: [X] to all counts sentences
Consecutive: to all counts sentences () Probation Consecutive to Jail / DOC
Coterminous: sentences () Must report to OCJ by
PROBATION: As to counts to serve sentence imposed.

() Suspended upon successful completion of probation () Special Conditions For Sex Offenders per F.S. 948.30 attached
C.C. 1 / 2 mo / yr; followed by: State Probation mo / yr cts; mo / yr cts.
() All counts () count(s) only State Probation mo / yr cts.
Sex Offender Probation / Conditions. Defendant is designated a Sexual predator / offender.
Drug Offender Probation / Conditions: Monthly testing at own expense, treatment & counseling. Evaluation w/in 30 days

PROBATION-SPECIAL CONDITIONS: Special conditions to be started or completed within 60 days of sentencing violation. Comply with all terms and conditions as ordered in _____

Do not engage in any **Second Hand / Pawn Transactions** Do Not Enter any **Pawn Shops**

Do not possess **weapons or firearms**, including pocketknives **Firearm Safety Class** w/in _____

Forfeit seized Firearms / Ammunition **DNA Order**

Drug Testing: Random // Weekly drug testing, evaluation, and treatment. Take all **medications** as prescribed.

Substance Abuse Evaluation w/in _____ days, complete all recommended treatment.

No Alcohol or Controlled Substances w/o a prescription. Must Attend at least _____ **A.A. or N.A. Meetings** a week.

Anger Management 8 hr. / _____ weeks w/in _____ and complete w/in _____.

Attend and successfully complete **(26 week) Batters' Intervention Program**. Enroll w/in _____ days complete w/in _____ mos.

Electronic Monitoring (GPS) _____ While on Comm. Control Only // _____ for the first _____ months of Comm. Control / Prob.

Curfew: _____ p.m.- _____ a.m. _____ 7 Days a week May be modified for employment purposes

No Contact **Non-Hostile Contact:** with Victim(s): _____

No Contact with Co-Defendant(s): _____ **Jessica Lunsford Act** applies

Contact w/minor child restricted: _____ Family Court Conditions / _____ Dependency Court / _____ Supervised by _____

Letter of apology: To victim (s) and give letter to probation of _____ words or more within _____ days.

Parenting Classes w/in _____ Follow DCF Plan **Victim Awareness Class** W/In _____ Days

No return to area of offense / _____

Driver's License: Suspended/revoked for _____ mos. / year(s) as to count(s) _____; _____ mos. / year(s) as to count(s) _____

Court has no objection of obtaining a Business Purpose Only License, if Defendant qualifies.

Install a **Vehicle Interlock** device for _____ Years. **Driving Class** (_____) w/in _____

_____ Days **Vehicle Impoundment** starting the 180th day of Probation. **Impulse control class** within _____

DUI Counter Attack School w/in _____ days. Complete w/in _____ months

Community Service _____ Hours @ _____ per month starting _____ of probation until probation completed

Complete community service as ordered in _____

Court has no objection for the defendant to **buy out** _____ of community service hours at the statutory rate.

If defendant successfully completes _____ months of **Community Control** court will consider converting remaining Community control to standard probation. Must motion the court. If there is no objection from the State.

Evaluation: Mental health / Psychological / Psychosexual evaluation and treatment, w/in _____ days. You shall take medicine as prescribed. Failure to be tested, participate in treatment, or to take your medicine will constitute a violation.

Watch the Resisting w/ Violence video within _____ days.

Work Release Program: Judge has no objection to place defendant in this program.

Obtain and **maintain lawful employment** // schooling of at least _____ hours a month or provide _____ applications a month.

If not employed // in school at least _____ hours a week by the _____ month of probation, defendant must complete _____ C.S. hours a week until proof of employment is provided.

Probation to issue a **travel permit** while transfer is being processed. **Transfer** to County-State _____

Court has no objection for defendant to **travel** _____. Must notify/provide itinerary to probation prior.

Early term/Admin Probation: After _____ of probation is completed, all conditions completed. (costs, fees, restitution, and no violation). May motion court for early term of Probation.

GED Class enroll w/in _____ days and strive to complete. _____ Every hour in GED Class will be counted as C.S. hours

DWLS/FACT Class w/in _____ Days / Months **Attend LIFE SKILLS CLASS** in _____

Must **testify truthfully**, if called upon by the State, in any proceedings related to this case / Co -defendants.

Enter and Successfully Complete. Must comply with all rules and regulations of the Program and any recommended aftercare.

PHOENIX / BRIDGES OF ORLANDO / _____ **TREATMENT PROGRAM.**

() Jail to hold until a Bed is available. () To be released to a representative of the Program for transportation to the program.

() Enter as soon as a bed is available () Upon release from Jail / DOC

Defendant may have credit for completed probation conditions prior to sentencing.

Report to Probation within _____ hours/ days after release from custody or by _____, if out of custod

***BRING ORDER ***

REPORT IN OSCEOLA COUNTY

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► **MONETARY OBLIGATIONS: IF ON PROBATION**, You are to make payments to Probation. If you are NOT ON PROBATION

then pay Clerk of Court. Either way you will pay the sums and, in the manner, herein directed.

- Pursuant to section 903.286, Florida Statutes, the Clerk of Court shall deduct any Court fees, fines, and Costs from any cash bond posted on or after 07/01/05
- Failure to pay costs, fines, fees in full or as agreed will result in your case being sent to collections with additional fees applied. Your case may be referred to the Florida Department of Highway Safety and Motor Vehicles for the suspension of your driver's license.

►►►►► ALL PAYMENTS SHALL BE APPLIED TO RESTITUTION, IF ANY, FIRST. ◀◀◀◀◀

Restitution Statutory Authority FS 775.089: \$ _____ Joint & Several with Co – Defendant(s)

Restitution Ordered Reserved as to Amount. () As to any additional _____ Joint & Several with Co – Defendant(s)

✓ Court Costs: \$393: Statutory Authority FS 938.05, 938.03, 938.01, 775.083, 939.185

_____ Court Costs: \$198: Statutory Authority FS 938.185, 938.05, 938.03, 938.01, 775.083, 939.185,

✓ Crime Stoppers Trust Fund: \$20.00: Statutory Authority FS 938.06 (✓) Per Count for a total of: \$ 60

✓ Teen Court: \$3.00: Statutory Authority FS 938.19 (C.O. No. 05-24) (✓) Per Count for a total of: \$ 9

_____ Rape Crisis Surcharge \$151.00: Statutory Authority 938.085 as to count(s) _____

_____ Battery Surcharge \$201.00: Statutory Authority 938.08 as to count(s) _____

_____ Drug Case Fines Statutory Authority FS 938.23, 893.165: \$100.00 FDLE and \$250.00 OCDTF. as to count(s) _____

_____ Surcharge Statutory Authority FS 938.13: \$15.00 (Pertains to misdemeanor crimes involving drugs/alcohol)

_____ Fines Statutory Authority 938.04, 775.083: \$ _____ + 5% Surcharge \$ _____ Count _____

✓ Cost of Prosecution (mandatory fees) Statutory Authority: 938.27: \$ _____ / Felony \$100 / Misdemeanor \$50

_____ Public Defender Application Fee Statutory Authority FS 938.29: \$50.00

_____ Public Defender/Contract Attorney fee/Lien: Statutory Authority: FS 27.52: \$50 / \$100 / \$ _____ Payable to the State of FL

_____ Cost of Investigation Statutory Authority: FS 938.27: \$ _____ to _____ // _____ Ordered and Reserved

_____ Cost of Extradition: Statutory Authority: FS 941.06 \$ _____ to _____ // _____ Ordered and Reserved

_____ Crimes Against Minor Statutory Authority 938.10: \$151.00 as to count(s) _____

_____ Prostitution Fine Statutory Authority 796.07: \$5,000.00

_____ DUI Court Costs: \$401: Statutory Authority 938.185, 938.05, 938.03, 938.01, 775.083, 939.185, 938.07, 938.13, 938.18

_____ DUI Fines Statutory Authority: 938.04, 316.193: \$ _____ + 5% Surcharge \$ _____

✓ Monies are reduced to Civil Judgment: (✓) All / () Only: _____

_____ Payments: You will pay \$ _____, including restitution, on or before the 1st day of each month, first payment in _____

/ _____ Pay in full _____ / _____ Set up a payment plan with probation. if probation, pay cost of supervision, and a 4% surcharge. _____ To be paid through probation as a condition of probation: () All / () Only: _____

_____ Outstanding money to be paid through Clerk's Collections & Compliance Office (CCO) at a rate of \$ _____ a month starting _____ / _____ Pay in full _____ / _____ Report within _____ to set up a payment plan / _____ starting 1st month after termination of probation. You must report immediately to the Clerk's Collections & Compliance Office (CCO) located on the 2nd floor to pay your monetary obligations or make payment arrangements. If incarcerated, you must report within five (5) business days of release. _____ Not a condition of probation: () All / () Only: _____

✓ Additional fees: restitution previously ordered vacated.

_____ Any monies paid towards Restitution is to be disbursed equally among all the victims.

_____ WAIVED PSI

16CF3512

_____ PDR WAIVER

▶▶ If a Defendant is sentenced to a period of confinement and is subject to an immigration detainer, the sentence may be reduced by a period of not more than twelve days on the Department of Corrections' determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

___ State filed an Amended Information in open court. Defense waives 24-hour defect.

✓ Other Conditions: Dept. Of corrections to calculate any time served.

Court has no objection to DOC housing the defendant locally.

___ State to nolle prosequi case(s) pursuant to plea: _____

▶▶▶ You must immediately report, in person, or the next working day, or upon release from confinement to the DOC Probation Office at 1605 N. John Young Parkway, Kissimmee Florida 34741 if on State Probation or the County Probation Intake Office Osceola County Courthouse, 4th Floor, Room 4E-1.

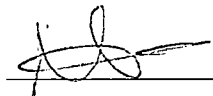
STANDARD TERMS OF PROBATION:

1. You will make a full and truthful report to your Probation Officer on or before the 5th day of each month.
2. You will pay cost of supervision of \$20.00/\$40.00 or such other sums as determined by judge; plus a 4% surcharge per month.
3. You will not change your residence, employment, or leave the county of your residence without prior consent of your Probation Officer.
4. You will neither possess, carry, nor own any weapons or firearms.
5. You will not violate any laws or court orders, including pay child support.
6. You will not associate with persons engaged in criminal activity.
7. You will not use intoxicants if prohibited or in excess; or possess any drugs, narcotics, or paraphernalia unless prescribed by a physician and then, only in accordance with prescribed dosage. Nor will you visit places where intoxicants, drugs, or other dangerous substances are unlawfully sold, dispensed, or used.
8. You will make a good faith effort to be employed.
9. You will truthfully answer all questions directed to you by the Probation Officer, and allow them to visit your home, employment or elsewhere. You will comply with all instructions he may give to you.
10. You will pay restitution, costs and fees as order herein
11. You will submit to chemical tests (breath, urine, and blood) upon request of your Probation Officer; and submit to search of your residence, person or vehicle for the presence of controlled substance, weapon, firearms and alcoholic beverages if prohibited.

STANDARD CONDITIONS OF COMMUNITY CONTROL:

12. You shall report once a week, or as directed.
13. You will remain confined to your approved residence except for one half hour before and after your approved employment, public service work or any other special activities approved by your officer.
14. You will maintain an hourly accounting of all activities on a daily log, which you will submit to your officer upon request.
15. Pursuant to F.S. 948.03, your officer may place you on electronic monitoring. You will maintain a private phone line at your residence and you will be financially responsible for any lost or damaged equipment. If placed on monitor you will pay \$30.00.

▶▶ The Court reserves the right to rescind, modify or revoke probation to the extent provided by law. I have received a copy of the terms and conditions of my Probation/Community Control. I have read and understand these conditions. Also, I hereby consent to the disclosure of any alcohol and drug abuse patent records, the confidentiality of which is federally regulated under 42CFR, part II, for the duration of my supervision.

Signature 


DONE AND ORDERED at Osceola County, Florida,
This 27 day of July, 2023

FILED IN OPEN COURT THIS 7/27 2023
KELVIN SOTO, ESQ., CLERK OF CIRCUIT COURT AND
COUNTY COMPTRROLLER

BY:  DEPUTY CLERK

COPIES:

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KEITH A. CARSTEN, Circuit Court Judge

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