

IN THE CIRCUIT COURT FOR PINELLAS COUNTY, FLORIDA  
CRIMINAL DIVISION

CASE NO.: 22-09348-CF  
SECTION: T  
JUDGE: Siracusa

STATE OF FLORIDA,

Vs.

JUAN ARIEL MOLINA-SALLES

**REQUEST FOR JUDICIAL NOTICE**

Juan Ariel Molina Salles, by and through the undersigned counsel and pursuant to sections 90.202 and 90.203, Florida Statutes, respectfully requests that this Court take Judicial Notice of the following:

1. *State of Florida v. Jeremiah Aldred*, 21-00506-CF, 27.75 months DOC
  - a. Scoresheet
  - b. Arrest Warrant
  - c. Judgment and Sentence
2. *State of Florida v. David Bell*, 21-07358-CF – 8 years DOC with 4 year minimum mandatory
  - a. Scoresheet
  - b. Judgment and Sentence
  - c. Complaint/Arrest Affidavit/Citation for 21-07358 and AEUQFJE
3. *State of Florida v. Michael Broughton*, 21-07761-CF – 4 years DOC minimum mandatory
  - a. Scoresheet
  - b. Judgment and Sentence
  - c. Complaint/Arrest Affidavit
4. *State of Florida v. Zachary Caride*, 20-11768-CF – 7 years DOC with 4 year minimum mandatory
  - a. Scoresheet
  - b. Arrest Warrant
  - c. Judgment and Sentence
5. *State of Florida v. Nicole Carlson*, 24-3442-CF – 8 years DOC followed by 7 years probation
  - a. Scoresheet

- b. Judgment and Sentence
  - c. Complaint/Arrest Affidavit/Citation for 24-3442-CF; AJ91HXE; AJ91HWE
- 6. *State of Florida v. John Dennyly*, 22-11937-CF, 6 years DOC with four year minimum mandatory followed by 4 years probation
  - a. Scoresheet
  - b. Complaint/Arrest Affidavit
  - c. Judgment and Sentence
- 7. *State of Florida v. Derek Dious*, 21-09904-CF, 2 years DOC followed by 10 years probation with early termination after 5
  - a. Scoresheet
  - b. Arrest Warrant
  - c. Judgement and Sentence
- 8. *State of Florida v. William Gallahue, Jr.*, 20-11709-CF – 12 years DOC with 4 year minimum mandatory
  - a. Scoresheet
  - b. Complaint/Arrest Affidavit
  - c. Judgment and Sentence
- 9. *State of Florida v. Scott Herndon*, 22-11389-CF, 1 year community control followed by 3 years drug offender probation
  - a. Scoresheet
  - b. Judgment and Sentence
  - c. Complaint/Arrest Affidavit
- 10. *State of Florida v. Jerrod Holle*, 21-01504-CF – 2 years community control followed by 2 years of probation
  - a. Plea form
  - b. Judgment/Order of Probation
  - c. Complaint/Arrest Affidavit
- 11. *State of Florida v. Christian Hooks*, 23-06855-CF – 5 years DOC followed by 5 years probation
  - a. Scoresheet
  - b. Judgement and Sentence
  - c. Complaint/Arrest Affidavit/Citation for 23-06855 and AHC405E
- 12. *State of Florida v. Cheddy Lewis*, 21-112147-CF, 1 year community control, followed by 3 years probation
  - a. Scoresheet
  - b. Complaint/Arrest Affidavit
  - c. Judgement and Sentence
- 13. *State of Florida v. Mark McKeown*, 23-109654-CF, 10 years probation

- a. Scoresheet
  - b. Complaint/Arrest Affidavit
  - c. Judgment and Sentence
14. *State of Florida v. Jakil Powell*, 23-04743-CF – 30 months DOC
- a. Scoresheet
  - b. Judgment and Sentence
  - c. Complaint/Arrest Affidavit
15. *State of Florida v. Timothy Rush*, 23-02449-CF, 4 years probation
- a. Scoresheet
  - b. Complaint/Arrest Affidavit
  - c. Judgment and Sentence
16. *State of Florida v. Twanda Shaw*, 23-05782-CF – 7 years DOC with 4 year minimum mandatory
- a. Scoresheet
  - b. Judgment and Sentence
  - c. Complaint/Arrest Affidavit
17. *State of Florida v. Keith White*, 20-1706-CF, 10 years DOC, reversed by 2<sup>nd</sup> DCA for departure error, resentenced to 5 years DOC with four year minimum mandatory
- a. Scoresheet
  - b. Complaint/Arrest Affidavit
  - c. Judgment and Sentence

Respectfully submitted,

**s/Maria DeLiberato**  
MARIA DELIBERATO  
Fla. Bar Number: 664251

**s/Nichole Blaquiere**  
NICHOLE BLACQUIERE  
Fla. Bar Number: 88262

**s/Jonathan Duncan**  
JONATHAN DUNCAN  
Fla. Bar Number: #58532

ASSISTANT PUBLIC  
DEFENDERS  
SIXTH JUDICIAL CIRCUIT  
County Justice Center  
14250 49th Street North  
Clearwater, FL 33762

Pubdef-efiling@co.pinellas.fl.us  
(727)464-6516

**CERTIFICATE OF SERVICE**

I do certify that a copy hereof has been furnished by email/physical delivery to the State Attorney, County Justice Center, Clearwater, Florida, on March 3, 2025.

**s/Maria DeLiberato**  
MARIA DELIBERATO  
Fla. Bar Number: 664251  
PUBLIC DEFENDER  
SIXTH JUDICIAL CIRCUIT

County Justice Center  
14250 49th Street North  
Clearwater, FL 33762  
Pubdef-  
efiling@co.pinellas.fl.us  
(727)464-6516

IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
OF FLORIDA IN AND FOR PINELLAS COUNTY

B

STATE OF FLORIDA

21-00506-CF

ISSUE  
CAPIAS

VS.

FELONY INFORMATION

JEREMIAH ALDRED  
PID 3187709  
W/M; DOB: 04/12/84

LEAVING THE SCENE OF A  
CRASH INVOLVING DEATH, 1° F

IN THE NAME AND BY THE AUTHORITY FOR THE STATE OF FLORIDA:

BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pinellas County, prosecuting for the State of Florida, in the said County, under oath, Information makes that

JEREMIAH ALDRED

in the County of Pinellas and State of Florida, on the 15th day of October, in the year of our Lord, two thousand seventeen, was the driver of a motor vehicle which was involved in a crash involving the death of Diana Chambers, and the said JEREMIAH ALDRED did willfully fail to stop the vehicle at the scene of the crash or, as close thereto as possible, or remain at the scene of the crash until he had fulfilled the requirements of Florida Statute 316.062, to-wit: did not give his name and address, and the registration number of the vehicle he was driving, and did not render reasonable assistance to persons injured in the crash; contrary to Chapter 316.027(2)(c), Florida Statutes, and against the peace and dignity of the State of Florida. [T1B]/7

ARISES OUT OF \_\_\_\_\_

STATE OF FLORIDA  
PINELLAS COUNTY

Personally appeared before me, BERNIE McCABE, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pinellas County, or his duly designated Assistant State Attorney, who being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged; hence this information is filed in good faith in instituting this prosecution, and that he has received testimony under oath from the material witness or witnesses for the offense.

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this

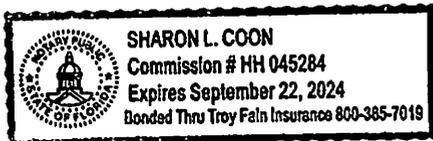
JAN 13 2021

by D.R. Ellis, who is personally known to me and who did take an oath.

Assistant State Attorney for the Sixth Judicial Circuit of the State of Florida, Prosecuting for said State

NOTARY PUBLIC

FH17-004037 NAF20-01818-B-ERE/01ad2



KEN BURKE  
CLERK OF CIRCUIT COURT  
AND COMPTROLLER

2021 JAN 15 PM 2:36

CRIMINAL COURT RECORDS

FILED

COUNTY COURT OR CIRCUIT COURT - CRIMINAL DIVISION  
PINELLAS COUNTY, FLORIDA

STATE OF FLORIDA :  
V. : WITNESS AFFIDAVIT  
JEREMIAH ALDRED :

BEFORE ME, A NOTARY PUBLIC, personally appeared Corporal Travis Donakowski, who being duly sworn says:

Your Affiant is a sworn law enforcement officer with the Florida Highway Patrol. Your Affiant reviewed reports and evidence and found as follows:

On October 15, 2017, at approximately 4:58 p.m., on the I-275 North entrance ramp south of 22nd Avenue South, in Pinellas County, Florida, there was a single vehicle rollover crash. The vehicle, a 1992 Ford Ranger truck with Florida Tag HMSA61 attached, was registered to JEREMIAH ALDRED. Diana Chambers went through the windshield and died shortly thereafter. Passenger Jonathan Messler was out of the vehicle and survived with brain trauma. Michael Hedgepeth, drove up on the scene first, and in a sworn statement described JEREMIAH ALDRED and stated that JEREMIAH ALDRED was seen by Mr. Hedgepeth exiting the driver's side door of the flipped over truck at which time, Mr. Hedgepeth asked JEREMIAH ALDRED to help Mr. Hedgepeth tend to Jonathan Messler, at which time JEREMIAH ALDRED ran from the vehicle. Mr. Hedgepeth was able to pick out JEREMIAH ALDRED from a photo pack; however, he did indicate he was not 100% sure.

Your Affiant reviewed cell phone records from the cell phone belonging to JEREMIAH ALDRED at the time as well as that belonging

to his mother, Shelly Aldred. The cell phone records show that JEREMIAH ALDRED'S cell phone was in the vicinity of the crash at the time of the crash, made a phone to Mrs. Aldred's cell phone at which time Mrs. Aldred's cell phone left the vicinity of her home and went to the vicinity of JEREMIAH ALDRED'S cell phone at which time JEREMIAH ALDRED'S cell phone and Mrs. Aldred's cell phone returned to the home that they both share.

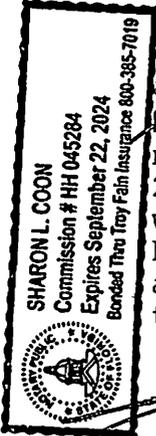
JEREMIAH ALDRED was interviewed by sworn Law Enforcement Officers with the Florida Highway Patrol at which time he denied driving the vehicle, denied being at the scene of the crash, claimed that he was home all afternoon and could not explain the cell phone data. JEREMIAH ALDRED indicated that the victim, Diana Chambers, who was friends with Jonathan Messler left with Jonathan Messler in JEREMIAH ALDRED'S vehicle the morning of the crash, October 15, 2017. Mrs. Aldred's statements were consistent with JEREMIAH ALDRED'S statements, neither of whom could explain the cell phone data.

Jonathan Messler was interviewed; however, after his brain injury, he claims that he could remember absolutely nothing from the day of the crash. He lives with JEREMIAH ALDRED. Jonathan Messler confirmed that he knew the victim, Diana Chambers.

Diana Chambers' family informed law enforcement officers that Ms. Chambers did not know how to drive a stick shift. The 1992 Ford Ranger was a stick shift. Ms. Chambers had bruising consistent with being on the passenger side of the shifter during the crash not the driver's side.

JEREMIAH ALDRED

WHEREFORE, your Affiant respectfully requests the issuance of a Capias so that JEREMIAH ALDRED may be made to answer to the charge of Leaving the Scene of a Crash Involving Death, pursuant to Chapter 316.027(2)(c), Florida Statutes.



The foregoing instrument was acknowledged before me by means of  physical presence or  Online notarization this 13 day of Jan, 2021 by Travis Donakowski who is personally known to me or has produced \_\_\_\_\_ as identification and who did take an oath.

[Signature]  
NOTARY PUBLIC

[Signature]  
AFFIANT

11305 N. McKinley Palm Beach FL  
AFFIANT'S ADDRESS 33612

513-632-2626  
AFFIANT'S TELEPHONE NUMBER

County Court or Circuit Court -  
Criminal Division, Pinellas County, Florida NAF20-01818-B T-ERE/0113ad30

FINDING OF PROBABLE CAUSE

I, Kimberly TDP have reviewed this affidavit and do find there is probable cause to hold and bind over for trial the defendant named in this affidavit.

Clerk of this Court is hereby directed to ISSUE CAPIAS for arrest of Defendant  
**JEREMIAH ALDRED**  
Defendant is to be admitted to Bail in the sum of \$ 150,000.00 including surcharge  
Other conditions of release: GPS monitor, no driving  
[Signature]  
Circuit/County Judge

[Signature]  
JUDGE  
1/13/2021  
DATE

JEREMIAH ALDRED

# PERSONAL DATA INFORMATION SHEET

ALL INFORMATION MUST BE PROVIDED BY THE INVESTIGATING OFFICER I

\*Note: Starred lines are required for computer warrant entries. \*FCIC System (local) \*\*NCIC System

\* Defendant's Full Name:

Jeremiah Joseph AlDred

\* Alias:

\* SSN:

\* SID #:

FL# A436- [REDACTED]

Last Known Address:

7501 142<sup>nd</sup> Ave Lot 741 Largo, FL 33771

Place of Employment:

(company)

(business address)

\*DOB:

4/12/84

\*SEX:

M

\*RACE:

W

FINGERPRINTS AVAILABLE: YES  NO

\*\*HT: 6'03"

\*\*WT: 180

\*\*HAIR: Brown I EYES: Blue

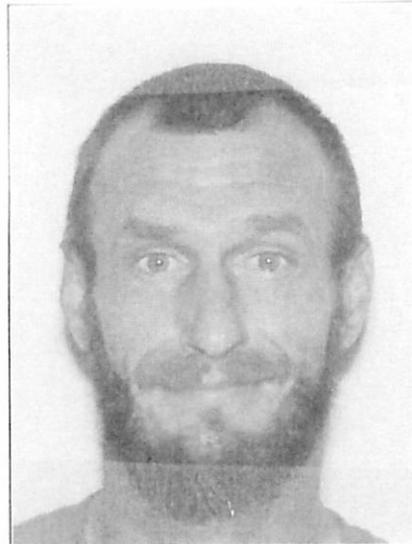
OTHER FEATURES: (BEARD, MARKS, SCARS, TATTOOS)

Brown Beard Full

Per FLCrRule 3.121 attach photo - SOPICS preferred!

Originating Source of PHOTO:

- SOPICS Docket #
- FL DL # DAVID Photo confirmed accurate by:
- Other State DL #  
State
- Other Photo Source #
- NO PHOTO AVAILABLE — Explanation For No Photo:



\*AGENCY: Florida Highway Patrol

OFFENSE NUMBER: FHPC170FF-108218

\*INVESTIGATING OFFICER:

Cpl. Travis Donkovski / # 1026

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522021CF000506000APC

REF No. : 21-00506-CF - B

OBTS NUMBER \_\_\_\_\_

STATE OF FLORIDA  
VS.

**JEREMIAH ALDRED**  
Defendant

PID: 3187709  
SS# [REDACTED]

**JUDGMENT**

The Defendant, **JEREMIAH ALDRED**, being personally before this court represented by **JULIA B SEIFER-SMITH, Assistant Public Defender**, and **RACHEL WISE, Assistant Public Defender**, the attorneys of record, and the state represented by **BENJAMIN KANOSKI, Assistant State Attorney**, and having:

**entered a plea of guilty to the following crime(s)**

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027/921.0021	1F

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

ICD: JDMT (35706349)  
RETURN TO:  
CRIMINAL COURT RECORDS

\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
(Check if Applicable)

\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on **March 7, 2023**.

\_\_\_\_\_  
JUDGE

FINGERPRINTS OF THE DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little

Fingerprints taken by:

\_\_\_\_\_  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, **JEREMIAH ALDRED**, and that they were placed thereon by the defendant in my presence in open court this day.

\_\_\_\_\_  
JUDGE  
Michael F. Andrews, Circuit Judge

**SENTENCE**

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant’s attorneys of record, **JULIA B SEIFER-SMITH, Assistant Public Defender, and RACHEL WISE, Assistant Public Defender,** and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

**It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$760.00**, inclusive of a **\$50.00** Indigent Criminal Defense Fee as required by s. 27.52 F.S., Investigative Costs in the amount of **\$60.00** pursuant to s. 938.27 F.S., **\$100.00** as a Cost of Prosecution assessment.

The Defendant pay attorney fees and costs of defense as determined by the Court.

The Defendant is committed to the custody of the Department of Corrections.

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff’s discretion.

**To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **24.75 MONTHS**.

**SPECIAL PROVISIONS**

By appropriate notation, the following provisions apply to the sentence imposed:

**Mandatory/Minimum Provisions:**

**No Mandatory/Minimum provisions are imposed on this count.**

**Other Provisions:**

**Please see the last page of this document for other provisions.**

**Other Provisions: (continued)**

**Jail Credit**

**It is further ordered that the defendant shall be allowed a total of 500 DAYS as credit for time incarcerated before imposition of this sentence.**

**Immigration Detainer**

**It is further ordered that, as per s. 908.104(3)(b), F.S., the secure correctional facility in which the defendant is to be confined shall reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.**

**Consecutive/Concurrent As to Other Convictions**

**It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run concurrent with the following:  
Specific sentences : 22-02280-CF**

**It is further ordered that:**

**Restitution is ordered as follows:**

**\$3502.00 to PINELLAS COUNTY SHERIFF'S OFFICE  
10750 ULMERTON RD  
LARGO, FL 33778.**

**Restitution to State:**

If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

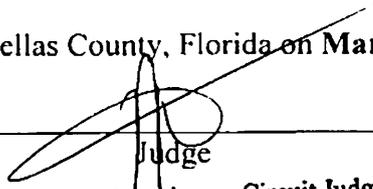
In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:

**The defendant shall pay a \$7.00 fee to the Pinellas County Sheriff's Office for DNA testing. The defendant shall receive DNA testing prior to release from custody. Your driver's license is revoked for 3 YEARS.**

**DONE AND ORDERED** in open court at Clearwater, Pinellas County, Florida on **March 7, 2023.**

  
\_\_\_\_\_  
Judge  
Michael F. Andrews, Circuit Judge

## Rule 3.992(a) Criminal Punishment Code Scoresheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <b>3/7/23</b>	2. PREPARER'S NAME KANOSKI	3. COUNTY PINELLAS	4. SENTENCING JUDGE ANDREWS	
5. NAME (LAST, FIRST, MI.I.) ALDRED, JEREMIAH	6. DOB 4/12/1984	8. RACE WHITE	10. PRIMARY OFF. DATE 10/15/2017	12. PLEA TRIAL <input checked="" type="checkbox"/> <input type="checkbox"/>
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 21-00506CFANO	

**I. PRIMARY OFFENSE:** Qualifier: \_\_\_\_\_

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	LEAVE CRASH W/DEATH	7	56

(Level – Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points  I. 56.0000

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
22-02280CFANO	3	893.13(6)(A)	3		2	2.4	4.8
DESCRIPTION	POCS						
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level – Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points  Supplemental page points  
II. 4.8000

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

III. \_\_\_\_\_

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
5/MM	VARIOUS	M		VARIOUS	1	X 0.2	= 0.2000
						X	=
						X	=
						X	=
						X	=
						X	=
						X	=
						X	=

(Level – Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points  
IV. 0.2000  
Page 1 Subtotal: 61.0000

**V. Legal Status Violation = 4 Points**

- Escape  
  Fleeing  
  Failure to Appear  
  Supersedeas bond  
  Incarceration  
  Pretrial intervention or diversion program  
 Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

**VI. Community Sanction Violation before the court for sentencing**

- Probation  
  Community Control  
  Pretrial intervention or diversion  
 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR  
 New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR  
 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR  
 New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VI. \_\_\_\_\_

**VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points**

VII. \_\_\_\_\_

**VIII. Prior Serious Felony = 30 points**

VIII. \_\_\_\_\_

**Subtotal Sentence Points** 61.0000

**IX. Enhancements (only if primary offense qualifies for enhancement)**

Law Enf. Protect.  <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker  <input type="checkbox"/> x 1.5	Motor Vehicle Theft  <input type="checkbox"/> x 1.5	Criminal Gang Offense  <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07)  <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14)  <input type="checkbox"/> x 2.0
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Enhanced Subtotal Sentence Points

IX. \_\_\_\_\_

**TOTAL SENTENCE POINTS** 61.0000

**SENTENCE COMPUTATION**

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{61.0000}{\text{total sentence points}} \text{ minus } 28 = \underline{33.0000} \times .75 = \frac{24.750000}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence for each individual felony offense is the statutory maximum as provided in s. 775.082, F.S., unless the lowest permissible sentence listed above exceeds the statutory maximum for that offense. If the lowest permissible sentence exceeds the statutory maximum for an individual felony offense, the lowest permissible sentence replaces the statutory maximum and must be imposed for that offense. See *State v. Gabriel*, 314 So. 3d 1243 (Fla.2021). Sentences for multiple felony offenses may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.

Primary offense:

<u>LEAVE CRASH W/DEATH</u>	30 years
Description	Maximum sentence in years

Additional offense:

<u>POCS</u>	10 years
Description	Maximum sentence in years

Additional offense:

<u> </u>	Maximum sentence in years
Description	Maximum sentence in years

Additional offense:

<u> </u>	Maximum sentence in years
Description	Maximum sentence in years

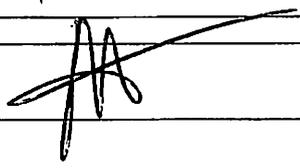
Total maximum sentence in years for all counts above if consecutive sentence imposed: 40 years

**TOTAL SENTENCE IMPOSED**

<input checked="" type="checkbox"/> State Prison	<input type="checkbox"/> Life	Years	Months	Days
<input type="checkbox"/> County Jail	<input type="checkbox"/> Time Served	_____	<u>24.75</u>	_____
<input type="checkbox"/> Community Control		_____	_____	_____
<input type="checkbox"/> Probation	<input type="checkbox"/> Modified	_____	_____	_____

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

Mitigated Departure  Plea Bargain  Prison Diversion Program  
Other Reason \_\_\_\_\_

<b>JUDGE'S SIGNATURE</b>	
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Michael F. Andrews, Circuit Judge

Rule 3.992(b) Supplemental Criminal Punishment Code Scoresheet

NAME (LAST, FIRST, MI. I.) ALDRED, JEREMIAH	DOCKET # 21-00506CFANO	DATE OF SENTENCE <del>2/27/2023</del> 03/07/2023
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X. ADDITIONAL OFFENSE(S):

DOCKET #      FEL/MM DEGREE      F.S.#      OFFENSE LEVEL      QUALIFY: A/S/C/R      COUNTS      POINTS      TOTAL

DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

II. \_\_\_\_\_

IV. PRIOR RECORD:

FEL/MM DEGREE      F.S.#      OFFENSE LEVEL      QUALIFY: A/S/C/R      DESCRIPTION      NUMBER      POINTS      TOTAL

						X	=	
						X	=	
						X	=	
						X	=	
						X	=	
						X	=	

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

Reasons for Departure - Mitigating Circumstances

(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain.
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence.
- The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- The defendant acted under extreme duress or under the domination of another person.
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- The defendant is to be sentenced as a youthful offender.
- The defendant is amenable to the services of a post adjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s. 921.0026(2)(m).

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS #	REPORT # 2020-032366		DOCKET # 1871148		
Person ID	2446930	SSN	[REDACTED]		
Charge Description	<input checked="" type="checkbox"/> Felony	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Warrant	<input type="checkbox"/> Traffic	<input type="checkbox"/> Ordinance
Charge	LEAVING SCENE OF AN CRASH INVOLVING DEATH		Traffic Citation # (if any)		Court Case #
Defendant's Name (Last, First, Middle)	DOB	Sex	Race	Ht	Wt
BELL, DAVID GREGORY	04/02/1984	M	B	510	200
Defendant's Name (Last, First, Middle)	DOB	Sex	Race	Ht	Wt
STEPHANY MARIE WILES	03/11/1997	F	W		
Weapon Seized Type	Indication of Drug Influence		Indication of Mental Health Issues		Indication of Alcohol Influence
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>	Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>	Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>		Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 08 day of SEPTEMBER, 2020

at approximately 9:15 PM, at 125 5TH STREET SOUTH, in Pinellas County did:

THEN AND THERE DRIVE A VEHICLE, TO-WIT: 1982 BLUE GMC 2500 PICKUP, FL TAG [REDACTED], WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO CINDY SUE CARPENTER, AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062. TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

DEF WAS DRIVING THE ABOVE DESCRIBED VEHICLE AND HAD ENTERED THE WALLS FARGO BANK DRIVE THRU LOCATED AT 125 5TH STREET SOUTH. DEF ENTERED THE DRIVE THRU HEADING THE WRONG WAY. THE VICTIM, CARPENTER, WHO WAS TRYING TO STAY OUT OF THE RAIN, WAS LYING IN THE DRIVE THRU, UNDER A BLANKET WHEN SHE WAS RUN OVER. BANK SURVEILLANCE VIDEO SHOWS THE BLUE TRUCK HEADING THE WRONG WAY IMMEDIATELY AFTER THE VICTIM WAS RUN OVER. THE TRUCK IS OCCUPIED BY A BLACK MALE DRIVER AND A WHITE FEMALE PASSENGER. THE 911 CALL LED US TO THE DEF'S ADDRESS WHERE THE TRUCK WAS FOUND. THE DEF ADMITTED TO OFFICER RICKY CARTER THAT HE DROVE THROUGH THE BANK DRIVE THRU THAT NIGHT. FURTHER INVESTIGATION CONFIRMED THE TRUCK TO HAVE CLEANING MARKS UNDERNEATH IT. FURTHER, THE FEMALE PASSENGER, STEPHANIE WILES, CALLED 911 TO REPORT A PERSON HAVING A MEDICAL EPISODE AT THE BANK. CELL PHONE TOWER RECORDS SHOW WILES' PHONE TO BE OPERATED AT THE INTERSECTION RIGHT NEXT TO THE BANK AT THE TIME OF THE CRASH.

Contrary to Florida Statute/Ordinance 316.027(2)(C)

ARREST DATE: 8/5/2021 Time 11:55 AM Aggravating/Mitigating Factors

Booking Officer: PATRICK 58099 Amount of Bond 50,000 Bond Out Date Time a.m. p.m.

Victim Notified of Advisory? Yes No Injuries to Victim? Yes No Medical Treatment to Victim? Yes No

The Court reviewed this complaint and finds there: is probable cause is not probable cause to detain defendant Bond Action, if any:

The probable cause determination is passed for: 24 Hrs 24 Hrs on showing of extraordinary circumstances Received by Booking: 8/5/2021 1:57:46 PM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.

Declarant Signature: [Signature] ST. PETERSBURG POLICE Agency OFFICER MICHAEL JOCKERS 28526 01055030 Printed Name Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)				
DATE	OFFICER	HOURS X PAY RATE	OR	COST
09/08/2020	M. JOCKERS	80 25.00		\$2,000.00

OTHER - Describe Continuation sheet Yes No TOTAL \$ 2,000.00

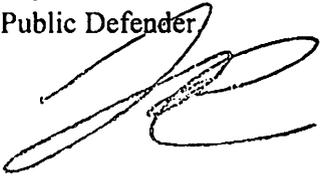
**Defendant** BELL, DAVID GREGORY **Court Case No:** 21-07358-CF-1

**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

I FURTHER CERTIFY THAT:

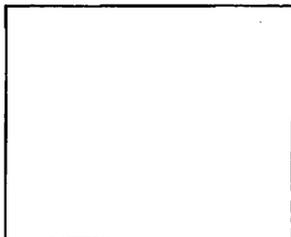
- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.



\_\_\_\_\_  
DATE AND TIME

\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ATTORNEY'S SIGNATURE

\_\_\_\_\_  
DATE



2020-032366

AEUQFIE

COMPLAINT

FLORIDA UNIFORM TRAFFIC CITATION

WHEN PRESENTED TO VIOLATOR, THE FOLLOWING AMOUNT WAS ENTERED.

PAY A CIVIL PENALTY IN THE AMOUNT OF \$

CASE NO. DOCKET NO. PAGE NO.

COUNTY OF **04 PINELLAS** (1) FHP (2) P.D (3) S.O (4) OTHER

CITY (IF APPLICABLE) **64 ST. PETERSBURG** AGENCY NAME **ST. PETERSBURG POLICE DE** AGENCY # **0464**

IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON **COMPLAINT** (Retained By Court)

DAY OF WEEK **TUE** MONTH **9** DAY **8** YEAR **2020** **9:15 PM**

NAME (PRINT) FIRST **DAVID** MIDDLE **GREGORY** LAST **BELL**

STREET **922 11TH STREET SOUTH** IF DIFFERENT THAN ONE ON DRIVER LICENSE "X" HERE

CITY **ST PETERSBURG** STATE **FL** ZIP CODE **33705**

TELEPHONE NUMBER DATE OF BIRTH **4** DAY **2** YR **1984** RACE **B** SEX **M** HGT **5' 10"**

DRIVER LICENSE NUMBER **B 4 0 0 1 6 7 8 4 1 2 2 0**

YR VEHICLE **1982** MAKE **GMC** STYLE **PK** COLOR **BLU** PLACARDED HAZ MATERIAL  YES  NO

VEHICLE LICENSE **IRST30** TRAILER TAG N STATE **FL** YEAR TAG EXP. **2021** > 16 PASSENGERS  YES  NO

UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY **125 N 5TH ST 27.769682 -82.640570- TRAVELING N** MOTORCYCLE  YES  NO Companion UTC  YES  NO

FT \_\_\_\_\_ MILES \_\_\_\_\_ \* OF NODE \_\_\_\_\_

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE. CHECK ONLY ONE OFFENSE EACH CITATION.

UNLAWFUL SPEED \_\_\_\_\_ MPH SPEED APPLICABLE \_\_\_\_\_ MPH (  INTERSTATE  SCHOOL ZONE  CONSTRUCTION WORKERS PRESENT )

SPEED MEASUREMENT DEVICE:

CARELESS DRIVING  CHILD RESTRAINT  EXPIRED DRIVER LICENSE SIX (6) MONTHS OR LESS

VIOLATION OF TRAFFIC CONTROL DEVICE  SAFETY BELT VIOLATION  EXPIRED DRIVER LICENSE MORE THAN SIX (6) MONTHS

FAILURE TO STOP AT A TRAFFIC SIGNAL  IMPROPER OR UNSAFE EQUIPMENT  NO VALID DRIVER LICENSE

IMPROPER LANE CHANGE OR COURSE  EXPIRED TAG SIX (6) MONTHS OR LESS  DRIVING WHILE LICENSE SUSPENDED OR REVOKED

NO PROOF OF INSURANCE  EXPIRED TAG MORE THAN SIX (6) MONTHS  DRIVING UNDER THE INFLUENCE

VIOLATION OF RIGHT-OF-WAY  IMPROPER PASSING  Passenger Under 18 Yrs BAL \_\_\_\_\_

OTHER VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE **CARELESS DRIVING**

RE-EXAM  YES  NO

DL SEIZED  YES  NO

AGGRESSIVE DRIVING IN VIOLATION OF STATE STATUTE SECTION **316.1925** SUB-SECTION \_\_\_\_\_

CRASH  YES  NO PROPERTY DAMAGE  YES  NO INJURY TO ANOTHER  YES  NO SERIOUS INJURY TO ANOTHER  YES  NO FATAL  YES  NO

CRIMINAL VIOLATION. COURT APPEARANCE REQUIRED AS INDICATED BELOW

INFRACTION. COURT APPEARANCE REQUIRED AS INDICATED BELOW

INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT

**AEUQFIE**

CIVIL PENALTY IS \_\_\_\_\_

COURT INFORMATION DATE \_\_\_\_\_ TIME \_\_\_\_\_

CALL OF COURT \_\_\_\_\_

COURT **CLEARWATER FL** LOCATION

**33762 (727) 464-7000 HTTP://WWW.PINELLASCLERK.ORG**

Additional Comments. **DRIVER DROVE THE WRONG WAY THROUGH A BANK DRIVE THRU, RUNNING OVER A HOMELESS PERSON SLEEPING UNDER A BLANKET, THEN FLED**

ARREST DELIVERED TO **MAX** DATE **8/6/2021**

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT

ARRESTED

X SIGNATURE OF VIOLATOR (SIGNATURE IS REQUIRED IF INFRACTION REQUIRES APPEARANCE IN COURT)

*[Signature]* OFC. **MICHAEL JOCKERS** 28526 28526 THI

I CERTIFY THIS CITATION WAS DELIVERED TO THE PERSON CITED ABOVE AND CERTIFY THE CHARGE ABOVE

Additional Officer \_\_\_\_\_

RANK NAME OF OFFICER \_\_\_\_\_ BADGE NO \_\_\_\_\_ ID NO \_\_\_\_\_ TROOP UNIT \_\_\_\_\_

DATE	COURT ACTION AND OTHER ORDERS
	BAIL FIXED AT \$ _____ OR CASH DEPOSIT OF \$ _____ SIGNATURE OF PERSON GIVING BAIL _____ SIGNATURE OF PERSON TAKING BAIL _____
	FINE IN THE AMOUNT _____ RECEIVED AS _____ COURT _____ SIGNATURE OF CLERK _____
	CONTINUANCE TO _____ REASON _____
	CONTINUANCE _____ REASON _____
	BOND _____
	WARRANT _____
	VIOLATOR FAILED TO APPEAR-DRIVER LICENSE SUS
	VIOLATOR ARRAIGNED _____ (DATE) PLEA: _____ FINDIN _____ ADJUDICATIO _____ SENTENCE: _____ COST _____ JAIL _____ DAYS _____ DRIVER IMPROVEMENT _____ OTHER _____ DRIVER LICENSE SUSPENDED OR _____ DAY RECOMMEND DRIVER LICENSE _____ DAY RECOMMEND RE- _____
	SIGNATURE OF JUDGE _____
	TESTIMONY - JUDGE'S NOTES (OR OTHER COURT RECORD)
	APPEAL BOND _____
	VIOLATOR'S FINGERPRINT WHEN APPLICABLE →



UTC Court Information Report

ST. PETERSBURG POLICE DEPARTMENT

AGENCY CASE # <b>2020-032366</b>	CITATION # <b>AEUQFIE</b>	DATE <b>09/08/2020</b>	CITATION TIME <b>9:15 PM</b>
-------------------------------------	------------------------------	---------------------------	---------------------------------

<b>VIOLATOR</b>			
NAME (PRINT) FIRST <b>DAVID</b>	MIDDLE <b>GREGORY</b>	LAST <b>BELL</b>	SUFFIX

STREET <b>922 11TH STREET SOUTH</b>	CITY <b>ST PETERSBURG</b>	STATE <b>FL</b>	ZIP CODE <b>33705</b>	TELEPHONE
--	------------------------------	--------------------	--------------------------	-----------

DL # <b>B400167841220</b>	STATE <b>FL</b>	CLASS <b>E</b>	YEAR <b>1982</b>	MAKE <b>GMC</b>	TAG # <b>IRST30</b>	STATE <b>FL</b>	TAG EXP. <b>09/26/202</b>
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<b>ROADWAY INFORMATION</b>
<b>125 N 5TH ST 27.769682 -82.640570- TRAVELING N</b>

<b>VIOLATION</b>							
FSS # <b>316.1925</b>							

OFFENSE TYPE <b>CARELESS DRIVING</b>	VIOL SPEED	POSTED?	SCHOOL?	WORKERS?	CRASH? <b>YES</b>	SPEED MEASUREMENT DEVICE
---	------------	---------	---------	----------	----------------------	--------------------------

<b>REPORTING OFFICER</b>				<b>SECONDARY OFFICER</b>					
RANK OFFICER	FIRST MICHAEL	MIDDLE F	LAST JOCKERS	BADGE # 28526	ID # 28526	FIRST	LAST	BADGE #	ID #

**COURT NARRATIVE**  
 DEF DROVE THE WRONG WAY THROUGH A BANK DRIVE THRU, RUNNING OVER A HOMELESS PERSON WHO WAS ASLEEP UNDER A BLANKET, KILLING THE PEDESTRIAN. DEF FLED. VEH WAS EVENTUALLY FOUND. DEF ADMITTED TO DRIVING THROUGH DRIVE THRU TO ANOTHER OFFICER.

<b>WITNESSES</b>							
FIRST NAME	MIDDLE NAME	LAST NAME	SUFFIX	DATE OF BIRTH	OFC. ID/BADGE #		
CURRENT ADDRESS	CITY	STATE	ZIP	PHONE NUMBER	EMAIL ADDRESS		

FIRST NAME	MIDDLE NAME	LAST NAME	SUFFIX	DATE OF BIRTH	OFC. ID/BADGE #		
CURRENT ADDRESS	CITY	STATE	ZIP	PHONE NUMBER	EMAIL ADDRESS		

FIRST NAME	MIDDLE NAME	LAST NAME	SUFFIX	DATE OF BIRTH	OFC. ID/BADGE #		
CURRENT ADDRESS	CITY	STATE	ZIP	PHONE NUMBER	EMAIL ADDRESS		

FIRST NAME	MIDDLE NAME	LAST NAME	SUFFIX	DATE OF BIRTH	OFC. ID/BADGE #		
CURRENT ADDRESS	CITY	STATE	ZIP	PHONE NUMBER	EMAIL ADDRESS		

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522021CF007358000APC

REF No. : 21-07358-CF - K

OBTS NUMBER \_\_\_\_\_

STATE OF FLORIDA  
VS.

**DAVID GREGORY BELL**  
Defendant

PID: 2446930

SS# [REDACTED]

**JUDGMENT**

The Defendant, **DAVID GREGORY BELL**, being personally before this court represented by **CHARLES A GREENE JR** the attorney of record, and the state represented by **BENJAMIN KANOSKI**, Assistant State Attorney, and having:

entered a plea of guilty to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : DAVID GREGORY BELL

UCN : 522021CF007358000APC  
REF No. : 21-07358-CF - K

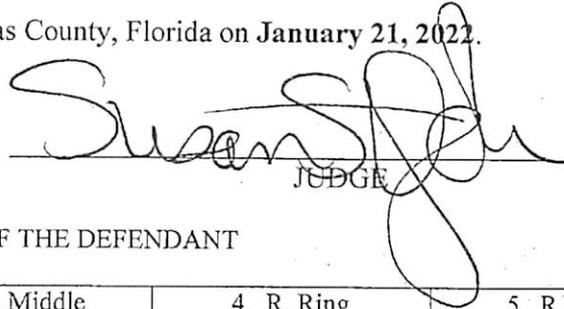
\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
(Check if Applicable)

\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on January 21, 2022.

  
\_\_\_\_\_  
JUDGE

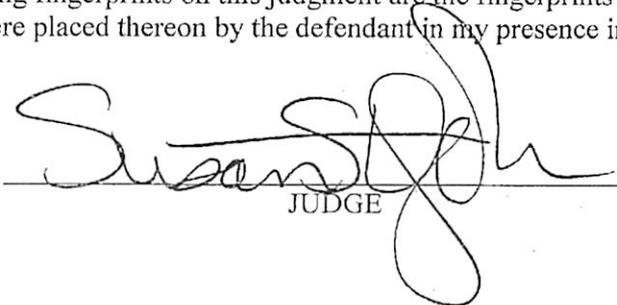
FINGERPRINTS OF THE DEFENDANT

1. R. Thumb 	2. R. Index 	3. R. Middle 	4. R. Ring 	5. R. Little 
6. L. Thumb 	7. L. Index 	8. L. Middle 	9. L. Ring 	10. L. Little 

Fingerprints taken by:

Dep. Thompson 5813  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, **DAVID GREGORY BELL**, and that they were placed thereon by the defendant in my presence in open court this day.

  
\_\_\_\_\_  
JUDGE

Defendant: DAVID GREGORY BELL

UCN: 522021CF007358000APC  
REF No.: 21-07358-CF - K

OBTS Number \_\_\_\_\_

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, CHARLES A GREENE JR, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### It Is the Sentence Of the Court That:

The Defendant pay total statutory costs in the amount of \$2700.00, inclusive of a \$50.00 Indigent Criminal Defense Fee as required by s. 27.52 F.S., Investigative Costs in the amount of \$2000.00 pursuant to s. 938.27 F.S., \$100.00 as a Cost of Prosecution assessment. These assessments are hereby imposed as liens.

The Defendant pay attorney fees and costs of defense as determined by the Court.

The Defendant is committed to the custody of the Department of Corrections.

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### To Be Imprisoned:

The Defendant is to be imprisoned for a term of 8 YEARS.

## SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

### Mandatory/Minimum Provisions:

Driver Leaving Scene Involving Death      It is further ordered that the 4 year mandatory minimum imprisonment provision of 316.027(2)(c), Florida Statutes, is imposed.

### Other Provisions:

Please see the last page of this document for other provisions.

Defendant: DAVID GREGORY BELL

UCN: 522021CF007358000APC  
REF No.: 21-07358-CF - K

OBTS Number \_\_\_\_\_

**Other Provisions: (continued)**

**Jail Credit**

**It is further ordered that the defendant shall be allowed a total of 170 DAYS as credit for time incarcerated before imposition of this sentence.**

**Immigration Detainer**

**It is further ordered that, as per s. 908.104(3)(b), F.S., the secure correctional facility in which the defendant is to be confined shall reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.**

**Consecutive/Concurrent As to Other Convictions**

**It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run concurrent with the following:  
Specific sentences : 20-04930-CF**

**It is further ordered that:**

**Restitution is ordered in an amount to be determined. A status check is set as follows: Restitution Status Check March 4, 2022 at 8:30 AM.**

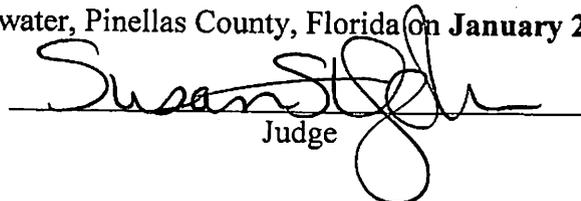
Restitution to State:

If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

**DONE AND ORDERED in open court at Clearwater, Pinellas County, Florida on January 21, 2022.**

  
\_\_\_\_\_  
Judge

**Rule 992(a) Criminal Punishment Code Scoresheet**

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <b>1/21/22</b>	2. PREPARER'S NAME KANOSKI	3. COUNTY PINELLAS	4. SENTENCING JUDGE ST. JOHN	
5. NAME (LAST, FIRST, M.I.) BELL, DAVID G.	6. DOB 4/2/1984	8. RACE BLACK	10. PRIMARY OFF. DATE 9/8/2020	12. PLEA TRIAL <input checked="" type="checkbox"/> <input type="checkbox"/>
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 21-07358CFANO	

**I. PRIMARY OFFENSE:** Qualifier:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	LEAVE CRASH W/DEATH	7	56
<small>(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)</small>				
Prior capital felony doubles Primary Offense points <input type="checkbox"/>				I. <u>56.0000</u>

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
<small>(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)</small>							
Prior capital felony doubles Additional Offense points <input type="checkbox"/>						Supplemental page points	II. _____

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	= _____	Slight	4 X	= _____
Death	120 X	= _____	Sex Penetration	80 X	= _____
Severe	40 X	= _____	Sex Contact	40 X	= _____
Moderate	18 X	= _____			
III. _____					

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
3	893.13(6)(A)	3		POSS.CONTROL.SUBS/OTHER	2	X 1.6	= 3.2000
3	893.13(6)(A)	1		POSS.MARIJUANA OVR 20 G	1	X 0.5	= 0.5000
2	790.23(3)	5		FEL/DELI W/GUN/CONC WPN	2	X 3.6	= 7.2000
5/MM	VARIOUS	M		VARIOUS	8	X 0.2	= 1.6000
					X		=
					X		=
					X		=
					X		=
					X		=
<small>(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)</small>							
Supplemental page points						IV. <u>12.5000</u>	
Page 1 Subtotal:						<u>68.5000</u>	

**V. Legal Status Violation = 4 Points**

- Escape  
  Fleeing  
  Failure to Appear  
  Supersedeas bond  
  Incarceration  
  Pretrial intervention or diversion program  
 Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

**VI. Community Sanction Violation before the court for sentencing**

VI. \_\_\_\_\_

- Probation  
  Community Control  
  Pretrial intervention or diversion  
 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR  
 New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR  
 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR  
 New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

**VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points**

VII. \_\_\_\_\_

**VIII. Prior Serious Felony = 30 points**

VIII. \_\_\_\_\_

**Subtotal Sentence Points**      68.5000

**IX. Enhancements (only if primary offense qualifies for enhancement)**

Law Enf. Protect.  <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker  <input type="checkbox"/> x 1.5	Motor Vehicle Theft  <input type="checkbox"/> x 1.5	Criminal Gang Offense  <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07)  <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14)  <input type="checkbox"/> x 2.0
---	---	---	---	---	--

Enhanced Subtotal Sentence Points

IX. \_\_\_\_\_

**TOTAL SENTENCE POINTS**      68.5000

**SENTENCE COMPUTATION**

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{68.5000}{\text{total sentence points}} \text{ minus } 28 = \frac{40.5000}{\text{Lowest permissible prison sentence in months}} \times .75 = \frac{30.3750}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s.775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

30  
maximum sentence in years

**TOTAL SENTENCE IMPOSED**

- |  |                                      |          |        |       |
|--|--------------------------------------|----------|--------|-------|
| <input checked="" type="checkbox"/> State Prison | <input type="checkbox"/> Life        | Years    | Months | Days  |
| <input type="checkbox"/> County Jail             | <input type="checkbox"/> Time Served | <u>8</u> | _____  | _____ |
| <input type="checkbox"/> Community Control       |                                      | _____    | _____  | _____ |
| <input type="checkbox"/> Probation               | <input type="checkbox"/> Modified    | _____    | _____  | _____ |

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

- Mitigated Departure  
  Plea Bargain  
  Prison Diversion Program  
 Other Reason \_\_\_\_\_

**JUDGE'S SIGNATURE**

Susan S. [Signature]

**Rule 3.992 Supplemental Criminal Punishment Code Scoresheet**

NAME (LAST, FIRST, MI. I.) BELL, DAVID G.	DOCKET # 21-07358CFANO	DATE OF SENTENCE 12/17/2021
--	---------------------------	--------------------------------

**X. ADDITIONAL OFFENSE(S):**

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

II. \_\_\_\_\_

**IV. PRIOR RECORD:**

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

**Reasons for Departure - Mitigating Circumstances**  
(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain.
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence.
- The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- The defendant acted under extreme duress or under the domination of another person.
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- The defendant is to be sentenced as a youthful offender.
- The defendant is amenable to the services of a post adjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s. 921.0026(2)(m).

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS #	REPORT # 20-76016		DOCKET # 1872090	
Person ID	1966132	SS [REDACTED]		
Charge Description	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Warrant <input type="checkbox"/> Traffic <input type="checkbox"/> Ordinance	Traffic Citation # (if any)	Court Case #	
Charge	LEAVING SCENE OF AN CRASH INVOLVING DEATH	AEUWMRE	21-07761-CF-1	
Defendant's Name (Last, First, Middle)	DOB	Sex	Race	Ht
BROUGHTON, MICHAEL WAYNE	05/24/1980	M	W	511
Wt	Hair	Eyes	Skin	
150	BRO	BRO	LGT	
Alias	DL #	State	Scars/Marks/Tattoos/Physical Features	
	B623-559-80-184-0	FL		
Local Address (Street, City, State, Zip Code)	Telephone	Place of Birth	Citizenship	
8101 23RD AVE N ST. PETERSBURG FL 33710		FL	US	
Permanent Address (Street, City, State, Zip Code)	Telephone	Employed by / School		
8101 23RD AVE N ST. PETERSBURG FL 33710				
Weapon Seized	Type	Indication of Drug Influence	Y N UNK	Indication of Mental Health Issues
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
Co-Defendant's Name (Last, First, Middle)	DOB	Sex	Race	In Custody
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 11 day of DECEMBER, 2020, at approximately 12:30 AM, at 62ND AVE N/ 55TH ST N, PINELLAS PARK, FL, 33781, in Pinellas County did:

\*\*\*\*\*AMENDED AFFIDAVIT\*\*\*\*\*

THEN AND THERE DRIVE A VEHICLE, TO-WIT: 1997 TOYOTA PICK-UP TRUCK WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO JASON PRINE, AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

CITATION #: AEUWMRE COURT: CALL OF COURT

THE DEFENDANT WAS THE DRIVER OF A VEHICLE THAT WAS INVOLVED IN A TWO VEHICLE CRASH THAT OCCURRED IN THE ROADWAY. AS A RESULT OF THE CRASH, THE VICTIM SUFFERED FATAL INJURIES AT THE SCENE OF THE CRASH. THE DEFENDANT FAILED TO REMAIN AT SCENE OF THE CRASH AND FLED THE SCENE IN HIS VEHICLE WITHOUT REMAINING ON SCENE OR SUMMONING ASSISTANCE. THERE IS INDICATION THAT THE DEFENDANT WAS IMPAIRED BY ALCOHOL AT THE TIME OF THE CRASH AS WELL. THE DEFENDANT OWNS A VEHICLE THAT IS TITLED IN HIS NAME THAT HE WAS KNOWN TO DRIVE AT THE TIME OF THE CRASH AND MATCHES THE DESCRIPTION OF THE SUSPECT VEHICLE PROVIDED BY WITNESSES. THE DEFENDANT IS ALSO KNOWN TO FREQUENT THE AREA IN WHICH THE CRASH OCCURRED. THE DEFENDANT WAS IDENTIFIED AS THE DRIVER OF THE VEHICLE BY A PASSENGER WHO WAS IN THE VEHICLE AT THE TIME OF THE CRASH. THE PASSENGER IDENTIFIED THE DEFENDANT AS THE DRIVER DURING THREE SEPARATE AUDIO RECORDED INTERVIEWS AND PROVIDED INTIMATE DETAILS OF THE CRASH SCENE THAT ARE NOT KNOWN TO THE PUBLIC.

Contrary to Florida Statute/Ordinance 316.027(2)(C) - F1

ARREST DATE: 8/18/2021 Time 4:36 PM . Aggravating/Mitigating Factors \_\_\_\_\_

Booking Officer: COLBASSANI, C 59312 Amount of Bond AMENDED Bond Out Date \_\_\_\_\_ Time \_\_\_\_\_  a.m.  p.m.

Victim Notified of Advisory?  Yes  No Injuries to Victim?  Yes  No Medical Treatment to Victim?  Yes  No

The Court reviewed this complaint and finds there:  is probable cause  is not probable cause to detain defendant  Bond Action, if any: \_\_\_\_\_

The probable cause determination is passed for:  24 Hrs  24 Hrs on showing of extraordinary circumstances Received by Booking: 8/19/2021 3:13:23 PM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.

*Jacob Rolleston*  
 \_\_\_\_\_  
 Declarant Signature Agency  
 OFFICER JACOB ROLLESTON 519 03023017  
 Printed Name Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)				
DATE	OFFICER	HOURS X PAY RATE	OR	COST
08/18/2021	ROLLESTON	20 25.00		\$500.00
08/18/2021	HEVEL	10 25.00		250
OTHER - Describe FORENSICS CALLOUT				150.00
Continuation sheet <input type="checkbox"/> Yes <input type="checkbox"/> No				TOTAL \$ 900.00

**Defendant** BROUGHTON, MICHAEL WAYNE **Court Case No:** 21-07761-CF-1

**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

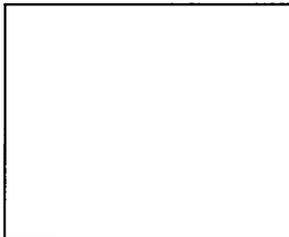
I FURTHER CERTIFY THAT:

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ATTORNEY'S SIGNATURE

\_\_\_\_\_  
DATE

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522021CF007761000APC

REF No. : 21-07761-CF - I

OBTS NUMBER \_\_\_\_\_

STATE OF FLORIDA  
VS.

MICHAEL WAYNE BROUGHTON  
Defendant

PID: 1713726  
SS# [REDACTED]

**JUDGMENT**

The Defendant, MICHAEL WAYNE BROUGHTON, being personally before this court represented by ANDREW HEBERT and JAY A HEBERT ESQ the attorneys of record, and the state represented by ALEXANDRA SPADARO, Assistant State Attorney, and ALEC WAID, Assistant State Attorney, and having:

entered a plea of guilty to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : MICHAEL WAYNE BROUGHTON

UCN : 522021CF007761000APC  
REF No. : 21-07761-CF - I

\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION  
OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
(Check if Applicable)

\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_  
(Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

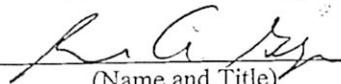
DONE AND ORDERED in open court in Pinellas County, Florida on **August 15, 2023**.

\_\_\_\_\_  
JUDGE

FINGERPRINTS OF THE DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

PEV-79  #60590  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, **MICHAEL WAYNE BROUGHTON**, and that they were placed thereon by the defendant in my presence in open court this day.

\_\_\_\_\_  
JUDGE

Defendant: MICHAEL WAYNE BROUGHTON

UCN: 522021CF007761000APC  
REF No.: 21-07761-CF - I

OBTS Number \_\_\_\_\_

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorneys of record, ANDREW HEBERT, and JAY A HEBERT ESQ, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### It Is the Sentence Of the Court That:

The Defendant pay total statutory costs in the amount of \$1550.00, inclusive of, Investigative Costs in the amount of \$900.00 pursuant to s. 938.27 F.S., \$100.00 as a Cost of Prosecution assessment.

The Defendant is committed to the custody of the Department of Corrections.

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### To Be Imprisoned:

The Defendant is to be imprisoned for a term of 4 YEARS.

## SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

### Mandatory/Minimum Provisions:

Driver Leaving Scene Involving Death	It is further ordered that the 4 year mandatory minimum imprisonment provision of 316.027(2)(c), Florida Statutes, is imposed.
--------------------------------------	--

### Other Provisions:

Please see the last page of this document for other provisions.

Defendant: MICHAEL WAYNE BROUGHTON

UCN: 522021CF007761000APC  
REF No.: 21-07761-CF - I

OBTS Number \_\_\_\_\_

**Other Provisions: (continued)**

**Jail Credit**

It is further ordered that the defendant shall be allowed a total of 19 DAYS as credit for time incarcerated before imposition of this sentence.

**Immigration Detainer**

It is further ordered that, as per s. 908.104(3)(b), F.S., the secure correctional facility in which the defendant is to be confined shall reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

**Consecutive/Concurrent As to Other Convictions**

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run concurrent with the following:  
Specific sentences : 21-07741-CF

**It is further ordered that:**

**Restitution is not applicable in this case.**

Restitution to State:

If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(b) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:  
**The defendant shall pay a \$7.00 fee to the Pinellas County Sheriff's Office for DNA testing. Your driver's license is revoked for 3 YEARS.**

DONE AND ORDERED in open court at Clearwater, Pinellas County, Florida on August 15, 2023.

\_\_\_\_\_  
Judge

**Rule 3.992(a) Criminal Punishment Code Scoresheet**

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <del>8/21/2021</del> <b>8/15/23</b>	2. PREPARER'S NAME <del>AW</del> <b>Spodaro</b>	3. COUNTY PINELLAS	4. SENTENCING JUDGE <del>S. ST. JOHN</del> <b>Helinger</b>
5. NAME (LAST, FIRST, M.I.) BROUGHTON, MICHAEL	6. DOB 5/24/1980	8. RACE WHITE	10. PRIMARY OFF. DATE 8/10/2021
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 21-07761-CF
			12. PLEA TRIAL <input checked="" type="checkbox"/>

**I. PRIMARY OFFENSE:** Qualifier:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	LEAVE CRASH W/DEATH	7	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

**I. 56.0000**

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
21-07741-CF	3	784.03(2)	1		1	0.7	0.7
DESCRIPTION	2+ SIMPLE BATTERY						

DESCRIPTION

DESCRIPTION

DESCRIPTION

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points

**II. 0.7000**

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	=	Slight	4 X 1	= 4
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

**III. 4.0000**

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
5/MM	VARIOUS	M		VARIOUS	9	0.2	1.8000
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points

**IV. 1.8000**

**Page 1 Subtotal: 62.5000**

NAME (LAST, FIRST, MI. I.)  
BROUGHTON, MICHAEL

DOCKET #  
21-07761-CF

Page 1 Subtotal: 62.5000

V. Legal Status Violation = 4 Points

- Escape  Fleeing  Failure to Appear  Supersedeas bond  Incarceration  Pretrial intervention or diversion program
- Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

VI. Community Sanction Violation before the court for sentencing

VI. \_\_\_\_\_

- Probation  Community Control  Pretrial intervention or diversion
- 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR
- New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
- 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR
- New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points

VII. \_\_\_\_\_

VIII. Prior Serious Felony = 30 points

VIII. \_\_\_\_\_

Subtotal Sentence Points 62.5000

IX. Enhancements (only if primary offense qualifies for enhancement)

Law Enf. Protect. <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker <input type="checkbox"/> x 1.5	Motor Vehicle Theft <input type="checkbox"/> x 1.5	Criminal Gang Offense <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07) <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14) <input type="checkbox"/> x 2.0
---	---	---	---	---	--

Enhanced Subtotal Sentence Points

IX. \_\_\_\_\_

TOTAL SENTENCE POINTS 62.5000

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{62.5000}{\text{total sentence points}} \text{ minus } 28 = \frac{34.5000}{\text{}} \times .75 = \frac{25.875000}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s.775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

35  
maximum sentence in years

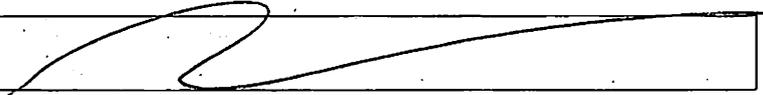
TOTAL SENTENCE IMPOSED

- |  |                                      |                |              |            |
|--|--------------------------------------|----------------|--------------|------------|
| <input checked="" type="checkbox"/> State Prison | <input type="checkbox"/> Life        | Years <u>4</u> | Months _____ | Days _____ |
| <input type="checkbox"/> County Jail             | <input type="checkbox"/> Time Served | _____          | _____        | _____      |
| <input type="checkbox"/> Community Control       |                                      | _____          | _____        | _____      |
| <input type="checkbox"/> Probation               | <input type="checkbox"/> Modified    | _____          | _____        | _____      |

4 yr min /  
max  
on 2107761C  
25.8754  
on 2107741  
concurrent

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

Mitigated Departure  Plea Bargain  Prison Diversion Program  
Other Reason \_\_\_\_\_

JUDGE'S SIGNATURE 

**Rule 3.992 Supplemental Criminal Punishment Code Scoresheet**

NAME (LAST, FIRST, MI. I.) BROUGHTON, MICHAEL	DOCKET # 21-07761-CF	DATE OF SENTENCE 8/31/2021
--	-------------------------	-------------------------------

**X. ADDITIONAL OFFENSE(S):**

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

II. \_\_\_\_\_

**IV. PRIOR RECORD:**

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

**Reasons for Departure - Mitigating Circumstances**  
(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain.
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence.
- The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- The defendant acted under extreme duress or under the domination of another person.
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- The defendant is to be sentenced as a youthful offender.
- The defendant is amenable to the services of a post adjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s. 921.0026(2)(m).

CIRCUIT COURT - CRIMINAL DIVISION, PINELLAS COUNTY, FLORIDA

WARRANT

STATE OF FLORIDA : 20-11768-CF

V. : LEAVING THE SCENE OF  
CRASH INVOLVING DEATH

ZACHARY LEGEND CARIDE :  
PID 310377402  
W/M; DOB: 08/03/1996

FILED  
CRIMINAL COURT  
CUSTOMER SERVICE  
2020 DEC 18 PM 1:25  
KEN SURKIE  
CLERK OF CIRCUIT COURT  
AND COUNTY TOLLER

IN THE NAME OF THE STATE OF FLORIDA,  
TO ALL AND SINGULAR THE SHERIFFS AND INVESTIGATORS OF THE STATE  
ATTORNEY,

WHEREAS, Detective Christopher Lemmon, Tarpon Springs  
Police Department, has this day made oath before this Court that  
on November 27, 2020, in the County and District aforesaid,  
ZACHARY LEGEND CARIDE was the driver of a motor vehicle, a 2016  
Hyundai Accent bearing Florida tag GHBT13, which was involved in  
a crash involving the death of Terry Bruillard (W/F; DOB:  
04/15/1961), and the said ZACHARY LEGEND CARIDE (W/M; DOB:  
08/03/1996) did willfully fail to stop the vehicle at the scene  
of the crash or, as close thereto as possible, or return or  
remain at the scene of the crash until he had fulfilled the  
requirements of Florida Statute 316.062, to-wit: did not give  
his name and address, and the registration number of the vehicle  
he was driving, and did not render reasonable assistance to  
persons injured in the crash; and was driving while under the  
influence as set out in Florida Statute 316.193(1); contrary to

RECEIVED THIS WARRANT  
On the \_\_\_\_\_ day of \_\_\_\_\_

and executed same on the \_\_\_\_\_

by arresting the within named  
\_\_\_\_\_

IN THE CIRCUIT COURT OF THE  
SIXTH JUDICIAL CIRCUIT

Pinellas County  
Florida  
STATE OF FLORIDA

VS

and having him now before the Court.

ZACHARY LEGEND CARIDE

\_\_\_\_\_  
ARRESTING OFFICER

WARRANT

LEAVING THE SCENE OF A  
CRASH INVOLVING DEATH

Filed this \_\_\_\_\_ day of

\_\_\_\_\_, 2020.

Chapter 316.027(2)(c), Florida Statutes, in such case made and provided, and against the peace and dignity of the State of Florida. [T1B]/7

These are, therefore, to command you to arrest instanter the said ZACHARY LEGEND CARIDE and bring him before me to be dealt with according to law.

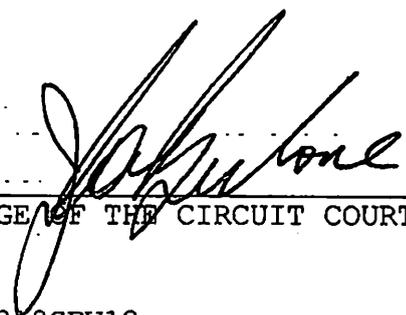
Given under my hand and seal this 18th day of December, 2020.

BOND SET IN THIS CASE IN THE AMOUNT \$150,000.

Other conditions of release:

no driving

\_\_\_\_\_

  
\_\_\_\_\_  
JUDGE OF THE CIRCUIT COURT

TS20-032616    NAF20-04127-A    C-BK/1218SEW12

RECEIVED THIS WARRANT  
On the \_\_\_\_ day of \_\_\_\_\_

and executed same on the \_\_\_\_\_

by arresting the within named

\_\_\_\_\_

and having him now before the Court.

\_\_\_\_\_

ARRESTING OFFICER

IN THE CIRCUIT COURT OF THE  
SIXTH JUDICIAL CIRCUIT

Pinellas County  
Florida  
STATE OF FLORIDA

VS

ZACHARY LEGEND CARIDE

WARRANT

LEAVING THE SCENE OF A  
CRASH INVOLVING DEATH

Filed this \_\_\_\_ day of  
\_\_\_\_\_, 2020.



Your Affiant, Christopher Frederick Lemmon, is a sworn law enforcement officer employed by the Tarpon Springs Police Department in the capacity of a detective. Your Affiant has been employed as a law enforcement officer with the Tarpon Springs Police Department since October 18, 2012, and is now assigned as a Detective. Prior to being employed as a police officer with the Tarpon Springs Police Department, your Affiant obtained a Bachelor of Arts degree in English from Washington State University in May of 2006. In 2010, your Affiant obtained a Juris Doctorate degree from St. Thomas University School of Law. In 2012, your Affiant received his law enforcement certification from Pasco-Hernando College in Dade City, Florida.

On November 27, 2020, at approximately 4:59 a.m. your Affiant was alerted to an accident between a motorist and a bicycle at the intersection of U.S. Alternate 19 and Wood Dove Avenue. The complainant, Gary Granaas (W/M; DOB: 01/28/1970) contacted 911 and reported he had just witnessed a vehicle strike a bicyclist and then observed the vehicle flee from the scene of the accident at a high rate of speed. Gary Granaas advised the driver of the vehicle failed to stop at the scene of the accident and made no attempt to render aid to the bicyclist. At approximately 0512hrs the bicyclist was declared deceased at the scene of the accident. The bicyclist was later identified as Terry Bruillard.

Your Affiant responded to the scene of the accident and found remnants of the suspect vehicle scattered across the roadway as a result of the collision between the suspect vehicle and the bicyclist. Your Affiant located a side mirror with a part number of E13027492 on the roadway where the collision occurred. The part had the Hyundai logo emblazoned on it and an online search revealed the part corresponded to a 2012-2017 Hyundai Accent. A motor and pump assembly with a part number of 98510-1W010 was also found at the scene of the accident. Your Affiant researched this part and determined it was also equipped on vehicles manufactured by Hyundai. An examination of the debris at the scene of the accident also resulted in the discovery of what appeared to be a section of the suspect vehicle's front bumper. The discovery of this piece was consistent with the fact the suspect vehicle had sustained significant front end damage from the collision with the bicyclist.

Your Affiant was informed by Sgt. Taureen Mathis that Gary Granaas had not only witnessed the accident, but also had a video recording of the accident. Gary Granaas's vehicle was equipped with a camera mounted to his dashboard, which continually recorded as he drove. Your Affiant reviewed the video from this camera and was able to confirm the suspect vehicle was a light colored Hyundai that appeared consistent in

appearance with a Hyundai Accent. The video showed the suspect vehicle passed Gary Granaas's vehicle as they were traveling southbound on U.S. Alternate 19 and approaching Holiday Lake Drive. Upon passing Gary Granas's vehicle, the suspect vehicle's right turn signal was actively blinking and then as the vehicle proceeded through the intersection with Holiday Lake Dr. the left turn signal was activated. The suspect vehicle didn't turn off of U.S. Alt. 19 even though the turn signals for the vehicle had been activated. As the suspect vehicle continued traveling southbound on U.S. Alernate 19, the video showed the vehicle driving on the solid double-yellow centerline and then drifted across the lane of traffic into the designated bicycle lane on the west side of the roadway. The suspect vehicle was captured on video traveling in the bicycle lane for approximately 225 feet and drifted back into the appropriate southbound lane of travel. The video then showed the suspect vehicle continued southbound on U.S. Alternate 19 and again drifted over the solid white fog line along the west side of the road. The collision between the suspect vehicle and the bicyclist was evident on the video due to visible sparks emanating from the passenger side of the suspect vehicle as it struck the bicycle. The suspect vehicle's brake lights became illuminated immediately following the collision, but the video showed the vehicle didn't stop and continued traveling

southbound. The video showed the suspect vehicle eventually came to a stop approximately 400 feet from the impact point with the bicyclist and stopped on the paved shoulder portion of the road.

The video revealed Gary Granaas reacted to the collision by stopping just south of the scene of the accident and then conducting a U-turn to check on the welfare of the bicyclist. When Gary Granaas returned to the scene, his camera captured a mangled bicycle at the entrance way onto Wood Dove Avenue and a debris field from the collision between the bicycle and the suspect vehicle. After approximately 43 seconds had elapsed from the time of the collision, the video showed Gary Granaas began driving toward the stopped suspect vehicle, which was still stationary in the shoulder south of the scene of the accident. The video revealed the suspect vehicle immediately reacted by merging back onto U.S. Alternate 19 and fled southbound at approximately 68 miles per hour. The speed limit on this portion of the highway is 45 miles per hour. The suspect vehicle disappeared from the camera's viewpoint as the vehicle traveled southbound past Oscar Hill Road.

Your Affiant assisted in an intensive search for the suspect vehicle, but the efforts were unsuccessful in locating the suspect vehicle. On November 28, 2020, at approximately 10:40 p.m. Officer Palmer was monitoring traffic on U.S.

Alternate 19 near East Tarpon Avenue when she observed beige Hyundai Accent travel northbound past her location. Your Affiant was advised by Officer Palmer she noticed the vehicle had the same distinct dark colored marking on its rear driver side door that had been visible on the camera footage from Gary Granaas's vehicle. Officer Palmer also indicated she observed the vehicle was missing its passenger side mirror and had extensive front end damage, which was consistent with the damage believed to have been incurred by the suspect vehicle from its collision with the bicyclist. Officer Palmer conducted a traffic stop on the vehicle on Jordana Way within the Park at Wellington Apartments complex. The driver of the vehicle was subsequently identified as ZACHARY LEGEND CARIDE and the only passenger within the vehicle was identified as Megan Maloney. Megan Maloney informed Officer Palmer she was the registered owner of the stopped 2016 Hyundai Accent and identified ZACHARY LEGEND CARIDE as her boyfriend. Megan Maloney provided consent to have her vehicle searched and processed, in reference to our investigation into the death of Terry Bruillard.

Your Affiant was advised by Officer Palmer she interviewed ZACHARY LEGEND CARIDE and he denied any involvement in the accident, which had resulted in the death of Terry Bruillard. Officer Palmer disclosed to your Affiant that ZACHARY LEGEND CARIDE had indicated he was at a hotel located on Clearwater

Beach sleeping at the time of the accident. Your Affiant was told by Officer Palmer that ZACHARY LEGEND CARIDE had advised the extensive visible front end damage to the vehicle predated the time of the accident.

Your Affiant was advised by Officer Gassen when he interviewed Megan Maloney at the scene of the traffic stop she denied any involvement in the hit and run accident or any knowledge that her vehicle had been involved. Megan Maloney consented to have her iPhone XR forensically examined. Your Affiant reviewed the Cellebrite download of Megan Maloney's iPhone XR and at the time of the accident her phone's device location was the Beachview Hotel located at 325 South Gulfview Boulevard. The location data obtained from Megan Maloney's phone corroborated her account that she had been present at the Beachview Hotel at the time of the accident.

On December 3, 2020, your Affiant reviewed surveillance footage from cameras positioned throughout the Beachview Hotel property. The video showed on November 26, 2020, at approximately 11:15 p.m. Megan Maloney parked her Hyundai Accent in the hotel's parking lot and ZACHARY LEGEND CARIDE exited the vehicle from the front passenger seat. They both then proceeded into the hotel and took an elevator to get to their room. On November 27, 2020, at approximately 1:56 a.m. ZACHARY LEGEND CARIDE was captured by a camera, monitoring the hotel's parking

lot, entering into the Hyundai Accent by himself and then departing from the hotel in the vehicle. The video clearly showed when ZACHARY LEGEND CARIDE departed from the hotel's parking lot the Hyundai Accent was equipped with a passenger side mirror. At approximately 5:36 a.m. the Hyundai Accent was captured by the hotel's cameras returning and the vehicle was missing its passenger side mirror and had extensive damage to its front end. A review of the video revealed ZACHARY LEGEND CARIDE exited from the vehicle by himself and then proceeded into the lobby of the hotel. An interior camera monitoring the elevator appeared to show ZACHARY LEGEND CARIDE holding his iPhone 6s as he entered into the elevator to go to his hotel room.

On December 16, 2020, at approximately 2:05 p.m. your Affiant conducted an interview with Megan Maloney at the Tarpon Springs Police Department. Megan Maloney informed your Affiant that after her vehicle was seized by Tarpon Springs Police Department on November 28, 2020, she departed from the traffic stop in an Uber with ZACHARY LEGEND CARIDE. She advised your Affiant that while being transported in the Uber that ZACHARY LEGEND CARIDE confided in her that he had struck the bicyclist while operating her vehicle and had fled from the scene of the accident. Megan Maloney told your Affiant that ZACHARY LEGEND CARIDE apologized

while they were being transported in the Uber for his role in her vehicle being seized.

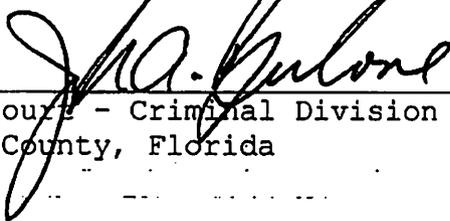
Your Affiant was advised by Megan Maloney that on December 13, 2020, at approximately 8:06 p.m. she made contact with ZACHARY LEGEND CARIDE at Sims Park located in New Port Richey, Florida. Your Affiant learned that ZACHARY LEGEND CARIDE told Megan Maloney that he "doesn't know what the fuck happened" the morning of the accident. Megan Maloney questioned whether he was "fucked up" at the time of the accident and he replied, "I must have been". She advised ZACHARY LEGEND CARIDE that she read in the newspaper that someone had followed him back to his hotel from the scene of the accident. ZACHARY LEGEND CARIDE characterized that assertion as a "lie" and stated "no one followed me back". He reiterated that "when I say that, I know", in reference to whether he was followed from the scene of the accident. ZACHARY LEGEND CARIDE advised that he can say anything when confronted about his involvement in the accident like he was "in the passenger seat" or his phone was "left" in the car. ZACHARY LEGEND CARIDE told Megan Maloney that "you are the only thing that connects anything together" and implored her to not cooperate with law enforcement.

WHEREFORE, your Affiant respectfully requests this Honorable Court to issue a Capias for the arrest of ZACHARY LEGEND CARIDE for the offense of leaving the scene of a crash with death so that he may be made to answer to the charge.



AFFIANT

Sworn to and subscribed before me  
this 18 day of December, 2020.



Circuit Court - Criminal Division  
Pinellas County, Florida

TS20-032616 NAF20-04127-A C-BK/1218SEW11

# PERSONAL DATA INFORMATION SHEET

ALL INFORMATION MUST BE PROVIDED BY THE INVESTIGATING OFFICER

\*Note: Starred lines are required for computer warrant entries. \*FCIC System (local) \*\*NCIC System

\* Defendant's Full Name:

Zachary Legend Caride

\* Alias:

Click here to enter text.

\* SSN:

[REDACTED]

\* SID #:

C630992962831

Last Known Address:

3336 ELKRIDGE DR HOLIDAY, FL 34691

Place of Employment: UNEMPLOYED

(company) (business address)

\*DOB: 08/03/1996

\*SEX: M

\*RACE: W

FINGERPRINTS AVAILABLE: YES  NO

\*\*HT: 5'08

\*\*WT: 180

\*\*HAIR: BRO

EYES: BRO

OTHER FEATURES: (BEARD, MARKS, SCARS, TATTOOS)

Click here to enter text.

Per FLCrRule 3.121 attach photo - SOPICS preferred  
Originating Source of PHOTO:

SOPICS Docket # Click here to enter text.

FL DL # C630992962831

DAVID Photo confirmed accurate by:

Click here to enter text.

Other State DL # Click here to enter text.

State Click here to enter text.

Other Photo Source # Click here to enter text.

Click here to enter text.

NO PHOTO AVAILABLE - Explanation For No Photo:

Click here to enter text.



\*AGENCY: TARPON SPRINGS POLICE DEPT.

OFFENSE NUMBER: TS20-32616

\*INVESTIGATING OFFICER: LEMMON

CRIMINAL COURT  
CUSTOMER SERVICE  
2020 DEC 18 PM 1:26  
KIM BURKE  
CLERK OF CIRCUIT COURT  
AND COMPTROLLER

FILED

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522020CF011768000APC

REF No. : 20-11768-CF - A

OBTS NUMBER .....

STATE OF FLORIDA  
VS.

ZACHARY L CARIDE  
Defendant

PID: 310377402

SS# [REDACTED]

**JUDGMENT**

The Defendant, ZACHARY L CARIDE, being personally before this court represented by LORI MAHIN, Assistant Public Defender, the attorney of record, and the state represented by ROBERT BRUCE, Assistant State Attorney, and having:

entered a plea of guilty to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : ZACHARY L. CARIDE

UCN : 522020CF011768000APC  
REF No. : 20-11768-CF - A

\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
(Check if Applicable)

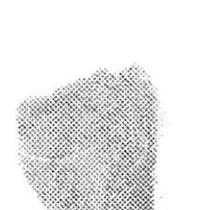
\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on **December 3, 2021**.

*Nancy Hoast*  
\_\_\_\_\_  
JUDGE

FINGERPRINTS OF THE DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

*Dep. Burge AJ 60593*  
\_\_\_\_\_  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, ZACHARY L. CARIDE, and that they were placed thereon by the defendant in my presence in open court this day.

*Nancy Hoast*  
\_\_\_\_\_  
JUDGE

Defendant: ZACHARY L. CARIDE

UCN: 522020CF011768000APC  
REF No.: 20-11768-CF - A

OBTS Number .....

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, LORI MAHIN, Assistant Public Defender, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### **It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$700.00**, inclusive of a **\$50.00** Indigent Criminal Defense Fee as required by s. 27.52 F.S., **\$100.00** as a Cost of Prosecution assessment. These assessments are hereby imposed as liens.

The Defendant **pay attorney fees and costs of defense as determined by the Court.**

The Defendant is **committed to the custody of the Department of Corrections.**

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### **To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **7 YEARS.**

## SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

### **Mandatory/Minimum Provisions:**

<b>Driver Leaving Scene Involving Death</b>	<b>It is further ordered that the 4 year mandatory minimum imprisonment provision of 316.027(2)(c), Florida Statutes, is imposed.</b>
---	---

### **Other Provisions:**

**Please see the last page of this document for other provisions.**

Defendant: ZACHARY L CARIDE

UCN: 522020CF011768000APC  
REF No.: 20-11768-CF - A

OBTS Number \_\_\_\_\_

**Other Provisions: (continued)**

**Jail Credit**

It is further ordered that the defendant shall be allowed a total of 312 DAYS as credit for time incarcerated before imposition of this sentence.

**Immigration Detainer**

It is further ordered that, as per s. 908.104(3)(b), F.S., the secure correctional facility in which the defendant is to be confined shall reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

**It is further ordered that:**

**Restitution is not applicable in this case.**

Restitution to State:

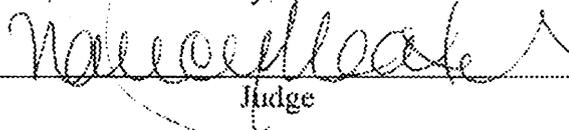
If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:  
**Your driver's license is revoked for 3 YEARS.**

DONE AND ORDERED in open court at Clearwater, Pinellas County, Florida on **December 3, 2021.**

  
\_\_\_\_\_  
Judge

**Rule 992(a) Criminal Punishment Code Scoresheet**

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <u>12/3/21</u>		2. PREPARER'S NAME KANOSKI		3. COUNTY PINELLAS		4. SENTENCING JUDGE BURGESS	
5. NAME (LAST, FIRST, M.I.) CARIDE, ZACHARY L.		6. DOB 8/3/1996		8. RACE WHITE		10. PRIMARY OFF. DATE 11/27/2020	
		7. DC #		9. GENDER MALE		11. PRIMARY DOCKET # 2011768CFANO	
						12. PLEA <input type="checkbox"/> TRIAL <input type="checkbox"/>	

**I. PRIMARY OFFENSE:** Qualifier: \_\_\_\_\_

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(1)(B)	LEAVE CRASH W/DEATH	8	74

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

I. 74.0000

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points \_\_\_\_\_  
II. \_\_\_\_\_

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

III. \_\_\_\_\_

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
3	893.13(6)(A)	3		POSS.CONTROL.SUBS/OTHER	1 X	1.6	= 1.6000
3	539.001(8)(B)8 A	1		FALS INF. TO PWNBRKR<\$3	1 X	0.5	= 0.5000
2	812.019(1)	5		TRAFFIC IN STOLEN PROPE	1 X	3.6	= 3.6000
5/MM	VARIOUS	M		VARIOUS	4 X	0.2	= 0.8000
					X		=
					X		=
					X		=
					X		=
					X		=

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points \_\_\_\_\_  
IV. 6.5000

**Page 1 Subtotal:** 80.5000

**V. Legal Status Violation = 4 Points**

- Escape  
  Fleeing  
  Failure to Appear  
  Supersedeas bond  
  Incarceration  
  Pretrial intervention or diversion program  
 Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

**VI. Community Sanction Violation before the court for sentencing**

- Probation  
  Community Control  
  Pretrial intervention or diversion  
 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR  
 New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR  
 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR  
 New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VI. \_\_\_\_\_

**VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points**

VII. \_\_\_\_\_

**VIII. Prior Serious Felony = 30 points**

VIII. \_\_\_\_\_

**Subtotal Sentence Points** 80.5000

**IX. Enhancements (only if primary offense qualifies for enhancement)**

Law Enf. Protect  <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker  <input type="checkbox"/> x 1.5	Motor Vehicle Theft  <input type="checkbox"/> x 1.5	Criminal Gang Offense  <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07)  <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14)  <input type="checkbox"/> x 2.0
--	---	---	---	---	--

Enhanced Subtotal Sentence Points

IX. \_\_\_\_\_

**TOTAL SENTENCE POINTS** 80.5000

**SENTENCE COMPUTATION**

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{80.5000}{\text{total sentence points}} \text{ minus } 28 = \frac{52.5000}{\text{}} \times .75 = \frac{39.375000}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s.775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

30  
maximum sentence in years

**TOTAL SENTENCE IMPOSED**

- |  |                                      |                |
|--|--------------------------------------|----------------|
| <input checked="" type="checkbox"/> State Prison | <input type="checkbox"/> Life        | Years <u>7</u> |
| <input type="checkbox"/> County Jail             | <input type="checkbox"/> Time Served | Months _____   |
| <input type="checkbox"/> Community Control       |                                      | Days _____     |
| <input type="checkbox"/> Probation               | <input type="checkbox"/> Modified    | _____          |

AG  
3y AL Rev  
4y Min Max

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

- Mitigated Departure  
  Plea Bargain  
  Prison Diversion Program

Other Reason \_\_\_\_\_

<b>JUDGE'S SIGNATURE</b>	<i>Nancy Hoate</i>
--------------------------	--------------------

**Rule 3.992 Supplemental Criminal Punishment Code Scoresheet**

NAME (LAST, FIRST, MI. I.) CARIDE, ZACHARY L.	DOCKET # 2011768CFANO	DATE OF SENTENCE <del>2/17/21</del> 12/3/21
--	--------------------------	--

**X. ADDITIONAL OFFENSE(S):**

DOCKET #	FEL/MM DEGREE	F S #	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level – Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

II. \_\_\_\_\_

**IV. PRIOR RECORD:**

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	

(Level – Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

**Reasons for Departure – Mitigating Circumstances**  
(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain.
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence.
- The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- The defendant acted under extreme duress or under the domination of another person.
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- The defendant is to be sentenced as a youthful offender.
- The defendant is amenable to the services of a post adjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s. 921.0026(2)(m).

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS # [ ] REPORT # 2024-00018244 DOCKET # 1960990

Person ID 312171618 SS [REDACTED]

Charge Description [X] Felony [ ] Misdemeanor [ ] Warrant [ ] Traffic [ ] Ordinance Traffic Citation # (if any) Court Case #

Charge LEAVING SCENE OF AN CRASH INVOLVING DEATH 24-03442-CF-1

Defendant's Name (Last, First, Middle) CARLSON, NICOLE JENNIFER DOB 01/18/1998 Sex F Race W Ht 5'3 Wt 120 Hair BRO Eyes BRO Skin

Alias DL # C642630985180 State FL Scars/Marks/Tattoos/Physical Features

Local Address (Street, City, State, Zip Code) 190 112TH AVE N APT 605 ST PETERSBURG FL 33716 Telephone 2079441355 Place of Birth MA Citizenship USA

Permanent Address (Street, City, State, Zip Code) 190 112TH AVE N APT 605 ST PETERSBURG FL 33716 Telephone 2079441355 Employed by / School USHA

Weapon Seized Type [ ] Yes [X] No Indication of Drug Influence Y N UNK [ ] [X] [ ] Indication of Mental Health Issues Y N UNK [ ] [X] [ ] Indication of Alcohol Influence Y N UNK [ ] [X] [ ]

Co-Defendant's Name (Last, First, Middle) DOB Sex Race In Custody [ ] Yes [ ] No [ ] Felony [ ] Misdemeanor

Co-Defendant's Name (Last, First, Middle) DOB Sex Race In Custody [ ] Yes [ ] No [ ] Felony [ ] Misdemeanor

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 31 day of MARCH, 2024,

at approximately 1:04 PM, at 62ND AVE N / 44TH ST N, in Pinellas County did:

THEN AND THERE DRIVE A VEHICLE, TO-WIT: (2020 HYUNDAI ACCENT FL TAG BS49BN) WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO (MICHAEL VILAYSACK), AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE (SELECT: HER) NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

ON 03/31/2024, AT 0104 HOURS, THE DEFENDANT WAS IN PHYSICAL CONTROL OF HER 2020 HYUNDAI ACCENT EASTBOUND ON 62ND AVE N. WHILE DRIVING EASTBOUND, THE DEFENDANT STRUCK THE VICTIM AS HE WAS WALKING EASTBOUND ON THE SHOULDER OF THE ROADWAY. THE VICTIM WAS VAULTED INTO THE AIR AND LANDED IN A DITCH ON THE SIDE OF THE ROADWAY. THE DEFENDANT CONTINUED EASTBOUND, DID NOT STOP TO RENDER AID, AND NEVER CALLED LAW ENFORCEMENT TO REPORT THE INCIDENT. THROUGH INVESTIGATIVE MEANS, THE DEFENDANT WAS OBSERVED VIA VIDEO SURVEILLANCE FLEEING THE SCENE AND EVENTUALLY TO HER APARTMENT AT 190 112TH AVENUE N, APARTMENT 605 IN ST PETERSBURG, FLORIDA. AFTER ARRIVING AT HER RESIDENCE, THE DEFENDANT TOOK NUMEROUS PICTURES AND VIDEO OF THE DAMAGE TO HER VEHICLE WITH HER CELL PHONE AND TEXTED THEM TO A WITNESS WHO CAME FORWARD TO LAW ENFORCEMENT. THE SAME WITNESS ALSO OBSERVED THE DEFENDANT GET INTO HER VEHICLE AND DEPART THE WITNESSE'S RESIDENCE APPROXIMATELY 10 MINUTES PRIOR TO THE CRASH OCCURRING AS THE SOLE OCCUPANT. THE VICTIM SUFFERED FATAL INJURIES ON IMPACT AND WAS NOT FOUND UNTIL APPROXIMATELY 8 HOURS LATER.

CITATIONS ISSUED: LEAVING THE SCENE OF CRASH INVOLVING DEATH - AJ91HVE CARELESS DRIVING INVOLVING DEATH - AJ91HWE EXPIRED REGISTRATION LESS THAN 6 MONTHS - AJ91HXE

Contrary to Florida Statute/Ordinance 316.027(2)(C) - F1

ARREST DATE: 4/12/2024 Time 4:18 PM . Aggravating/Mitigating Factors

Booking Officer: KUNZ, K 57593 Amount of Bond ZERO Bond Out Date Time [ ] a.m. [ ] p.m.

Victim Notified of Advisory? [ ] Yes [ ] No Injuries to Victim? [ ] Yes [ ] No Medical Treatment to Victim? [ ] Yes [ ] No

The Court reviewed this complaint and finds there: [ ] is probable cause [ ] is not probable cause to detain defendant [ ] Bond Action, if any:

The probable cause determination is passed for: [ ] 24 Hrs [ ] 24 Hrs on showing of extraordinary circumstances Received by Booking: 4/12/2024 4:34:09 PM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.

Declarant Signature: Gary Caldwell PINELLAS PARK POLICE Agency OFFICER GARY CALDWELL JR 575 311262949 Printed Name Declarant ID#

Table with 5 columns: DATE, OFFICER, HOURS X PAY RATE, OR, COST. Row 1: 04/12/2024, CALDWELL, 70 25.00, \$1,750.00

OTHER - Describe Continuation sheet [ ] Yes [ ] No TOTAL \$ 1,750.00

Handwritten notes: CAM 7150,000 caps. grounds payment. No drugs No alcohol, 600g clyb5 sub.

Handwritten number: 26

**Defendant** CARLSON, NICOLE JENNIFER **Court Case No:** 24-03442-CF-1

**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

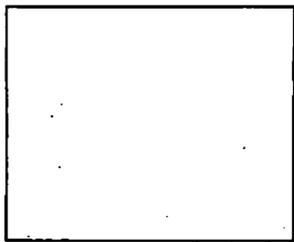
I FURTHER CERTIFY THAT:

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ATTORNEY'S SIGNATURE

\_\_\_\_\_  
DATE



2024-00018244

AJ91HWE

COMPLAINT

WHEN PRESENTED TO VIOLATOR, THE FOLLOWING AMOUNT WAS ENTERED. PAY A CIVIL PENALTY IN THE AMOUNT OF \$ CASE NO. DOCKET NO. PAGE NO.

FLORIDA UNIFORM TRAFFIC CITATION

Form fields for County of Pinellas, Agency Name Pinellas Park Police Depa, Driver License Number C642630985180, Vehicle License N BS49BN, and other identification details.

Form fields for Driver License Status (Expired Driver License Six Months or Less), Motorcycle status, and other license-related information.

Form fields for Other Violations or Comments Pertaining to Offense, listing Careless Driving.

Form fields for Aggressive Driving, In Violation of State Statute (316.1925), and Crash/Property Damage status.

Form fields for Civil Penalty (AJ91HWE), Court Information (Clearwater, FL), and Call of Court details.

Form fields for Additional Comments, Arrest Delivered To, and Officer Information (OFC. GARY CALDWELL).

Form for Court Action and Other Orders, including Bail Fixed At \$, Fine in the Amount of, Continuation to, Bond Estreated, Warrant Issued, and Violator Arraigned On.

Arrested

Form fields for Rank-Name of Officer (OFC. GARY CALDWELL) and certification checkboxes.

**PERSON INFORMATION**

FIRST NAME <b>NICOLE</b>	MIDDLE NAME <b>JENNIFER</b>	LAST NAME <b>CARLSON</b>	SUFFIX
CURRENT ADDRESS (Number and Street) <b>190 112TH AVE N APT 605</b>			
CITY <b>ST PETERSBURG</b>		STATE <b>FL - F</b>	ZIP CODE <b>33716</b>
PHONE NUMBER	D.O.B. <b>01/18/1998</b>	RACE <b>W</b>	SEX <b>FEMAL</b> HEIGHT <b>5' 03"</b>
DRIVER LICENSE NUMBER <b>C642630986180</b>	DL STATE <b>FL - FL</b>	DL CLASS <b>E</b>	DL EXP <b>01/18/2031</b>
<b>VEHICLE INFORMATION</b>			
YEAR <b>2020</b>	MAKE <b>HYUNDAI</b>	COLOR <b>GRAY -</b>	TAG # <b>BS49BN</b> STATE <b>FL -</b> TAG EXP <b>01/18/2024</b>
<b>ROADWAY INFORMATION</b>			
<b>62ND AVE N AT 44TH ST N</b>			

**CITATIONS ISSUED**

CITATION # <b>AJ91HVE</b>	FL STATUTE # <b>316.027(2)</b>	 CRASH - LEAVING SCENE ON PUBLIC OR PRIVATE PROPERTY WITHOUT RENDERING AID (INVOLVING DEATH)
CITATION # <b>AJ91HWE</b>	FL STATUTE # <b>316.1925</b>	
CITATION # <b>AJ91HXE</b>	FL STATUTE # <b>320.07(3)(A)</b>	 OPERATING A MOTOR VEHICLE/USING A MOBILE HOME WITH AN EXPIRED REGISTRATION: EXPIRED 6 MONT

**WITNESS**

FIRST NAME <b>MICHAEL</b>	MIDDLE NAME <b>ALAN</b>	LAST NAME <b>VILAYSACK</b>	SUFFIX
CURRENT ADDRESS <b>3503 58TH AVE N LOT 51</b>		CITY <b>SAINT PETERSBU</b>	STATE <b>FL</b>
PHONE NUMBER	EMAIL ADDRESS	ZIP <b>33714</b>	ID/BADGE #

**WITNESS**

FIRST NAME <b>MICHAEL</b>	MIDDLE NAME <b>ALAN</b>	LAST NAME <b>VILAYSACK</b>	SUFFIX
CURRENT ADDRESS <b>3503 58TH AVE N LOT 51</b>		CITY <b>SAINT PETERSBU</b>	STATE <b>FL</b>
PHONE NUMBER	EMAIL ADDRESS	ZIP <b>33714</b>	ID/BADGE #

**WITNESS**

FIRST NAME <b>MICHAEL</b>	MIDDLE NAME <b>ALAN</b>	LAST NAME <b>VILAYSACK</b>	SUFFIX
CURRENT ADDRESS <b>3503 58TH AVE N LOT 51</b>		CITY <b>SAINT PETERSBU</b>	STATE <b>FL</b>
PHONE NUMBER	EMAIL ADDRESS	ZIP <b>33714</b>	ID/BADGE #

**NARRATIVE**

ON 03/31/2024, AT 0104 HOURS, NICOLE CARLSON WAS IN PHYSICAL CONTROL OF HER 2020 HYUNDAI ACCENT EASTBOUND IN THE 4400 BLOCK OF 62ND AVE N. WHILE DRIVING EASTBOUND, CARLSON STRUCK THE VICTIM, MICHAEL VILAYSACK, AS HE WAS WALKING EASTBOUND ON THE SHOULDER OF THE ROADWAY. VILAYSACK WAS VAULTED INTO THE AIR AND LANDED IN A DITCH ON THE SIDE OF THE ROADWAY. CARLSON CONTINUED EASTBOUND, DID NOT STOP TO RENDER AID, AND NEVER CALLED LAW ENFORCEMENT TO REPORT THE INCIDENT. THROUGH INVESTIGATIVE MEANS, CARLSON WAS OBSERVED VIA VIDEO SURVEILLANCE FLEEING THE SCENE AND EVENTUALLY TO HER APARTMENT AT 190 112TH AVENUE N, APARTMENT 605 IN ST PETERSBURG, FLORIDA. AFTER ARRIVING AT HER RESIDENCE, CARLSON TOOK NUMEROUS PICTURES AND VIDEO OF THE DAMAGE TO HER VEHICLE WITH HER CELL PHONE AND TEXTED THEM TO A WITNESS WHO CAME FORWARD TO LAW ENFORCEMENT. THE SAME WITNESS ALSO OBSERVED CARLSON GET INTO HER VEHICLE AND DEPART THE WITNESSE'S RESIDENCE APPROXIMATELY 10 MINUTES PRIOR TO THE CRASH OCCURRING AS THE SOLE OCCUPANT. VILAYSACK SUFFERED FATAL INJURIES ON IMPACT AND WAS NOT FOUND UNTIL APPROXIMATELY 8 HOURS

**NARRATIVE**

ON 03/31/2024, AT 0104 HOURS, NICOLE CARLSON WAS IN PHYSICAL CONTROL OF HER 2020 HYUNDAI ACCENT EASTBOUND IN THE 4400 BLOCK OF 62ND AVE N. WHILE DRIVING EASTBOUND, CARLSON STRUCK THE VICTIM, MICHAEL VILAYSACK, AS HE WAS WALKING EASTBOUND ON THE SHOULDER OF THE ROADWAY. VILAYSACK WAS VAULTED INTO THE AIR AND LANDED IN A DITCH ON THE SIDE OF THE ROADWAY. CARLSON CONTINUED EASTBOUND, DID NOT STOP TO RENDER AID, AND NEVER CALLED LAW ENFORCEMENT TO REPORT THE INCIDENT. THROUGH INVESTIGATIVE MEANS, CARLSON WAS OBSERVED VIA VIDEO SURVEILLANCE FLEEING THE SCENE AND EVENTUALLY TO HER APARTMENT AT 190 112TH AVENUE N, APARTMENT 605 IN ST PETERSBURG, FLORIDA. AFTER ARRIVING AT HER RESIDENCE, CARLSON TOOK NUMEROUS PICTURES AND VIDEO OF THE DAMAGE TO HER VEHICLE WITH HER CELL PHONE AND TEXTED THEM TO A WITNESS WHO CAME FORWARD TO LAW ENFORCEMENT. THE SAME WITNESS ALSO OBSERVED CARLSON GET INTO HER VEHICLE AND DEPART THE WITNESS'S RESIDENCE APPROXIMATELY 10 MINUTES PRIOR TO THE CRASH OCCURRING AS THE SOLE OCCUPANT. VILAYSACK SUFFERED FATAL INJURIES ON IMPACT AND WAS NOT FOUND UNTIL APPROXIMATELY 8 HOURS

**NARRATIVE**

THE DRIVER WAS THE SUSPECT OF A HIT AND RUN FATALITY WHERE HER VEHICLE TAG WAS EXPIRED SINCE 01/2024

**REPORTING OFFICER**

FIRST NAME	MIDDLE NAME	LAST NAME	BADGE NO
GARY	D	CALDWELL	575
OFFICER'S SIGNATURE			
<i>Gary Caldwell</i>			
SECONDARY OFFICER			
FIRST	LAST	BADGE #	ID #

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522024CF003442000APC

REF No. : 24-03442-CF - D

OBTS NUMBER \_\_\_\_\_

STATE OF FLORIDA

VS.

NICOLE CARLSON

Defendant

PID: 312171618

SS# [REDACTED]

**JUDGMENT**

The Defendant, NICOLE CARLSON, being personally before this court represented by TISHA DEANNE, Assistant Public Defender, the attorney of record, and the state represented by KALEY TANASE, Assistant State Attorney, and having:

**entered a plea of guilty to the following crime(s)**

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : NICOLE CARLSON

UCN : 522024CF003442000APC  
REF No. : 24-03442-CF - D

\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

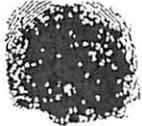
Sentence Deferred : \_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)  
Until Later Date  
(Check if Applicable)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on January 17, 2025.

*[Handwritten Signature]*  
\_\_\_\_\_  
JUDGE

FINGERPRINTS OF THE DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

*[Handwritten Signature]*  
\_\_\_\_\_  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, NICOLE CARLSON, and that they were placed thereon by the defendant in my presence in open court this day.

*[Handwritten Signature]*  
\_\_\_\_\_  
JUDGE

Defendant: NICOLE CARLSON

UCN: 522024CF003442000APC  
REF No.: 24-03442-CF - D

OBTS Number \_\_\_\_\_

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, TISHA DEANNE, Assistant Public Defender, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### **It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$2450.00**, inclusive of a **\$50.00** Indigent Criminal Defense Fee as required by s. 27.52 F.S., Investigative Costs in the amount of **\$1750.00** pursuant to s. 938.27 F.S., **\$100.00** as a Cost of Prosecution assessment.

The Defendant pay attorney fees and costs of defense as determined by the Court.

The Defendant is committed to the custody of the Department of Corrections.

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### **To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **8 YEARS**.

Followed by a period of **7 YEARS Probation** under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

## SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

### **Mandatory/Minimum Provisions:**

**Driver Leaving Scene Involving Death** It is further ordered that the 4 year mandatory minimum imprisonment provision of 316.027(2)(c), Florida Statutes, is imposed.

### **Other Provisions:**

Please see the last page of this document for other provisions.

Defendant: NICOLE CARLSON

UCN: 522024CF003442000APC  
REF No.: 24-03442-CF - D

OBTS Number \_\_\_\_\_

**Other Provisions: (continued)**

**Jail Credit**

**It is further ordered that the defendant shall be allowed a total of 281 DAYS as credit for time incarcerated before imposition of this sentence.**

**It is further ordered that:**

**Restitution is not applicable in this case.**

**Restitution to State:**

If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

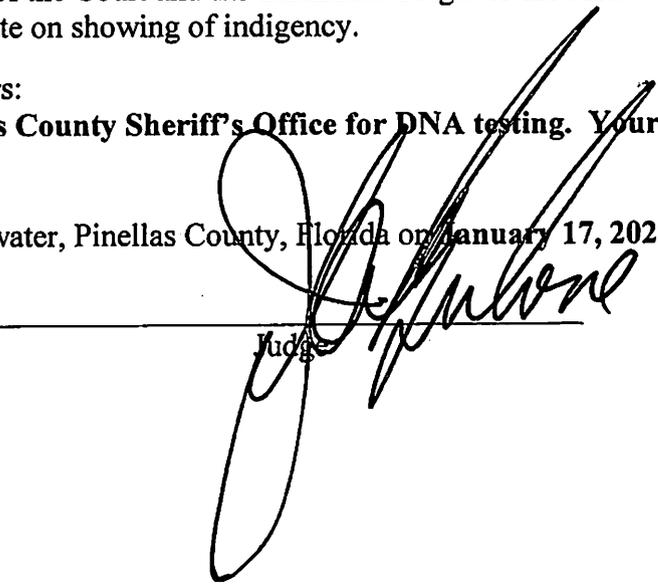
The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:

**The defendant shall pay a \$7.00 fee to the Pinellas County Sheriff's Office for DNA testing. Your driver's license is revoked for 7 YEARS.**

DONE AND ORDERED in open court at Clearwater, Pinellas County, Florida on January 17, 2025.

\_\_\_\_\_  
Judge



e 3.992(a) Criminal Punishment Code Sheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.c.state.fl.us/pub/sen\\_cpcm/index.html](http://www.c.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <b>11/7/2025</b>	2. PREPARER'S NAME <b>Tanase</b>	3. COUNTY <b>Pinellas</b>	4. SENTENCING JUDGE <b>Bulone</b>
5. NAME (LAST, FIRST, M.I.) <b>Carlson, Nicole, J.</b>	6. DOB <b>01/18/1998</b>	8. RACE <input type="checkbox"/> B <input checked="" type="checkbox"/> W <input type="checkbox"/> OTHER	10. PRIMARY OFF. DATE <b>03/31/2024</b>
	7. DC#	9. GENDER <input type="checkbox"/> M <input checked="" type="checkbox"/> F	11. PRIMARY DOCKET # <b>24-03442-CF</b>
12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>			

I. PRIMARY OFFENSE: If Qualifier, please check  A  S  C  R (A=Attempt, S=Solicitation, C=Conspiracy, R=Reclassification)

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.193(1)	Leaving the Scene of the Crash Involving Death	7	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony triples Primary Offense points

II. ADDITIONAL OFFENSE(S): Supplemental page attached

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	x		=
DESCRIPTION							
				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	x		=
DESCRIPTION							
				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	x		=
DESCRIPTION							
				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	x		=
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony triples Additional Offense points

Supplemental page points II.

III. VICTIM INJURY:

	Number	Total		Number	Total
2nd Degree Murder	240 x	=	Slight	4 x	=
Death	120 x	=	Sex Penetration	80 x	=
Severe	40 x	=	Sex Contact	40 x	=
Moderate	18 x	=			

Supplemental page points III.

IV. PRIOR RECORD: Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			X	=
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			X	=
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			X	=
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			X	=
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			X	=
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			X	=
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			X	=
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			X	=

(Level = Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points IV.

Page 1 Subtotal: **56**

V. Legal Status violation = 4 Points  
 Escape  Fleeing  Failure to appear  Supersedeas bond  Incarceration  Pretrial intervention or diversion program  
 Court imposed or post prison release community supervision resulting in a conviction V. \_\_\_\_\_

VI. Community Sanction violation before the court for sentencing  
 Probation  Community Control  Pretrial Intervention or diversion VI. \_\_\_\_\_  
 6 points for any violation other than new felony conviction x \_\_\_\_\_ each successive violation OR  
 New felony conviction = 12 points x \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR  
 12 points x \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR  
 New felony conviction = 24 points x \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 Points VII. \_\_\_\_\_

VIII. Prior Serious Felony - 30 Points VIII. \_\_\_\_\_

Subtotal Sentence Points \_\_\_\_\_

IX. Enhancements (only if the primary offense qualifies for enhancement)

Law Enf. Protect.	Drug Trafficker	Motor Vehicle Theft	Criminal Gang Offense	Domestic Violence in the Presence of Related Child (offenses committed on or after 3/12/07)	Adult-on-Minor Sex Offense (offenses committed on or after 10/1/14)
_____ x 1.5	_____ x 2.0	_____ x 2.5	_____ x 1.5	_____ x 1.5	_____ x 2.0

Enhanced Subtotal Sentence Points IX. \_\_\_\_\_

TOTAL SENTENCE POINTS 56

**SENTENCE COMPUTATION**

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:  
56 total sentence points minus 28 = 28 x .75 = 21 m lowest permissible prison sentence in months  
 If total sentence points are 60 points or less and court makes findings pursuant to both Florida Statute 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s. 775.082, F.S., unless the lowest permissible sentence under the Code exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.  
30 y  
 maximum sentence in years

**TOTAL SENTENCE IMPOSED**

<input checked="" type="checkbox"/> State Prison	<input type="checkbox"/> Life	Years <u>8</u>	Months _____	Days _____	8 years DOC +/b 7y probation (M HET, SAET, NO Driving, NO AIC, NO Waiver of confidentiality + search/seizure)
<input type="checkbox"/> County Jail	<input type="checkbox"/> Time Served	_____	_____	_____	
<input type="checkbox"/> Community Control		_____	_____	_____	
<input checked="" type="checkbox"/> Probation	<input type="checkbox"/> Modified	_____	_____	_____	

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career criminal,  prison releasee reoffender, THC, or a  mandatory minimum applies.  
 Mitigated Departure  Plea Bargain  Prison Diversion Program  
 Other Reason plea to cap 20 years

JUDGE'S SIGNATURE \_\_\_\_\_

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS #	REPORT # SO [REDACTED]	DOCKET # 1915600
Person ID 1107393	SSN [REDACTED]	
Charge Description <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Warrant <input type="checkbox"/> Traffic <input type="checkbox"/> Ordinance	Traffic Citation # (if any) AH5KBQE	Court Case # 22-11937-CF-1
Charge LEAVING SCENE OF AN CRASH INVOLVING DEATH		
Defendant's Name (Last, First, Middle) DENNELLY, JOHN MACKINNON	DOB 02/19/1960	Sex M Race W Ht 601 Wt 230 Hair BAL Eyes BLU Skin MED
Alias	DL # D540473600590	State FL Scars/Marks/Tattoos/Physical Features
Local Address (Street, City, State, Zip Code) 13062 GULF BOULEVARD APT 6 MADEIRA BEACH FL 33708	Telephone 727-210-9474	Place of Birth NY Citizenship US
Permanent Address (Street, City, State, Zip Code) 13062 GULF BOULEVARD APT 6 MADEIRA BEACH FL 33708	Telephone 727-210-9474	Employed by / School SELF
Weapon Seized Type <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Indication of Drug Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>	Indication of Mental Health Issues Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>
Indication of Alcohol Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>	Co-Defendant's Name (Last, First, Middle)	DOB Sex Race In Custody <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
Co-Defendant's Name (Last, First, Middle)	DOB Sex Race	In Custody <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 06 day of DECEMBER, 2022,

at approximately 7:47 PM, at GULF BOULEVARD & 108TH AVENUE, in Pinellas County did:

THEN AND THERE DRIVE A VEHICLE, TO-WIT: 2020 BLUE CHEVROLET SILVERADO WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO FELICIA WHITE, AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

\*\*\*\*\* SEE ATTACHMENT FOR DETAILED PROBABLE CAUSE. \*\*\*\*\*

*# 100K - GPS*  
*(NO DRUGS AT ALL)*  
*GPS*  
*cannot locate GL [unclear]*  
*Passport search*  
*Prev DUI conviction #0800390341W*  
*FLED FROM SCENE OF CRASH WITH FATAL*

Contrary to Florida Statute/Ordinance 316.027(2)(C) - F1

ARREST DATE: 12/10/2022 Time 1:50 PM . Aggravating/Mitigating Factors No bond

Booking Officer: BROTHWELL, M 59720 Amount of Bond 50,000.00 Bond Out Date Time  a.m.  p.m.

Victim Notified of Advisory?  Yes  No Injuries to Victim?  Yes  No Medical Treatment to Victim?  Yes  No

The Court reviewed this complaint and finds there:  is probable cause  is not probable cause to detain defendant  Bond Action, if any:

The probable cause determination is passed for:  24 Hrs  24 Hrs on showing of extraordinary circumstances Received by Booking: 12/10/2022 2:34:37 PM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.

*[Signature]*  
 PINELLAS COUNTY SHERIFF  
 Declarant Signature Agency  
 DEPUTY DAMON LANEY 58140 03190766  
 Printed Name Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)				
DATE	OFFICER	HOURS X PAY RATE	OR	COST
12/06/2022	D. LANEY	20 25.00		\$500.00
12/06/2022	E. TEMPLE	20 25.00		500
12/06/2022	J. MULLINS	7 25.00		175
12/06/2022	T. REIDY	7 25.00		175
OTHER - Describe				
Continuation sheet <input type="checkbox"/> Yes <input type="checkbox"/> No				
				TOTAL \$ 1,350.00

**Probable Cause for the arrest of John Dennelly.**

THEN AND THERE DRIVE A VEHICLE, TO-WIT: 2020 BLUE CHEVROLET SILVERADO WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO FELICIA WHITE, AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

At approximately 7:46 PM, at the intersection of Gulf Boulevard and 108th Ave in Treasure Island the defendant's vehicle was observed on surveillance video footage obtained from a Gas Station, located at 10801 Gulf Boulevard. It captured a dark colored two-door pickup truck driving southbound on Gulf Blvd. Upon reviewing the surveillance footage, the vehicle enter the left turn lane to head eastbound onto 108th Ave. The defendant's vehicle made a left turn to head eastbound onto 108th Ave and struck a pedestrian who was in a marked crosswalk. The pedestrian noticed the vehicle approaching her and put her hands up, to acquire the defendant's attention. Through the surveillance footage, I was able to confirm the driver was a white male. The pedestrian was pronounced deceased at scene.

Reviewing surveillance from Surf Style located at 10701 Gulf Blvd captures the vehicle immediately turn off of 108th Ave and head southbound into an alley located behind Surf Style. The defendant's vehicle had a yellow tote lid in the bed of the truck. The truck was also a regular cab long bed work truck model. This style is not very common. The defendant was further observed to make a westbound turn onto 107th Ave. Video surveillance footage then captures the vehicle driving southbound on Gulf Boulevard and towards Saint Pete Beach. The defendant's truck was then observed on surveillance footage from Mermaid Gentleman's Club located at 7500 Blind Pass Rd at approximately 1950 hours pulling up to the light at Blind Pass Road and 75<sup>th</sup> Avenue. The defendant's vehicle was on surveillance footage from Walgreens, positioned almost immediately next to Mermaid's Gentleman Club, located 337 75th Ave Saint Pete Beach driving eastbound on 75<sup>th</sup> Avenue towards South Pasadena.

At approximately 11:00pm on December 7, 2022, a blue Chevrolet Silverado matching the description was then located at 13062 Gulf Boulevard, Madeira Beach. The vehicle is a 2020 blue Chevrolet Silverado regular cab long bed, bearing Florida tag DUCL22. The truck also had a yellow top tote located in the bed, which matched the one in the video. Markings on the front of the vehicle consistent with a pedestrian contact, based on your Affiant's training and experience. Also just behind the front passenger tire on the undercarriage of the vehicle, I observed what appears to be a blood spot.

I then made contact with the defendant at his residence. When the defendant opened the door he had a similar profile as the white male in the video. The defendant advised he was the owner of the truck and no one except him drives it. The defendant admitted to driving the same route as the video showed, at approximately the same time. Upon further inspection of the vehicle

numerous blood spots were noticed and presumptive positive for blood. There were also strands of hair found under the vehicle, consistent with the victims.

Corporal D. Laney #58140

*Cpl D Laney* 58140  
12/10/22

**Defendant** DENNELLY, JOHN MACKINNON

**Court Case No:** 22-11937-CF-1

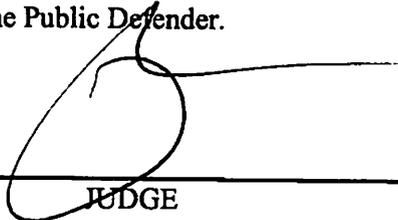
**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

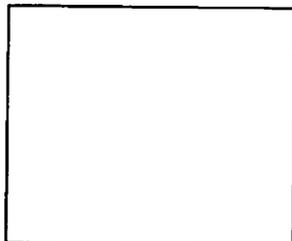
**I FURTHER CERTIFY THAT:**

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

  
\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ATTORNEY'S SIGNATURE

\_\_\_\_\_  
DATE

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522022CF011937000APC

REF No. : 22-11937-CF - C

OBTS NUMBER \_\_\_\_\_

STATE OF FLORIDA  
VS.

**JOHN MACKINNON DENNELLY**  
Defendant

PID: 1107393  
SS# [REDACTED]

### JUDGMENT

The Defendant, **JOHN MACKINNON DENNELLY**, being personally before this court represented by **R CURTIS MURTHA** the attorney of record, and the state represented by **ALEXANDRA SPADARO, Assistant State Attorney**, and having:

entered a plea of guilty to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : JOHN MACKINNON DENNELLY

UCN : 522022CF011937000APC  
REF No. : 22-11937-CF - C

\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
(Check if Applicable)

\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on April 12, 2024.

*Julie L. Sencus*  
\_\_\_\_\_  
JUDGE

FINGERPRINTS OF THE DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

*Debra A. [Signature]* 56675  
\_\_\_\_\_  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, JOHN MACKINNON DENNELLY, and that they were placed thereon by the defendant in my presence in open court this day.

*Julie L. Sencus*  
\_\_\_\_\_  
JUDGE

Defendant: JOHN MACKINNON DENNELLY

UCN: 522022CF011937000APC  
REF No.: 22-11937-CF - C

OBTs Number \_\_\_\_\_

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, R CURTIS MURTHA, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### **It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$2000.00**, inclusive of, Investigative Costs in the amount of **\$1350.00** pursuant to s. 938.27 F.S., **\$100.00** as a Cost of Prosecution assessment. These assessments are hereby imposed as liens.

The Defendant is **committed to the custody of the Department of Corrections.**

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### **To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **6 YEARS.**

Followed by a period of **4 YEARS Probation** under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

## SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

### **Mandatory/Minimum Provisions:**

<b>Driver Leaving Scene Involving Death</b>	<b>It is further ordered that the 4 year mandatory minimum imprisonment provision of 316.027(2)(c), Florida Statutes, is imposed.</b>
---	---

### **Other Provisions:**

**Please see the last page of this document for other provisions.**

Defendant: JOHN MACKINNON DENNELLY

UCN: 522022CF011937000APC  
REF No.: 22-11937-CF - C

OBTS Number \_\_\_\_\_

**Other Provisions: (continued)**

**Jail Credit**

**It is further ordered that the defendant shall be allowed a total of 4 DAYS as credit for time incarcerated before imposition of this sentence.**

**It is further ordered that:**

**Restitution is not applicable in this case.**

Restitution to State:

If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

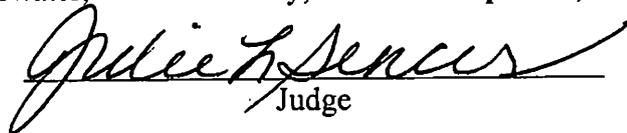
In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:

**Your driver's license is revoked for 3 YEARS.**

DONE AND ORDERED in open court at Clearwater, Pinellas County, Florida on **April 12, 2024.**

  
Judge

### Rule 3.992(a) Criminal Punishment Code Scoresheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <b>4/12/24</b>	2. PREPARER'S NAME <b>Spadaro</b>	3. COUNTY PINELLAS	4. SENTENCING JUDGE <b>Ruggess</b>
5. NAME (LAST, FIRST, MI.) <b>Dennelly, John</b>	6. DOB <b>2/19/60</b>	8. RACE <b>W</b>	10. PRIMARY OFF. DATE <b>12/10/22</b>
	7. DC #	9. GENDER <b>M</b>	11. PRIMARY DOCKET # <b>221937CF</b>
			12. PLEA TRIAL <input checked="" type="checkbox"/>

**I. PRIMARY OFFENSE:** Qualifier: \_\_\_\_\_

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
<b>1<sup>o</sup></b>	<b>311e.027(2)(c)</b>	<b>LSA w/ Death</b>	<b>7</b>	<b>56</b>

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

I. **56**

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/SIC/R	COUNTS	POINTS	TOTAL

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points \_\_\_\_\_  
II. \_\_\_\_\_

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	=	Slight	4 X	=
Death	120 X <b>1</b>	= <b>120</b>	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

III. **120**

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/SIC/R	DESCRIPTION	NUMBER	POINTS	TOTAL
<b>3<sup>o</sup></b>	<b>784.048</b>	<b>6</b>		<b>Agg Stalking</b>	<b>1</b>	<b>9</b>	<b>9</b>
<b>3<sup>o</sup></b>	<b>914.22(1)</b>	<b>4</b>		<b>Tampering w/ Wit</b>	<b>1</b>	<b>2.4</b>	<b>2.4</b>
<b>3<sup>o</sup></b>	<b>893</b>	<b>3</b>		<b>PCS</b>	<b>1</b>	<b>1.6</b>	<b>1.6</b>
<b>mm</b>	<b>Various</b>	<b>mm</b>		<b>Various</b>	<b>6</b>	<b>.2</b>	<b>1.2</b>

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points \_\_\_\_\_  
IV. **14.2**

Page 1 Subtotal: **70.2 190.**

NAME (LAST, FIRST, MI. I.)	DENNELLY, JOHN	DOCKET #	22-11937-CF
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Page 1 Subtotal: 70/2 190.

V. Legal Status Violation = 4 Points

- Escape  Fleeing  Failure to Appear  Supersedeas bond  Incarceration  Pretrial intervention or diversion program
- Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

VI. Community Sanction Violation before the court for sentencing

- Probation  Community Control  Pretrial intervention or diversion
- 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR
- New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
- 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR
- New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VI. \_\_\_\_\_

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points

VII. \_\_\_\_\_

VIII. Prior Serious Felony = 30 points

VIII. \_\_\_\_\_

Subtotal Sentence Points 70/2 190.2

IX. Enhancements (only if primary offense qualifies for enhancement)

Law Enf. Protect. <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker <input type="checkbox"/> x 1.5	Motor Vehicle Theft <input type="checkbox"/> x 1.5	Criminal Gang Offense <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07) <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14) <input type="checkbox"/> x 2.0
---	---	---	---	---	--

Enhanced Subtotal Sentence Points  
TOTAL SENTENCE POINTS

IX. 70/2 190.2

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

70/2 190.2 total sentence points minus 28 = 162.2 42.2 x .75 = 31.65 121.65 (10.1375 x 18)

Lowest permissible prison sentence in months

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s.775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

30  
maximum sentence in years

TOTAL SENTENCE IMPOSED

	Years	Months	Days
<input checked="" type="checkbox"/> State Prison	<u>6</u>	_____	_____
<input type="checkbox"/> County Jail	_____	_____	_____
<input type="checkbox"/> Community Control	_____	_____	_____
<input checked="" type="checkbox"/> Probation	<u>4</u>	_____	_____
<input type="checkbox"/> Life	_____	_____	_____
<input type="checkbox"/> Time Served	_____	_____	_____
<input type="checkbox"/> Modified	_____	_____	_____

with yr  
4/15 DOC  
4/15  
probation  
no 16 n  
baroary  
3 yr  
DL  
rnc  
eligible + 12wa  
by 10/11

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

Mitigated Departure  Plea Bargain  Prison Diversion Program

Other Reason \_\_\_\_\_

JUDGE'S SIGNATURE Julie R. Jones

IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
OF FLORIDA IN AND FOR PINELLAS COUNTY

B

STATE OF FLORIDA

21-09904-CF

ISSUE  
CAPIAS

VS.

FELONY INFORMATION

DEREK DIOUS  
PID 311793013  
W/M; DOB: 08/17/95

LEAVING THE SCENE OF A  
CRASH INVOLVING DEATH, 1°F

IN THE NAME AND BY THE AUTHORITY FOR THE STATE OF FLORIDA:

BRUCE BARTLETT, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pinellas County, prosecuting for the State of Florida, in the said County, under oath, Information makes that

DEREK DIOUS

in the County of Pinellas and State of Florida, on the 6th day of October, in the year of our Lord, two thousand twenty-one, was the driver of a motor vehicle which was involved in a crash involving the death of Gary Boisvert, and the said DEREK DIOUS did willfully fail to stop the vehicle at the scene of the crash or, as close thereto as possible, or remain at the scene of the crash until he had fulfilled the requirements of Florida Statute 316.062, to-wit: did not give his name and address, and the registration number of the vehicle he was driving, and did not render reasonable assistance to persons injured in the crash; ; contrary to Chapter 316.027(2)(c), Florida Statutes, and against the peace and dignity of the State of Florida. [T1B]/7

ARISES OUT OF \_\_\_\_\_

STATE OF FLORIDA  
PINELLAS COUNTY

Personally appeared before me, BRUCE BARTLETT, State Attorney for the Sixth Judicial Circuit of Florida, in and for Pinellas County, or his duly designated Assistant State Attorney, who being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged; hence this information is filed in good faith in instituting this prosecution, and that he has received testimony under oath from the material witness or witnesses for the offense.

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 15th October, 2021 by Kendall S. Davidson, who is personally known to me and who did take an oath.

[Signature]  
Assistant State Attorney for the Sixth Judicial Circuit of the State of Florida, Prosecuting for said State

[Signature]  
NOTARY PUBLIC

PP21-058766 NAF21-03334-B T-ERE/1015VW10

CYNTHIA LEE  
Commission # FH 174360  
Expires October 2, 2025  
Bonded thru Troy Fah Insurance 800-385-7019

COUNTY COURT OR CIRCUIT COURT - CRIMINAL DIVISION  
PINELLAS COUNTY, FLORIDA

STATE OF FLORIDA :  
V. : WITNESS AFFIDAVIT  
DEREK DIOUS :

BEFORE ME, A NOTARY PUBLIC, personally appeared Officer Jeffrey DeTrano, who being duly sworn says:

Your Affiant is a sworn law enforcement officer with the Pinellas Park Police Department.

Your Affiant investigated a traffic crash that occurred on October 6, 2021, at approximately 7:58 PM at the intersection of United States Highway 19 North and Mainlands Boulevard in Pinellas Park, Pinellas County Florida. Your Affiant spoke with Rita Wood and Nicholas Distano who told your Affiant they observed a white vehicle, possibly a sedan or small SUV, accelerate through a yellow light southbound on US Highway 19 North and strike the Victim, identified as Gary Boisvert, W/M, DOB: 6/25/1958 by facial recognition and confirmed through DAVID along with a name tag on the interior of his clothing. Mr. Boisvert was in his wheelchair attempting to cross US Highway 19 in the southernmost cross walk heading west. Ms. Wood and Mr. Distano further informed your Affiant that they saw the vehicle briefly stop and then continue driving without rendering aid to Mr. Boisvert. Your Affiant was informed by Officer Guy of the Pinellas Park Police Department that Mr. Boisvert was pronounced deceased as a result of injuries sustained in the crash. Your Affiant confirmed with 911 dispatch that the driver of the

vehicle did not call to report the crash, nor was the driver on scene when officers or medical personnel arrived on scene.

Your Affiant observed damage to the right side of Mr. Boisvert's wheelchair consistent with him crossing the street westbound and being struck by a southbound vehicle. Your Affiant further observed multiple car parts located on the roadway. A small headlight piece was observed with a Jeep barcode. Through your Affiant's investigation, your Affiant learned that the barcode belongs to a vehicle part from a 2017-2020 Jeep Compass. The part was clear of dust and, based on your Affiant's training and experience, your Affiant reasonably believes that said part could only have come from the vehicle that struck Mr. Boisvert.

Your Affiant spoke with Deputy Christopher Dious of the Pasco County Sheriff's Office who informed your Affiant that his brother, DEREK DIOUS, made incriminating statements to him about striking a pedestrian on US Hwy 19 N, getting nervous and fleeing the scene. Deputy Dious further informed your Affiant that his brother drives a newer Jeep Compass. Your Affiant confirmed on DHSMV databases that a 2018 white Jeep Compass is registered to DEREK DIOUS, W/M, 8/17/1995, of Plant City, Florida.

Your Affiant also spoke with Angelica Fontana who informed your Affiant that she is Dious's boss. Ms. Fontana further explained that Dious called out of work on October 7, 2021 (the day after the crash). When she pressed further as to the reason he called off of work, DEREK DIOUS sent her a screenshot of a news article of a pedestrian being struck and killed in Pinellas

DEREK DIOUS

Park. When Ms. Fontana asked him about this, Dious explained he was on his way to pick his girlfriend up from a concert in St. Petersburg and on the way he stated he hit a homeless man in a wheelchair. DEREK DIOUS then admitted to Ms. Fontana that he did not know what to do and fled the scene to pick up his girlfriend. While your Affiant was speaking with Ms. Fontana in person, DEREK DIOUS called her and on speakerphone stated that his vehicle was parked in the rear of his house located at 405 East Calhoun Street, Plant City, Hillsborough County, Florida. During the phone call, Dious admitted to hitting the Victim stating that the Victim "flew like 10 feet." Dious further admitted to not stopping and continuing to St. Petersburg.

Your Affiant then traveled to 405 East Calhoun St, Plant City, Florida where your Affiant observed what appeared to be a large sedan or small SUV in the back of the house from East Tomlin Street. Your Affiant is aware that Jeep Compass is a small SUV and can appear to be a large sedan.

On October 8, 2021, a 2018 Jeep Compass, white in color, Florida Tag NENP47 attached, vehicle identification number 3C4NJCBB2JT469288 was seized under a Hillsborough County Search Warrant. Your Affiant observed the vehicle having significant damage to the front driver side bumper, headlight, and hood consistent with it striking a pedestrian.

DEREK DIOUS

WHEREFORE, your Affiant respectfully requests this Court issue a Capias so that DEREK DIOUS may be made to answer to the charge of Leaving the Scene of a Crash Involving Death, contrary to Chapter 316.027(2)(c), Florida Statutes.

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this            day of            2021 by Jeffrey Detrano, who is personally known to me or has produced            as identification and who did take an oath.

Carly Jupiter

[Signature]  
AFFIANT

7700 59th St N Pinellas Park FL 33781  
AFFIANT'S ADDRESS

727-369-7864  
AFFIANT'S TELEPHONE NUMBER



Circuit Court of Pinellas County, Florida      NAF21-03334-B T-ERE/1015VW11

FINDING OF PROBABLE CAUSE

I, Michael F. Andrews have reviewed this affidavit and do find there is probable cause to hold and bind over for trial the defendant named in this affidavit.

Clerk of this Court is hereby directed to ISSUE CAPIAS for arrest of Defendant  
**DEREK DIOUS**  
Defendant is to be admitted to Bail in the sum of \$ 100,000 including surcharge  
Other conditions of release: GPS Monitor  
[Signature]  
Circuit/County Judge

Michael F. Andrews  
JUDGE  
10-15-2021  
DATE

DEREK DIOUS

# PERSONAL DATA INFORMATION SHEET

**ALL INFORMATION MUST BE PROVIDED BY THE INVESTIGATING OFFICER**

\*Note: Starred lines are required for computer warrant entries. \*FCIC System (local) \*\*NCIC System

\* Defendant's Full Name:

Derek Michael Dious

\* Alias:

N/A

\* SSN:

\* SID #:

Click here to enter text.

Last Known Address:

405 East Calhoun St PLant City, FL 33563

Place of Employment: (Trulieve)(1644 N FLorida Ave, Lakeland FL, 33805)

(company) (business address)

\*DOB: 8/17/1995

\*SEX:  
Male

\*RACE:  
White

FINGERPRINTS AVAILABLE: YES  NO

unknown

\*\*HT:  
6'4

\*\*WT:  
220

\*\*HAIR:  
Brown

EYES:  
Blue

OTHER FEATURES: (BEARD, MARKS, SCARS, TATTOOS)

Click here to enter text.

Per FLCrRule 3.121 attach photo - SOPICS preferred  
Originating Source of PHOTO:

SOPICS Docket # [Click here to enter text.](#)

FL DL # D200-173-95-297-0

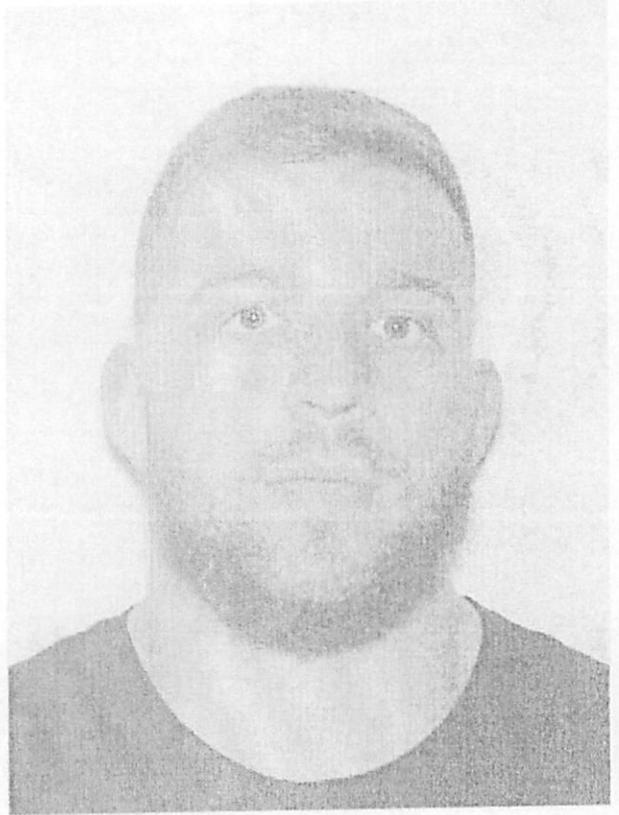
DAVID Photo confirmed accurate by:

Other State DL # [Click here to enter text.](#)  
State [Click here to enter text.](#)

Other Photo Source # [Click here to enter text.](#)  
[Click here to enter text.](#)

NO PHOTO AVAILABLE – Explanation For No

Photo: From DAVID



\*AGENCY: Pinellas Park Police Department

OFFENSE NUMBER: 2021-58766

\*INVESTIGATING OFFICER: Ofc. Jeffrey DeTrano

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522021CF009904000APC

REF No. : 21-09904-CF - B

OBTS NUMBER \_\_\_\_\_

STATE OF FLORIDA  
VS.

**DEREK DIOUS**  
Defendant

PID: 311793013  
SS# [REDACTED]

**JUDGMENT**

The Defendant, **DEREK DIOUS**, being personally before this court represented by **WILLIAM C ANDERSON ESQ** the attorney of record, and the state represented by **EMILY EISENBERG, Assistant State Attorney**, and having:

**entered a plea of guilty to the following crime(s)**

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : DEREK DIOUS

UCN : 522021CF009904000APC  
REF No. : 21-09904-CF - B

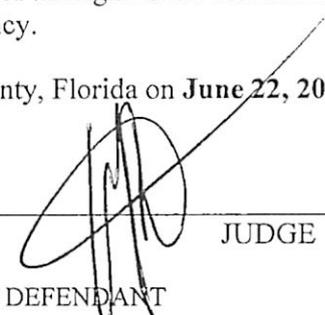
\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
(Check if Applicable)

\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on **June 22, 2022**.

  
\_\_\_\_\_  
JUDGE

FINGERPRINTS OF THE DEFENDANT

1. R. Thumb 	2. R. Index 	3. R. Middle 	4. R. Ring 	5. R. Little 
6. L. Thumb 	7. L. Index 	8. L. Middle 	9. L. Ring 	10. L. Little 

Fingerprints taken by:

Det. J. Tignos 60067  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, **DEREK DIOUS**, and that they were placed thereon by the defendant in my presence in open court this day.

  
\_\_\_\_\_  
JUDGE  
Michael F. Andrews, Circuit Judge

Defendant: DEREK DIOUS

UCN: 522021CF009904000APC  
REF No.: 21-09904-CF - B

OBTS Number \_\_\_\_\_

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, WILLIAM C ANDERSON ESQ, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### **It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$650.00**, inclusive of, **\$100.00** as a Cost of Prosecution assessment.

The Defendant is committed to the custody of the Department of Corrections.

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### **To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **2 YEARS**.

Followed by a period of **10 YEARS Probation** under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

## SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

### **Mandatory/Minimum Provisions:**

**No Mandatory/Minimum provisions are imposed on this count.**

### **Other Provisions:**

**Please see the last page of this document for other provisions.**

**Other Provisions: (continued)**

**Jail Credit**

**It is further ordered that the defendant shall be allowed a total of 1 DAY as credit for time incarcerated before imposition of this sentence.**

**It is further ordered that:**

**Restitution is ordered as follows:**

**\$2500.00 to SURLLES, SUZANNE  
7301 LORD BARTON DRIVE  
FREDRICKSBURG, VA 22407.**

**Restitution to State:**

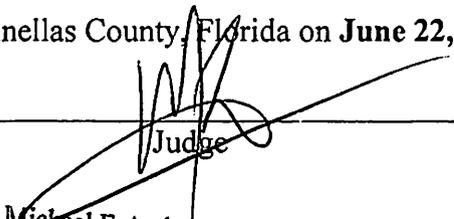
If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:  
**The defendant shall pay a \$7.00 fee to the Pinellas County Sheriff's Office for DNA testing. The defendant shall complete 200 hours of community service work. Your driver's license is revoked for Life.**

DONE AND ORDERED in open court at Clearwater, Pinellas County, Florida on **June 22, 2022.**

  
\_\_\_\_\_  
Judge  
Michael F. Andrews, Circuit Judge

## Rule 3.992(a) Criminal Punishment Code Scoresheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <del>12/13/2021</del> <b>6.22.22</b>	2. PREPARER'S NAME EISENBERG	3. COUNTY PINELLAS	4. SENTENCING JUDGE SIRACUSA
5. NAME (LAST, FIRST, MI.) DIOUS, DEREK	6. DOB 8/17/1995	8. RACE WHITE	10. PRIMARY OFF. DATE 10/6/2021
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 2109904CF
			12. PLEA TRIAL <input checked="" type="checkbox"/> <input type="checkbox"/>

**I. PRIMARY OFFENSE:** Qualifier: \_\_\_\_\_

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	LEAVE CRASH W/DEATH	7	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

I. 56.0000

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
----------	---------------	-------	---------------	------------------	--------	--------	-------

DESCRIPTION \_\_\_\_\_

DESCRIPTION \_\_\_\_\_

DESCRIPTION \_\_\_\_\_

DESCRIPTION \_\_\_\_\_

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points \_\_\_\_\_

II. \_\_\_\_\_

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	= _____	Slight	4 X	= _____
Death	120 X	= _____	Sex Penetration	80 X	= _____
Severe	40 X	= _____	Sex Contact	40 X	= _____
Moderate	18 X	= _____			

III. \_\_\_\_\_

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
---------------	-------	---------------	------------------	-------------	--------	--------	-------

_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points \_\_\_\_\_

IV. \_\_\_\_\_

Page 1 Subtotal: 56.0000

**V. Legal Status Violation = 4 Points**

- Escape  
 Fleeing  
 Failure to Appear  
 Supersedeas bond  
 Incarceration  
 Pretrial intervention or diversion program  
 Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

**VI. Community Sanction Violation before the court for sentencing**

VI. \_\_\_\_\_

- Probation  
 Community Control  
 Pretrial intervention or diversion  
 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR  
 New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR  
 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR  
 New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

**VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points**

VII. \_\_\_\_\_

**VIII. Prior Serious Felony = 30 points**

VIII. \_\_\_\_\_

**Subtotal Sentence Points**      56.0000

**IX. Enhancements (only if primary offense qualifies for enhancement)**

Law Enf. Protect.  <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker  <input type="checkbox"/> x 1.5	Motor Vehicle Theft  <input type="checkbox"/> x 1.5	Criminal Gang Offense  <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07)  <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14)  <input type="checkbox"/> x 2.0
---	---	---	---	---	--

Enhanced Subtotal Sentence Points      IX. \_\_\_\_\_

**TOTAL SENTENCE POINTS**      56.0000

**SENTENCE COMPUTATION**

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{56.0000}{\text{total sentence points}} \text{ minus } 28 = \frac{28.0000}{\text{}} \times .75 = \frac{21.000000}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s.775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

30  
maximum sentence in years

**TOTAL SENTENCE IMPOSED**

	Years	Months	Days
<input checked="" type="checkbox"/> State Prison	2	F/B	_____
<input type="checkbox"/> County Jail	_____	_____	_____
<input type="checkbox"/> Community Control	_____	_____	_____
<input checked="" type="checkbox"/> Probation	10	_____	_____
<input type="checkbox"/> Modified	_____	_____	_____

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

Mitigated Departure  
 Plea Bargain  
 Prison Diversion Program  
 Other Reason \_\_\_\_\_

**JUDGE'S SIGNATURE** \_\_\_\_\_

Michael F. Andrews, Circuit Judge

**Rule 3.992(b) Supplemental Criminal Punishment Code Scoresheet**

<b>NAME (LAST, FIRST, MI. I.)</b> DIOUS, DEREK	<b>DOCKET #</b> 2109904CF	<b>DATE OF SENTENCE</b> 12/13/2021
---	------------------------------	---------------------------------------

**X. ADDITIONAL OFFENSE(S):**

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

II. \_\_\_\_\_

**IV. PRIOR RECORD:**

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

**Reasons for Departure – Mitigating Circumstances**  
(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain.
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence.
- The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- The defendant acted under extreme duress or under the domination of another person.
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- The defendant is to be sentenced as a youthful offender.
- The defendant is amenable to the services of a post adjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s. 921.0026(2)(m).

CIRCUIT COURT - CRIMINAL DIVISION, PINELLAS COUNTY, FLORIDA

WARRANT

STATE OF FLORIDA

:

20-11709-CF

V.

:

Leaving The Scene Of A  
Involving Death, 1° F

WILLIAM GALLAHUE, JR  
PID 311409119  
U/M; DOB: 03/03/1983

:

FILED  
CRIMINAL COURT RECORDS  
2020 DEC 16 PM 1:27  
KEVIN BURKE COURT  
CLERK OF CIRCUIT COURT  
PINELLAS COUNTY

IN THE NAME OF THE STATE OF FLORIDA,  
TO ALL AND SINGULAR THE SHERIFFS AND INVESTIGATORS OF THE STATE  
ATTORNEY,

WHEREAS, Sergeant Justin Bloom, Florida Highway Patrol, has  
this day made oath before this Court that on August 16, 2020, in  
the County and District aforesaid, one WILLIAM GALLAHUE, JR was  
the driver of a motor vehicle which was involved in a crash  
involving death to Dewey August Sharpe, a vulnerable road user,  
and the said WILLIAM GALLAHUE, JR did willfully fail to stop the  
vehicle at the scene of the crash or, as close thereto as  
possible, or return and remain at the scene of the crash until  
he had fulfilled the requirements of Florida statute 316.062, to  
wit: did not give his name and address, and the registration  
number of the vehicle Dewey August Sharpe was driving, and did  
not render reasonable assistance to persons injured in the  
crash; contrary to Chapter 316.027(2)(c)/316.027(2)(f), Florida  
Statutes, in such case made and provided and against the peace  
and dignity of the State of Florida. [T1B]/8

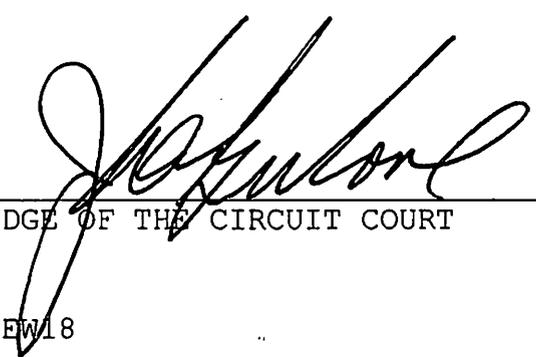
These are, therefore, to command you to arrest instanter the said WILLIAM GALLAHUE, JR, and bring him before me to be dealt with according to law.

Given under my hand and seal this 16 day of December, 2020.

BOND SET IN THIS CASE IN THE AMOUNT \$100,000.

Other conditions of release:

no alcohol - possess or consume

  
\_\_\_\_\_  
JUDGE OF THE CIRCUIT COURT

FH2004031 NAF20-04106-B I-EVO/1216SEW18



IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY

STATE OF FLORIDA :  
 : COMPLAINT  
V. :  
 : LEAVING THE SCENE OF A  
 : CRASH INVOLVING DEATH, 1°F  
WILLIAM GALLAHUE, JR :  
PID 311409119 :  
U/M; DOB: 03/03/1983 :

KEN BURKE COURT  
CLERK OF CIRCUIT COURT  
PINELLAS COUNTY, FLORIDA

2020 DEC 16 PM 1:27  
CRIMINAL COURT RECORDS

BEFORE ME, A JUDGE OF THE CIRCUIT COURT, in and for said County, personally came Sergeant Justin Bloom, Florida Highway Patrol, who, being duly sworn, says that on August 16, 2020, in the County aforesaid, one WILLIAM GALLAHUE, JR; was the driver of a motor vehicle which was involved in a crash involving death to Dewey August Sharpe, a vulnerable road user, and the said WILLIAM GALLAHUE, JR did willfully fail to stop the vehicle at the scene of the crash or, as close thereto as possible, or return and remain at the scene of the crash until he had fulfilled the requirements of Florida statute 316.062, to wit: did not give his name and address, and the registration number of the vehicle Dewey August Sharpe was driving, and did not render reasonable assistance to persons injured in the crash; contrary to Chapter 316.027(2)(c)/316.027(2)(f), Florida Statutes, in such case made and provided and against the peace and dignity of the State of Florida. [T1B]/8

Your Affiant, Sergeant Justin Bloom is a duly sworn law enforcement officer with the Florida Highway Patrol, in Florida, and has been so employed for over eight (8) years. Your Affiant

was serving the Florida Highway Patrol in the capacity of a traffic homicide investigator at the time of this traffic crash and had served as such for eighteen (18) months.

Your Affiant has received specialized training from attending and completing the eighty (80) hour course on Basic Traffic Homicide Investigation, the eighty (80) hour course on Advanced Traffic Homicide Investigation, the eighty (80) hour course on Accident Reconstruction, and the forty (40) hour course on Lecia Robotic Mapping, all from the Florida Highway Patrol.

August 16, 2020, at approximately 2:00 AM, on East Lake Road just south of the intersection of Woodlands Boulevard, within unincorporated East Lake, within Pinellas County, Florida, a motor vehicle crash occurred involving the above described conveyance: 2019 Nissan Sentra, four-door sedan, grey in color with Florida tag JLFC46 attached, vehicle identification number 3N1AB7AP4KY430581 and an Ancheer brand electric scooter, painted black in color (Serial Number 227321920006265), equipped with a forward facing white light and a rear facing red light. Based upon your Affiant's on scene investigation, it was determined the Ancheer brand electric scooter was driven by Dewey August Sharpe (W/M, 11/02/1977). The driver of the scooter was determined via Sharpe's proximity to the scooter as well as confirmation by Sharpe's brother,

Dennis R. Sharpe Jr., that Sharpe owned the scooter. Your Affiant reviewed the location of the gouge marks in the roadway as well as the rear damage to the scooter and was able to determine that Sharpe was operating his scooter within the northbound outside lane of East Lake Road approaching Woodlands Boulevard when he was struck from the rear by a vehicle. The striking vehicle left the scene of this traffic crash prior to law enforcement arrival. Your Affiant was advised via dispatch that Sharpe was pronounced deceased on-scene by Corporal Nick Giordano of the Clearwater Police Department (ID #6010) at 2:17 AM. The Medical Examiner arrived on scene and confirmed that Dewey August Sharpe was deceased. Your Affiant observed a Nissan brand chrome grille assembly on scene of this traffic crash. A part number was located on the Nissan grille assembly (623103YU0D). Your Affiant researched the part number with Nissan and discovered the part belonged to a Nissan Sentra. Furthermore, your Affiant located a blue satchel among the debris from this traffic crash believed to belong to Sharpe.

Dispatch informed you Affiant that on August 17, 2020 at approximately 1:58 PM, Veronica Condrean of the YMCA, located at 4550 Village Center Drive, Palm Harbor, Florida, 34685, reported a Nissan Sentra with extensive front-end damage parked in their parking lot. Your Affiant was advised that Trooper Steven Turner responded to the YMCA and secured the Nissan Sentra. Your

Affiant then responded to YMCA and observed damage to the Nissan Sentra, which was consistent with the dynamics of this traffic crash. The Nissan Sentra had a shattered windshield, with hair and skin tissue imbedded in the windshield. The hood of the Nissan Sentra was pushed inward consistent with a body strike from Sharpe. Blue fabric transfer was observed on the hood of the Nissan Sentra consistent with the blue satchel that was located at the scene. The Nissan Sentra was missing the front grille, which was consistent with the vehicle part located at the scene of this traffic crash. The driver's side front window was rolled down. The Nissan Sentra displayed a Florida Tag of JLFC46 with a vehicle identification number of 3N1AB7AP4KY430581, a 2019 Nissan Sentra. Your Affiant was able to determine that the 2019 Nissan Sentra was registered to EAN HOLDINGS, LLC, at 14002 E 21ST ST STE 1500, Tulsa, Oklahoma, as a rental vehicle. The vehicle was towed to the Pinellas Park Florida Highway Patrol Station and placed in the vehicle impound facility.

EAN Holdings, LLC, which does business as Enterprise-Rent-A-Car, confirmed the 2019 Nissan Sentra in question was leased to William Eugene Gallahue Jr. (W/M, 03/03/1983) with a Florida driver license number of G400925830830. The lease period was for August 13, 2020 until August 17, 2020. This traffic crash occurred during William Eugene Gallahue Jr.'s lease period.

Enterprise-Rent-A-Car has not been contacted by William Eugene Gallahue Jr. in regard to this traffic crash, or damage to the 2019 Nissan Sentra.

On or about September 12, 2020, a Cody McNamee called into dispatch at the Florida State Highway Patrol and stated he had information regarding this traffic crash. Your Affiant spoke to Cody McNamee on the phone and was informed that a "Nick Ghovae" was a passenger in the vehicle at the time of the crash and had been speaking to McNamee about the crash.

Your Affiant researched "Nick Ghovae" and determined he was Nicholas Ghovae, W/M, 7/14/1986 and was placed on probation for 24 months drug offender probation on September 24, 2018 by the Honorable William Burgess, III; and said probation was extended an additional 24 months with 90 days of community control on April 15, 2019 due to a violation.

Your Affiant arranged with the probation officer of Nicholas Ghovae to meet on October 7, 2020 so that your Affiant could speak with Nicholas Ghovae.

Your Affiant obtained a statement from Nicholas Ghovae where Ghovae stated that on the evening of August 15<sup>th</sup> and leading into the early morning hours of August 16, 2020; Ghovae was with WILLIAM GALLAHUE, JR, Jr., known as "Bill", first at an establishment called the Monkey Bar and then at another establishment called Mixers. Ghovae stated that he and "Bill"

left Mixers and went to a Shell Gas station within the same parking lot before "Bill" began to drive Ghovae home. On the drive home, the crash occurred involving the scooter. Ghovae stated that they did not remain on the scene, that "Bill" drove to a YMCA just north of the apartment complex where Ghovae resides, and where they both left the vehicle on foot.

Your Affiant determined that the YMCA parking lot is located approximately 2 miles north of the crash scene.

Your Affiant went to Monkey Bar, located at 1681 Gulf To Bay Blvd in Clearwater, Pinellas County on October 7, 2020 and was able to obtain video surveillance from inside the bar. Your Affiant was able to review this surveillance and found Nicholas Ghovae sitting with a white male who was identified as WILLIAM GALLAHUE, JR, Jr. Your Affiant observed Ghovae to be wearing a dark t-shirt with dark colored pants as well as a dark baseball cap while Gallahue was wearing a black punisher t-shirt, khaki shorts, flip flops and no cap. Your Affiant observed Ghovae and Gallahue to leave Monkey Bar at approximately 10:21pm.

Your Affiant had previously gone to Mixers bar and grill, located at 3430 East Lake Road in Palm Harbor, Pinellas County; based on credit card records from the same credit card used by WILLIAM GALLAHUE, JR, Jr. to rent the Nissan Sentra from Enterprise Rent A Car. Your Affiant learned that Mixers did not retain video surveillance from the night of the crash; however

did receive a copy of the receipt for Gallahue's tab which was time stamped at 1:23am on August 16, 2020.

Your Affiant received video on October 12, 2020 from the Shell Gas station, located at 3470 East Lake Road in Palm Harbor, Pinellas County. Your Affiant reviewed the video surveillance from August 16, 2020 and observed Gallahue and Ghovae inside of the Shell Gas Station at approximately 1:31am. Your Affiant was able to review video surveillance from the parking lot of the Shell gas station which showed WILLIAM GALLAHUE, JR, Jr. entering the driver's door of the Nissan Sentra and driving away at approximately 1:55am.

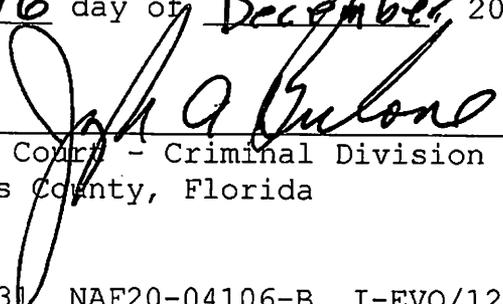
Your Affiant was able to determine that the Shell Gas Station is approximately 1 mile south from the crash scene.

Your Affiant had previously obtained video surveillance from the YMCA parking lot on August 18, 2020. Your Affiant was able to observe the Nissan Sentra with front end damage park in the lot at approximately 2:07am. Your Affiant observed a white male wearing a black t-shirt, khaki shorts, and flip flops exit the driver's door of the Nissan and walk away on foot.

Based on the above-mentioned events, your Affiant respectfully request this Honorable Court issue a Capias so that WILLIAM GALLAHUE, JR can be made to answer to the charge of Leaving The Scene Of A Crash Involving Death, pursuant to Chapter 316.027(2)(c)/316.027(2)(f), Florida Statutes.

  
AFFIANT

Sworn to and subscribed before me  
this 16 day of December, 2020.

  
Circuit Court - Criminal Division  
Pinellas County, Florida

FH2004031 NAF20-04106-B I-EVO/1216SEW19

# PERSONAL DATA INFORMATION SHEET

ALL INFORMATION MUST BE PROVIDED BY THE INVESTIGATING OFFICER I

\*Note: Starred lines are required for computer warrant entries. \*FCIC System (local) \*\*NCIC System

\* Defendant's Full Name:

William Eugene Gallahue, Jr

\* Alias:

"Bear"

"Bill"

\* SSN:

[REDACTED]

\* SID #:

Last Known Address:

6900 Ulmerton Rd, lot 158, Largo, FL 33750

Place of Employment:

(company)

(business address)

\*DOB:

3-3-1983

\*SEX:

M

\*RACE:

W

FINGERPRINTS AVAILABLE: YES  NO

\*\*HT: 6'3"

\*\*WT: unknown

\*\*HAIR: Black

I EYES: unknown

OTHER FEATURES: (BEARD, MARKS, SCARS, TATTOOS)

Beard

Per FLCRule 3.121 attach photo - SOPICS preferred!

Originating Source of PHOTO:

SOPICS Docket #

FL DL # DAVID Photo confirmed

accurate by: Sgt. Bloom

Other State DL #

State

Other Photo Source #

NO PHOTO AVAILABLE — Explanation For No Photo:



\*AGENCY: FHP

OFFENSE NUMBER: FHP 720-04-031

\*INVESTIGATING OFFICER:

Sgt. Justin Bloom

ORIGINAL COURT RECORDS  
 2020 DEC 16 PM 1:27  
 HEN BURKE  
 CLERK OF CIRCUIT COURT  
 FILED

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522020CF011709000APC

REF No. : 20-11709-CF - B

OBTS NUMBER.....

STATE OF FLORIDA  
VS.

WILLIAM EUGENE GALLAHUE JR  
Defendant

PID: 311409119

SS# [REDACTED]

**JUDGMENT**

The Defendant, WILLIAM EUGENE GALLAHUE JR, being personally before this court represented by R CURTIS MURTHA the attorney of record, and the state represented by ELIZABETH CONSTANTINE, Assistant State Attorney, and having:

entered a plea of guilty to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : WILLIAM EUGENE GALLAHUE JR

UCN : 522020CF011709000APC  
REF No. : 20-11709-CF - B

\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
(Check if Applicable)

\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on **October 27, 2021**

\_\_\_\_\_  
JUDGE

FINGERPRINTS OF THE DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

Swank Deputy  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, WILLIAM EUGENE GALLAHUE JR, and that they were placed thereon by the defendant in my presence in open court this day.

\_\_\_\_\_  
JUDGE  
Michael F. Andrews, Circuit Judge

Defendant: WILLIAM EUGENE GALLAHUE JR

UCN: 522020CF011709000APC  
REF No.: 20-11709-CF - B

OBTS Number \_\_\_\_\_

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, R CURTIS MURTHA, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### **It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$650.00**, inclusive of, **\$100.00** as a Cost of Prosecution assessment. These assessments are hereby imposed as liens.

The Defendant is **committed to the custody of the Department of Corrections.**

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### **To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **12 YEARS.**

## SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

### Mandatory/Minimum Provisions:

<b>Driver Leaving Scene Involving Death</b>	<b>It is further ordered that the 4 year mandatory minimum imprisonment provision of 316.027(2)(c), Florida Statutes, is imposed.</b>
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### Other Provisions:

**Please see the last page of this document for other provisions.**

Defendant: WILLIAM EUGENE GALLAHUE JR

UCN: 522020CF011709000APC  
REF No.: 20-11709-CF - B

OBTS Number .....

**Other Provisions: (continued)**

**Jail Credit**

It is further ordered that the defendant shall be allowed a total of 284 DAYS as credit for time incarcerated before imposition of this sentence.

**Immigration Detainer**

It is further ordered that, as per s. 908.104(3)(b), F.S., the secure correctional facility in which the defendant is to be confined shall reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

It is further ordered that:

Restitution is ordered as follows:

**\$897.00 to PINELLAS COUNTY SHERIFF OFFICE  
EXTRADITION DEPT  
10750 ULMERTON RD  
LARGO, FL 33778, as a lien.**

Restitution to State:

If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:

**The defendant shall pay a \$7.00 fee to the Pinellas County Sheriff's Office for DNA testing. Your driver's license is revoked for 3 YEARS.**

DONE AND ORDERED in open court at Clearwater, Pinellas County, Florida on October 27, 2021.

  
\_\_\_\_\_  
Judge  
Michael F. Andrews, Circuit Judge

Rule 992(a) Criminal Punishment Code Score Sheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/Index.html](http://www.dc.state.fl.us/pub/sen_cpcm/Index.html)

1. OFFENSE	2. PREPARER'S NAME	3. COUNTY	4. SENTENCING JUDGE
10/27/21	Constantine Pinellas		Andrews
5. NAME (LAST, FIRST, M.I.)	6. DOB	8. RACE	10. PRIMARY OFF. DATE
Allanue, William	03/03/83	W	08/10/20
	7. DC #	9. GENDER	11. PRIMARY DOCKET #
		M	2011709CF
			12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>

I. PRIMARY OFFENSE: Qualifier:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027	Saw/Death	7	50

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

II. ADDITIONAL OFFENSE(S): Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points II. \_\_\_\_\_

III. VICTIM INJURY:

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

III. \_\_\_\_\_

IV. PRIOR RECORD: Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
mm	mm	mm		misd	2	.2	.4
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points IV. 4

Page 1 Subtotal 50.4

V. Legal Status Violation = 4 Points

- Escape  Fleeing  Failure to Appear  Supersedeas bond  Incarceration  Pretrial Intervention or diversion program
- Court Imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

VI. Community Sanction Violation before the court for sentencing

- Probation  Community Control  Pretrial Intervention or diversion
  - 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR
  - New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
  - 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR
  - New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VI. \_\_\_\_\_

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points

VII. \_\_\_\_\_

VIII. Prior Serious Felony = 30 points

VIII. \_\_\_\_\_

Subtotal Sentence Points 56.4

IX. Enhancements (only if primary offense qualifies for enhancement)

Law Enf. Protect. <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker <input type="checkbox"/> x 1.5	Motor Vehicle Theft <input type="checkbox"/> x 1.5	Criminal Gang Offense <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07) <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14) <input type="checkbox"/> x 2.0
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Enhanced Subtotal Sentence Points  
TOTAL SENTENCE POINTS 56.4

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:  
56.4 total sentence points minus 28 = 28.4 x .75 = 21.3 Lowest permissible prison sentence in months  
4 yr min

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s.775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

30y  
maximum sentence in years

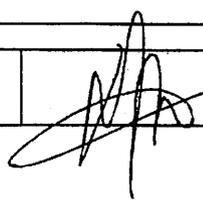
TOTAL SENTENCE IMPOSED

- State Prison  Life 12 years \_\_\_\_\_ Months \_\_\_\_\_ Days \_\_\_\_\_
- County Jail  Time Served \_\_\_\_\_
- Community Control \_\_\_\_\_
- Probation  Modified \_\_\_\_\_

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

Mitigated Departure  Plea Bargain  Prison Diversion Program  
 Other Reason 4yrs ag fic 12y DOC (4yr min) ic 3y dur extra cost

JUDGE'S SIGNATURE



Michael F. Andrews, Circuit Judge

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS # [ ] REPORT # 2022-043868 DOCKET # 1914097

Person ID 311636112 SS [REDACTED]

Charge Description [X] Felony [ ] Misdemeanor [ ] Warrant [ ] Traffic [ ] Ordinance Traffic Citation # (if any) Court Case #

Charge LEAVING SCENE OF AN CRASH INVOLVING DEATH AGDDNAE 22-11389-CF-1

Defendant's Name (Last, First, Middle) HERNDON, SCOTT CRAIG DOB 05/15/1965 Sex M Race W Ht 509 Wt 170 Hair GRY Eyes BRO Sldn

Alias DL # H653783651750 State FL Scars/Marks/Tattoos/Physical Features

Local Address (Street, City, State, Zip Code) 2166 7 AVE N ST. PETERSBURG FL 33713 Telephone 727-358-1298 Place of Birth INDIANA Citizenship US

Permanent Address (Street, City, State, Zip Code) 2166 7 AVE N ST. PETERSBURG FL 33713 Telephone 727-358-1298 Employed by / School

Weapon Seized Type [ ] Yes [X] No Indication of Drug Influence Y N UNK [ ] [X] [ ] Indication of Mental Health Issues Y N UNK [ ] [X] [ ] Indication of Alcohol Influence Y N UNK [ ] [X] [ ]

Co-Defendant's Name (Last, First, Middle) DOB Sex Race In Custody [ ] Yes [ ] No [ ] Felony [ ] Misdemeanor

Co-Defendant's Name (Last, First, Middle) DOB Sex Race In Custody [ ] Yes [ ] No [ ] Felony [ ] Misdemeanor

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 17 day of NOVEMBER, 2022,

at approximately 8:58 PM, at 2500-BLOCK OF CENTRAL AVENUE, in Pinellas County did:

THEN AND THERE DRIVE A VEHICLE, TO-WIT: A BLACK 2018 CHEVROLET TRAX BEARING FL TAG 0996FD AND VIN 3GNCJKSBXJL412068, WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO JOHN PAUL COWIE, AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

SUSPECT WAS TRAVELING WESTBOUND ON CENTRAL AVENUE NORTH, APPROACHING THE 2500-BLOCK OF CENTRAL AVENUE. THE VICTIM, A PEDESTRIAN, STEPPED OFF THE SOUTH CURB OF CENTRAL AVENUE AND ATTEMPTED TO WALK NORTH ACROSS CENTRAL AVENUE. THE SUSPECT STRUCK THE PEDESTRIAN IN THE WESTBOUND LANE OF CENTRAL AVENUE. THE SUSPECT EXITED HIS VEHICLE, LOOKED AT THE VICTIM, THEN RE-ENTERED HIS VEHICLE. THE SUSPECT THEN DROVE TO 26TH STREET, TURNED NORTH, AND THEN DROVE TO 5TH AVENUE NORTH. THE SUSPECT THEN TURNED EAST AND TRAVELED TO 21ST STREET NORTH.

A WITNESS HAD FOLLOWED THE SUSPECT AT THIS POINT, AND THE SUSPECT THEN DECIDED TO RETURN TO THE SCENE. THE SUSPECT ADMITTED TO THE OFFENSE POST-MIRANDA. THERE WERE FOUR WITNESSES TO THIS OCCURRING. THE VICTIM WAS TRANSPORTED TO BAYFRONT HEALTH ST. PETERSBURG, AND SUCCUMBED TO HIS INJURIES ON 11/18/22 AT 1617 HOURS.

Contrary to Florida Statute/Ordinance 316.027(2)(C) - F1

ARREST DATE: 11/23/2022 Time 7:58 AM Aggravating/Mitigating Factors

Booking Officer: PATRICK 58099 Amount of Bond 50,000 Bond Out Date Time [ ] a.m. [ ] p.m.

Victim Notified of Advisory? [ ] Yes [ ] No Injuries to Victim? [ ] Yes [ ] No Medical Treatment to Victim? [X] Yes [ ] No

The Court reviewed this complaint and finds there: [ ] is probable cause [ ] is not probable cause to detain defendant [ ] Bond Action, if any:

The probable cause determination is passed for: [ ] 24 Hrs [ ] 24 Hrs on showing of extraordinary circumstances Received by Booking: 11/23/2022 11:17:55 AM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.

Declarant Signature [Signature] ST. PETERSBURG POLICE Agency OFFICER JEFFREY ESTOCH 44831 03031192 Printed Name Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1) DATE 11/22/2022 OFFICER J. ESTOCH HOURS X PAY RATE 20 25.00 OR COST \$500.00 OTHER - Describe Continuation sheet [ ] Yes [ ] No TOTAL \$ 500.00

**Defendant** HERNDON, SCOTT CRAIG

**Court Case No:** 22-11389-CF-1

**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

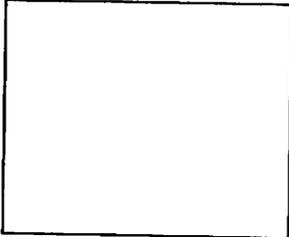
**I FURTHER CERTIFY THAT:**

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

  
\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ATTORNEY'S SIGNATURE

\_\_\_\_\_  
DATE

JUDGE: SUSAN ST JOHN  
STATE OF FLORIDA  
-VS-  
SCOTT CRAIG HERNDON  
PID: 311636112

IN THE SIXTH JUDICIAL CIRCUIT COURT  
IN AND FOR PINELLAS COUNTY  
UCN: 522022CF011389000APC - K  
REF NO: 22-11389-CF - K  
DC NUMBER \_\_\_\_\_

**ORDER OF COMMUNITY CONTROL FOLLOWED BY DRUG  
OFFENDER PROBATION**

This cause coming before the Court to be heard, and you, the defendant, SCOTT CRAIG HERNDON being now present before me with counsel SHERYL JOHANSEN, Assistant Public Defender, and you having:

**ENTERED A PLEA OF GUILTY TO**

**Count 01 LEAVING THE SCENE OF A CRASH INVOLVING DEATH**

**SECTION 1: JUDGEMENT OF GUILT**

The court hereby adjudges you guilty of the above offense(s).

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on COMMUNITY CONTROL for a period of 1 YEAR followed by DRUG OFFENDER PROBATION for a period of 3 YEARS under the supervision of the Department of Corrections, subject to Florida law.

**IT IS FURTHER ORDERED** that you shall comply with the following standard conditions of supervision as provided by Florida law:

1. You will report to the probation office as directed.
2. You will pay the State of Florida the amount of \$50.00 (fifty dollars) per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
3. You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
4. You will not possess, carry or own any firearm. You will not possess, carry, or own any weapons without first procuring the consent of your officer.
5. You will live without violating the law. A conviction in a court of law shall not be necessary for such a violation to constitute a violation of your probation/community control.

**Return to:  
Criminal Court Records Department**

6. You will not associate with any person engaged in any criminal activity.
7. You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician, an advanced registered nurse practitioner, or a physician assistant. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
8. You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
9. You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
10. You shall submit to a warrantless search of your person, property, place of residence, vehicle and personal effects at any time by a probation officer or community control officer. You shall also submit to a warrantless search of your person, property, place of residence, vehicle and personal effects at any time by a law enforcement officer if the officer's search was supported by reasonable suspicion of criminal activity.
11. You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
12. You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.
13. You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
14. You will submit to taking of a digitized photograph by the department. The photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
15. You will report in person within 72 hours of your release from incarceration to the probation office in Pinellas County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 is indicated above.) Otherwise, you must report immediately to the probation office located at the Pinellas County Justice Center, 14250 49th Street North, Room 1930 (FIRST FLOOR), Clearwater, Florida.

**AND, IF PLACED ON COMMUNITY CONTROL, YOU WILL COMPLY WITH THE FOLLOWING CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:**

16. You will report to your officer as directed, at least one time a week, unless you have written consent otherwise.
17. 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.
18. You will maintain an hourly accounting of all your activities on a daily log, which you will submit to your officer on request.
19. You will successfully complete N/A hours of community service at a rate of the State of Florida minimum wage at a work site approved by your officer. Additional instructions ordered: None

**AND, IF PLACED ON DRUG OFFENDER PROBATION, YOU WILL COMPLY WITH THE FOLLOWING CONDITION OF SUPERVISION IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:**

20. You will participate in a specialized drug treatment program, either as an in-patient or out patient, as recommended by the treatment provider. You will attend all counseling sessions, submit to random urinalysis and, if an in-patient, you will comply with all operating rules, regulations and procedures of the treatment facility. You will pay for all costs associated with treatment and testing unless otherwise directed.

**SPECIAL CONDITIONS:**

21. You will submit to urinalysis testing on a **MONTHLY** basis to determine the presence of alcohol or illegal drugs. You will be required to pay for the tests unless exempt by the court.
22. Other: Exemptions for cost of supervision are hereby ordered for those months while participating in treatment programs or incarcerated without benefit of income. If exemptions do not apply, failure to make monthly payments for cost of supervision will result in a violation of probation. Cost of supervision is to be suspended until such time that the offender has satisfied all restitution and costs as stated on the supervision order.
23. Other: You will not reside in another state without authorization of the Court and contingent upon the approval of the receiving state.

24. Other: Notwithstanding condition 16, if you are placed on community control and are not employed at any time, you will report daily to your Community Control Officer unless otherwise directed by your Community Control Officer.
25. Other: If electronic monitoring is imposed, you will pay the costs of electronic monitoring.
26. Other: Probation/community control may not be transferred out of state without express Court approval until all Court ordered and assessed monetary obligations are satisfied.
27. Other: You will comply with standard drug conditions set forth below.
  - a. You will receive a Drug Evaluation, and if drug counseling/treatment is deemed necessary, complete counseling/treatment, including aftercare and assume all reasonable costs for such counseling/treatment. If treatment is recommended, you only have one (1) opportunity to complete this treatment. You must call to arrange for the treatment within five (5) days of receipt of the recommendation for treatment. You must also schedule your treatment to begin at the first available opening.
  - b. You will submit to urinalysis, breathalyzer, or blood tests at any time as requested by any professional staff of any treatment center where you are receiving treatment, to determine possible use of alcohol, drugs, or controlled substances.
  - c. You shall submit to a search of your person, vehicle, and residence by your probation/community control officer without a warrant.
28. You will enter into and successfully complete **THE COVE INPATIENT DUAL DIAGNOSIS RESIDENTIAL AND ANY AFTERCARE.**
29. Defendant is permitted to go to Hernando County while on community control to retrieve personal belongings and must notify probation officer
30. Defendant must take first available bed space at The Cove inpatient
31. Defendant must obtain state approval for early termination of probation

Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:

- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
- Are designated as a sexual predator pursuant to s. 775.21; or
- Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s.943.0435(1)(a)1.a.(I), or similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense: the following conditions are imposed in addition to all other conditions:

- (a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.
- (b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas, wearing an Easter Bunny

SCOTT CRAIG HERNDON

UCN:  
522022CF011389000APC

REF No.22-11389-CF

costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

**YOU ARE HEREBY PLACED ON NOTICE** that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

**IT IS FURTHER ORDERED** that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

**IT IS FURTHER ORDERED** that you pay the following charges/costs/fees indicated on the last page of this order entitled Court Ordered Payments.

**IT IS FURTHER ORDERED** that the clerk of this court file this order in the clerk's office and provide certified copies of the same to the officer for use in compliance with the requirements of law.

DONE AND ORDERED on June 5, 2024 in Clearwater, Florida.



SUSAN ST JOHN, JUDGE

I acknowledge receipt of a certified copy of this Order. The conditions have been explained to me and I agree to abide by them.

Date: \_\_\_\_\_

Probationer

Instructed by: \_\_\_\_\_

RJ

COURT ORDERED PAYMENTS

CHECK ALL THAT ARE ORDERED:

FINES

- \$92.39 Total of fines assessed in sentence, pursuant to s. 775.083 (1)(a) through (g) or Chapter 316, F.S.
- \$4.61 Statutorily mandated 5% surcharge/cost of fine assessed (on first line) pursuant to s. 938.04, F.S.

MANDATORY COSTS IN ALL CASES

- \$225.00 Additional court cost for felony offense, pursuant to s. 938.05(1)(a), F.S.
- \$50.00 Crimes Compensation Trust Fund pursuant to s. 938.03(1), F.S.
- \$50.00 County Crime Prevention Fund pursuant to s. 775.083(2), F.S.
- \$3.00 Additional Court Costs Clearing Trust Fund pursuant to s. 938.01(1), F.S.
- \$100.00 Prosecution Costs, pursuant to s. 938.27, F.S. (Minimum of \$100 Felony/\$50 Misdemeanor).
- \$500.00 Investigative Costs, pursuant to s. 938.27, F.S. (if applicable and requested).
- \$20.00 Crime Stoppers Trust Fund, pursuant to s. 938.06(1), F.S.

MANDATORY COURT COSTS FOR COURT-APPOINTED COUNSEL CASES

- \$50.00 Public Defender/Appointed Counsel Application Fee, if not previously collected, pursuant to ss. 27.52 and s. 938.29, F.S.
- \$100.00 Public Defender/Appointed Counsel Fees and Costs, pursuant to s. 938.29, F.S. as determined locally (Minimum of \$100 Felony/\$50 Misdemeanor).

MANDATORY COSTS IN SPECIFIC TYPES OF CASES

- \$3.00 State Agency Law Enforcement Radio System Trust Fund, pursuant to s. 318.18(17), F.S. for any violations of offenses listed in s. 318.17 including ss. 316.1935, 316.027, 316.061, 877.111, chapter 893, ss. 316.193, 316.192, 316.067, 316.072(3), 316.545(1), or any other offense in chapter 316 which is classified as a criminal violation.
- \$2.00 Pinellas Police Standards, pursuant to chapter 97-333.

MANDATORY COURT COSTS AUTHORIZED BY LOCAL GOVERNMENTAL ENTITIES

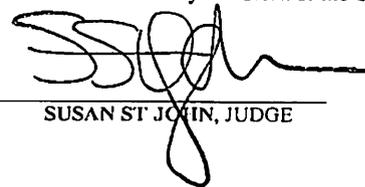
- \$2.00 Criminal Justice Education by Municipalities and Counties, pursuant to s. 938.15, F.S. and Pinellas County Code s.46-27.
- \$65.00 Additional court costs for local requirements and other county funded programs pursuant to s. 939.185(1)(a), F.S. and Pinellas County Code 46-32.
- \$3.00 Teen Court pursuant to s. 938.19(2), F.S. and Pinellas County Code s. 46-34
- \$30.00 Court Facilities, pursuant to s. 318.18(13). and Pinellas County Code s. 46-33, applies only to traffic offenses in 318.17, including violations of ch. 316 offenses.

PAYMENT IS TO BE MADE THROUGH AND PAYABLE TO:  Department of Corrections or  Clerk of Court  
(If collected by the Department of Corrections, a surcharge of 4% will be added to all payments ordered by the court, pursuant to s. 945.31, F.S.)

- Court Costs/Fines Waived.
- Court Costs/Fines in the amount of \_\_\_\_\_ converted to \_\_\_\_\_ community service hours.
- Court Costs/Fines in the amount of \_\_\_\_\_ reduced to civil judgment.

**SPECIFIC INSTRUCTIONS FOR PAYMENT:** You will pay all fines and court costs specified in this order of probation/community control in full no later than three months prior to the end of the term of probation. If the Court determines that you have the ability to pay, failure to pay all fines and court costs in full no later than three months prior to the end of the term of probation will result in a violation of probation or community control, may become a lien against anything you own now or in the future and will accrue interest at the statutory rate, result in the suspension of your driver's license, and may also result in collections efforts by the Clerk of the Court or its assignee.

DONE AND ORDERED on June 5, 2024 in Clearwater, Florida.



\_\_\_\_\_  
SUSAN ST. JOHN, JUDGE

## Rule 3.992(a) Criminal Punishment Code Scoresheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <b>6/5/24</b>	2. PREPARER'S NAME CUMMINS	3. COUNTY PINELLAS	4. SENTENCING JUDGE SIRACUSA
5. NAME (LAST, FIRST, M.I.) HERNDON, SCOTT	6. DOB 5/15/1965	8. RACE W	10. PRIMARY OFF. DATE 11/17/2022
	7. DC #	9. GENDER M	11. PRIMARY DOCKET # 2211389CF
			12. PLEA TRIAL <input checked="" type="checkbox"/> PLEA <input type="checkbox"/> TRIAL

**I. PRIMARY OFFENSE:** Qualifier:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(c)	LEAVING THE SCENE INVOLVING DEATH	7	56
<small>(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)</small>				
Prior capital felony doubles Primary Offense points <input type="checkbox"/>				I. <u>56</u>

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
<small>(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)</small>							
Prior capital felony doubles Additional Offense points <input type="checkbox"/>						Supplemental page points	II. <u>        </u>

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			
III. <u>        </u>					

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
3	893.13	3		POCS	3	X 1.6	= 4.8
2	893.13	5		SOCS	1	X 3.6	= 3.6
3	322.34	1		FEL. DUI ON PRIORS	1	X .5	= .5
<small>(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)</small>							
Supplemental page points							IV. <u>        </u>

Page 1 Subtotal: 64.9

**V. Legal Status Violation = 4 Points**

- Escape  
  Fleeing  
  Failure to Appear  
  Supersedeas bond  
  Incarceration  
  Pretrial intervention or diversion program  
 Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

**VI. Community Sanction Violation before the court for sentencing**

- Probation  
  Community Control  
  Pretrial intervention or diversion  
 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR  
 New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR  
 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR  
 New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VI. \_\_\_\_\_

**VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points**

VII. \_\_\_\_\_

**VIII. Prior Serious Felony = 30 points**

VIII. \_\_\_\_\_

**Subtotal Sentence Points**

**IX. Enhancements (only if primary offense qualifies for enhancement)**

Law Enf. Protect	Drug Trafficker	Motor Vehicle Theft	Criminal Gang Offense	Domestic Violence in the Presence of Related Child <small>(offenses committed on or after 03-12-07)</small>	Adult-on-Minor Sex Offense <small>(offenses committed on or after 10-1-14)</small>
<input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 2.0			

Enhanced Subtotal Sentence Points

IX. \_\_\_\_\_

**TOTAL SENTENCE POINTS**

~~64.9~~  
64.9

**SENTENCE COMPUTATION**

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$\frac{64.9}{64.9} \text{ total sentence points} \text{ minus } 28 = \frac{36.9}{36.9} \times .75 = \frac{27.675}{27.675} \text{ Lowest permissible prison sentence in months}$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s.775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

30  
maximum sentence in years

**TOTAL SENTENCE IMPOSED**

	Years	Months	Days
<input type="checkbox"/> State Prison	_____	_____	_____
<input type="checkbox"/> County Jail	_____	_____	_____
<input type="checkbox"/> Life	_____	_____	_____
<input type="checkbox"/> Time Served	_____	_____	_____
<input checked="" type="checkbox"/> Community Control	<u>1</u>	_____	_____
<input checked="" type="checkbox"/> Probation <input type="checkbox"/> Modified <i>AG</i>	<u>3</u>	_____	_____

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

Mitigated Departure  
  Plea Bargain  
  Prison Diversion Program  
 Other Reason \_\_\_\_\_

**JUDGE'S SIGNATURE**

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS #	REPORT # 2021-004576	DOCKET # 1856549																				
Person ID 2913053	SSN [REDACTED]																					
Charge Description <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Warrant <input type="checkbox"/> Traffic <input type="checkbox"/> Ordinance	Traffic Citation # (if any) AEB1Y4E	Court Case # 21-01504-CF-1																				
Charge LEAVING SCENE OF AN CRASH INVOLVING DEATH																						
Defendant's Name (Last, First, Middle) HOLLE, JERROD SCOTT	DOB 10/03/1997	Sex M Race H Ht 509 Wt 250 Hair BRO Eyes BRO Skin																				
Alias	DL # H400437973630	State FL Scars/Marks/Tattoos/Physical Features																				
Local Address (Street, City, State, Zip Code) 7931 63RD WAY N PINELLAS PARK FL 33781	Telephone 7276438497	Place of Birth FLORIDA Citizenship US																				
Permanent Address (Street, City, State, Zip Code) 7931 63RD WAY N PINELLAS PARK FL 33781	Telephone 7276438497	Employed by / School ENVIRONMENTAL LANDSCAPING																				
Weapon Seized Type <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Indication of Drug Influence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK	Indication of Mental Health Issues <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK																				
		Indication of Alcohol Influence <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK																				
Co-Defendant's Name (Last, First, Middle)	FILED CRIMINAL COURT CUSTOMER SERVICES	DOB Sex Race In Custody <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor																				
Co-Defendant's Name (Last, First, Middle)	FEB 17 2021	DOB Sex Race In Custody <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor																				
<p>The undersigned swears that he/she has reasonable cause to believe that the defendant on the <u>06</u> day of <u>FEBRUARY</u>, 2021, at approximately <u>1:10</u> AM, at <u>38TH AV N / 64TH ST N ST PETERSBURG, FL</u>, in Pinellas County did:</p> <p>THEN AND THERE DRIVE A VEHICLE, TO-WIT: 2013 WHITE FORD F350 DUALY PICK-UP TRUCK BEARING FLORIDA LICENSE TAG 6331XY (VIN: 1FT8W3DT8DEA96251) WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO DOUGLAS CLARK HARRY HOOVER, AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.</p> <p>THE DEF WAS OPERATING THE AFOREMENTIONED MOTOR VEHICLE TRAVELING WEST ON 38TH AVENUE NORTH IN THE MEDIAN LANE. THE DECEASED, WAS STANDING IN THE ROADWAY AND WAS STRUCK BY THE DEF'S VEHICLE. THE IMPACT CAUSED DAMAGE TO THE DEF'S VEHICLE, WHICH ANY REASONABLE PERSON SHOULD HAVE KNOWN THEY WERE INVOLVED IN A MOTOR VEHICLE CRASH. THE DEF FLED THE SCENE AND FAILED TO RENDER AIDE OR EXCHANGE INFORMATION.</p> <p>HOLLE WAS ISSUED CITATION NUMBER AEB1Y4E FOR LEAVING THE SCENE OF A CRASH INVOLVING DEATH.</p> <p>Contrary to Florida Statute/Ordinance <u>316.027.2C</u></p> <p>ARREST DATE: <u>2/16/2021</u> Time <u>3:45 PM</u> . Aggravating/Mitigating Factors <u>SB</u></p> <p>Booking Officer: <u>GOODRICH, L 58205</u> Amount of Bond <u>50000</u> Bond Out Date <u>2/16/21</u> Time <u>21:06</u> <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.</p> <p>Victim Notified of Advisory? <input type="checkbox"/> Yes <input type="checkbox"/> No Injuries to Victim? <input type="checkbox"/> Yes <input type="checkbox"/> No Medical Treatment to Victim? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>The Court reviewed this complaint and finds there: <input type="checkbox"/> is probable cause <input type="checkbox"/> is not probable cause to detain defendant <input type="checkbox"/> Bond Action, if any: _____</p> <p>The probable cause determination is passed for: <input type="checkbox"/> 24 Hrs <input checked="" type="checkbox"/> 24 Hrs on showing of extraordinary circumstances Received by Booking: 2/16/2021 3:53:31 PM</p>																						
<p>Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true:</p> <p><u>Michael Weiskopf</u> 98:01 ST. PETERSBURG POLICE Declarant Signature Agency</p> <p>OFFICER MICHAEL WEISKOPF 35836 Printed Name Declarant ID#</p>	<p>REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)</p> <table border="1"> <tr> <th>DATE</th> <th>OFFICER</th> <th>HOURS X PAY RATE</th> <th>OR</th> <th>COST</th> </tr> <tr> <td>02/16/2021</td> <td>WEISKOPF</td> <td>3 25.00</td> <td></td> <td>\$75.00</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <p>OTHER - Describe _____</p> <p>Continuation sheet <input type="checkbox"/> Yes <input type="checkbox"/> No TOTAL \$ 75.00</p>		DATE	OFFICER	HOURS X PAY RATE	OR	COST	02/16/2021	WEISKOPF	3 25.00		\$75.00										
DATE	OFFICER	HOURS X PAY RATE	OR	COST																		
02/16/2021	WEISKOPF	3 25.00		\$75.00																		

**Defendant** HOLLE, JERROD SCOTT **Court Case No:** 21-01504-CF-1

**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

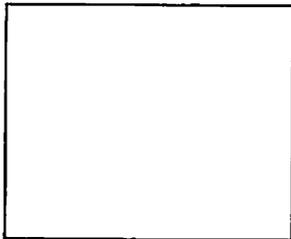
I FURTHER CERTIFY THAT:

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ATTORNEY'S SIGNATURE

\_\_\_\_\_  
DATE

JUDGE: CHRIS HELINGER

STATE OF FLORIDA

-VS-

JERROD SCOTT HOLLE

PID: 2913053

IN THE SIXTH JUDICIAL CIRCUIT COURT  
IN AND FOR PINELLAS COUNTY

UCN: 522021CF001504000APC - I

REF NO: 21-01504-CF - I

DC NUMBER \_\_\_\_\_

## ORDER OF COMMUNITY CONTROL FOLLOWED BY PROBATION

This cause coming before the Court to be heard, and you, the defendant, **JERROD SCOTT HOLLE** being now present before me with counsel **BENJAMIN DEBERG**, Regional Court Counsel, and you having:

ENTERED A PLEA OF GUILTY TO

Count 01

LEAVING THE SCENE OF A CRASH INVOLVING DEATH

### SECTION 1: JUDGEMENT OF GUILT

The court hereby adjudges you guilty of the above offense(s).

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on COMMUNITY CONTROL for a period of 2 YEARS followed by PROBATION for a period of 3 YEARS under the supervision of the Department of Corrections, subject to Florida law.

**IT IS FURTHER ORDERED** that you shall comply with the following standard conditions of supervision as provided by Florida law:

1. You will report to the probation office as directed.
2. You will pay the State of Florida the amount of \$50.00 (fifty dollars) per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
3. You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
4. You will not possess, carry or own any firearm. You will not possess, carry, or own any weapons without first procuring the consent of your officer.
5. You will live without violating the law. A conviction in a court of law shall not be necessary for such a violation to constitute a violation of your probation/community control.
6. You will not associate with any person engaged in any criminal activity.

Return to:  
Criminal Court Records Department

7. You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician, an advanced registered nurse practitioner, or a physician assistant. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
8. You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
9. You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
10. You shall submit your person, property, place of residence, vehicle or personal effects to a warrantless search at any time by any probation officer, community control officer, or law enforcement officer.
11. You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
12. You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.
13. You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
14. You will submit to taking of a digitized photograph by the department. The photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
15. You will report in person within 72 hours of your release from incarceration to the probation office in Pinellas County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 is indicated above.) Otherwise, you must report immediately to the probation office located at the Pinellas County Justice Center, 14250 49th Street North, Room 1930 (FIRST FLOOR), Clearwater, Florida.

**AND, IF PLACED ON COMMUNITY CONTROL, YOU WILL COMPLY WITH THE FOLLOWING CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:**

16. You will report to your officer as directed, at least one time a week, unless you have written consent otherwise.
17. 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.
18. You will maintain an hourly accounting of all your activities on a daily log, which you will submit to your officer on request.
19. You will successfully complete 50 hours of community service at a rate of the State of Florida minimum wage at a work site approved by your officer. Additional instructions ordered: None

**SPECIAL CONDITIONS:**

20. Other: Exemptions for cost of supervision are hereby ordered for those months while participating in treatment programs or incarcerated without benefit of income. If exemptions do not apply, failure to make monthly payments for cost of supervision will result in a violation of probation. Cost of supervision is to be suspended until such time that the offender has satisfied all restitution and costs as stated on the supervision order.
21. Other: You will not reside in another state without authorization of the Court and contingent upon the approval of the receiving state.
22. Other: Notwithstanding condition 16, if you are placed on community control and are not employed full time, you will report daily to your Community Control Officer unless otherwise directed by your Community Control Officer.
23. Other: If electronic monitoring is imposed, you will pay the costs of electronic monitoring.
24. Other: Probation/community control may not be transferred out of state without express Court approval until all Court ordered and assessed monetary obligations are satisfied.
25. Other: You shall be outfitted with a continuous alcohol monitor for a period of 1 YEAR.
26. Other: Your driver's license is revoked for A PERIOD OF 3 YEARS.

Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:

- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
- Are designated as a sexual predator pursuant to s. 775.21; or
- Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

**You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.**

**Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s.943.0435(1)(a)1.a.(I), or similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense: the following conditions are imposed in addition to all other conditions:**

- (a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.
- (b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas, wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

**YOU ARE HEREBY PLACED ON NOTICE** that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

**IT IS FURTHER ORDERED** that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

**IT IS FURTHER ORDERED** that you pay the following charges/costs/fees indicated on the last page of this order entitled Court Ordered Payments.

**IT IS FURTHER ORDERED** that the clerk of this court file this order in the clerk's office and provide certified copies of the same to the officer for use in compliance with the requirements of law.

DONE AND ORDERED on October 25, 2021 in Clearwater, Florida.



**CHRIS HELINGER, JUDGE**

I acknowledge receipt of a certified copy of this Order. The conditions have been explained to me and I agree to abide by them.

Date: \_\_\_\_\_ Probationer

Instructed by: \_\_\_\_\_  
VR

**COURT ORDERED PAYMENTS**

**CHECK ALL THAT ARE ORDERED:**

**FINES**

- \$92.39 Total of fines assessed in sentence, pursuant to s. 775.083 (1)(a) through (g) or Chapter 316, F.S.
- \$4.61 Statutorily mandated 5% surcharge/cost of fine assessed (on first line) pursuant to s. 938.04, F.S.

**MANDATORY COSTS IN ALL CASES**

- \$225.00 Additional court cost for felony offense, pursuant to s. 938.05(1)(a), F.S.
- \$50.00 Crimes Compensation Trust Fund pursuant to s. 938.03(1), F.S.
- \$50.00 County Crime Prevention Fund pursuant to s. 775.083(2), F.S.
- \$3.00 Additional Court Costs Clearing Trust Fund pursuant to s. 938.01(1), F.S.
- \$100.00 Prosecution Costs, pursuant to s. 938.27, F.S. (Minimum of \$100 Felony/\$50 Misdemeanor).
- \$75.00 Investigative Costs, pursuant to s. 938.27, F.S. (if applicable and requested).
- \$20.00 Crime Stoppers Trust Fund, pursuant to s. 938.06(1), F.S.

**MANDATORY COURT COSTS FOR COURT-APPOINTED COUNSEL CASES**

- \$50.00 Public Defender/Appointed Counsel Application Fee, if not previously collected, pursuant to ss. 27.52 and s. 938.29, F.S.
- \$100.00 Public Defender/Appointed Counsel Fees and Costs, pursuant to s. 938.29, F.S. as determined locally (Minimum of \$100 Felony/\$50 Misdemeanor).

**MANDATORY COSTS IN SPECIFIC TYPES OF CASES**

- \$3.00 State Agency Law Enforcement Radio System Trust Fund, pursuant to s. 318.18(17), F.S. for any violations of offenses listed in s. 318.17 including ss. 316.1935, 316.027, 316.061, 877.111, chapter 893, ss. 316.193, 316.192, 316.067, 316.072(3), 316.545(1), or any other offense in chapter 316 which is classified as a criminal violation.
- \$2.00 Pinellas Police Standards, pursuant to chapter 97-333.

**MANDATORY COURT COSTS AUTHORIZED BY LOCAL GOVERNMENTAL ENTITIES**

- \$2.00 Criminal Justice Education by Municipalities and Counties, pursuant to s. 938.15, F.S. and Pinellas County Code s.46-27.
- \$65.00 Additional court costs for local requirements and other county funded programs pursuant to s. 939.185(1)(a), F.S. and Pinellas County Code 46-32.
- \$3.00 Teen Court pursuant to s. 938.19(2), F.S. and Pinellas County Code s. 46-34
- \$30.00 Court Facilities, pursuant to s. 318.18(13). and Pinellas County Code s. 46-33, applies only to traffic offenses in 318.17, including violations of ch. 316 offenses.

**PAYMENT IS TO BE MADE THROUGH AND PAYABLE TO:**  Department of Corrections or  Clerk of Court  
(If collected by the Department of Corrections, a surcharge of 4% will be added to all payments ordered by the court, pursuant to s. 945.31, F.S.)

- Court Costs/Fines Waived.
- Court Costs/Fines in the amount of \_\_\_\_\_ converted to \_\_\_\_\_ community service hours.
- Court Costs/Fines in the amount of \$725.00 reduced to civil judgment.

**SPECIFIC INSTRUCTIONS FOR PAYMENT:** You will pay all fines and court costs specified in this order of probation/community control in full no later than 12 months from the date of this order. You will pay at least \$100 per month toward the fine and court cost. If the Court determines that you have the ability to pay, failure to pay all fines and court costs in full within 12 months will result in a violation of probation or community control, may become a lien against anything you own now or in the future and will accrue interest at the statutory rate, may result in the suspension of your driver's license, and may also result in collections efforts by the Clerk of the Court or its assignee.

DONE AND ORDERED on October 25, 2021 in Clearwater, Florida.

*Chris Helinger*  
CHRIS HELINGER, JUDGE

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CRIMINAL DIVISION

STATE OF FLORIDA,

Case Number(s): 21-01504CF

vs.

Person ID/SPN: \_\_\_\_\_

Jerrad Helle  
aka \_\_\_\_\_  
Defendant.

**PLEA FORM**

1. I, Jerrad Helle, Defendant herein, do hereby withdraw my plea of Not Guilty and enter a plea of Guilty  No Contest  an Admission  to the charge(s) of Leave Scene Involving Death in the above-referenced case(s). This plea is to reduced charge(s) \_\_\_\_\_.
2. I understand that a plea of Not Guilty denies my guilt, a plea of No Contest means that I will not contest the evidence against me, and a plea of Guilty or Admission to a violation of probation/community control admits my guilt. I understand that if the Court accepts my plea there will be **no trial or evidentiary hearing and I will be sentenced based upon my plea.**
3. I understand that the Judge may question me about the offense(s) and entry of the plea and that any false answer may be used against me in a perjury prosecution.
4. I understand that if the Court accepts my plea, I give up the following rights:
  - a. The right to a trial by jury or, for a violation of probation/community control, the right to a hearing before a judge.
  - b. The right to be represented by an attorney at every stage of the proceedings and the right to have an attorney appointed if I cannot afford one.
  - c. The right to confront and cross-examine witnesses at trial or a hearing on a violation of probation/community control.
  - d. The right to compel the attendance of witnesses at trial or a hearing on a violation of probation/community control.
  - e. The right not to testify or be compelled to incriminate myself.
  - f. The right to require the State to prove my guilt beyond a reasonable doubt or, if charged with a violation of probation/community control, the right to require the State to prove that I have willfully violated my probation by the greater weight of the evidence.
  - g. The right to appeal all matters related to the judgment within 30 days, including the issue of guilt or innocence, unless expressly reserved. I retain my right to review by appropriate collateral attack.
5. I understand the charge(s) placed against me and to which I am pleading. If applicable to my case(s), my lawyer has reviewed the sentencing guidelines scoresheet with me. My lawyer has also explained the following to me:
  - a. The essential elements of the charge(s) to which I am pleading.
  - b. Any possible defenses I may have to the charge(s) to which I am pleading.
  - c. The lowest permissible guidelines sentence and maximum sentence provided by law for the charge(s) to which I am pleading, which is/are: 34.5 - 30
  - d. Any minimum-mandatory penalties provided by law for the charge(s) to which I am pleading, which is/are: 0

JH  
Def. Initial

6. I understand that if I am being sentenced as a ( ) Habitual Felony Offender, ( ) Habitual Violent Felony Offender, ( ) Three-Time Violent Felony Offender, ( ) Violent Career Criminal, or ( ) Prison Releasee Reoffender, the statutory scoresheet recommendation will NOT apply to my sentence. If entitled to notice, I have received notice of the State's intention to enhance my sentence, or I hereby waive my right to such notice. I acknowledge that I have the requisite prior felony convictions to qualify for the indicated designation, that I have not been pardoned for the offense(s) connected with those convictions, and that none of those convictions have been set aside in any postconviction proceeding.

7. I understand that the Department of Corrections is solely responsible for awarding gain time or any type of early release. I further understand that, depending on the nature of the offense(s) to which I am pleading, I may NOT be eligible for gain time credits or release programs that shorten the length of the sentence(s) imposed. I understand that any information I have received concerning gain time or early release is not a part of any plea discussion or agreement.

8. I am entering this plea because I acknowledge my guilt or acknowledge that the plea is in my best interest. No one has pressured me or forced me to enter this plea against my will and no one has promised me anything to entice me to enter this plea; however, there has been an understanding that my sentence will consist of:  
18 mo. in CC followed by 3 yrs probation 1 year CAM  
50 hrs. C.S. (in schools)

which ( ) includes a minimum-mandatory term of \_\_\_\_\_.

9. I am not aware of any physical evidence disclosed by the State for which DNA testing may exonerate me. I am not aware of any other physical evidence containing DNA known to exist that could exonerate me.

10. I do not require the State to tell the Judge the facts upon which the charge is based before the Judge accepts my plea and I agree that the Judge may rely upon any probable cause statement or affidavit in the court file for a factual basis to justify the acceptance of my plea.

11. I am not presently suffering from any mental, emotional, or physical problems, which adversely affect my understanding of this plea and I am not under the influence of alcohol, drugs, or medicine at the present time except for Ø

12. My education consists of 12 years of school.

13. I understand that if I am not a United States Citizen, this plea may have the additional consequence of changing my immigration status, including deportation or removal from the United States. I understand that if I need additional time to discuss this matter with counsel, I must request to do so at this time, and the court must allow me a reasonable amount of time to confer with counsel before accepting my plea.

14. I understand that if I have ever been convicted of or pled Guilty or No Contest to a sexually violent or sexually motivated offense, or if I am required to register as a sexual offender, or if I have ever been placed in the custody of the Department of Children and Families for evaluation as a sexual violent predator, I may be subject to a civil commitment proceeding for sexually violent predators as a result of this plea.

15. If I am entering a plea to an offense for which automatic, mandatory driver's license suspension or revocation is required, regardless of whether the suspension or revocation is by the court or by a separate agency, I understand that this plea may result in the automatic, mandatory suspension or revocation of my driver's license.

16. I understand that if I am on parole/conditional release, this plea may result in the revocation of my parole/conditional release and my return to prison to complete the sentence from which I was released. I further understand that if I am on probation/community control, this plea may result in the revocation of my probation/community control and the imposition of a separate sentence up to the maximum penalty for the offense for which I was placed on probation/community control.

J JB  
Def. Initial

- 17. I understand that if the Judge permits me to remain at liberty pending sentencing, I must notify my lawyer, my bondsman or ROR officer, and the Court of any change of address.
- 18. I understand that sentencing is scheduled for: \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ AM / PM.

**Presentence Investigation**

- 19. I understand that if I am being sentenced for my first felony offense, or as a Habitual Felony Offender, a Habitual Violent Felony Offender, Or Three-time Violent Felony Offender, I am entitled to a Presentence Investigation (PSI). I further understand that if I am a juvenile being prosecuted as an adult, I have the right to have the Court consider a Predisposition Report prepared by juvenile authorities, which would assist the Court in deciding if adult or juvenile sanctions should be imposed upon me. I hereby waive my right to a Pre-Sentence Investigation or Predisposition Report so that I may proceed directly to sentencing.

**Credit for Time Served in County Jail**

- 20. I understand that pursuant to this negotiated plea agreement, I will receive credit for time incarcerated in a county facility before the imposition of the sentence as outlined in this section. I also understand that I am waiving any entitlement to jail credit in the above-styled case(s) other than what is explicitly agreed to below as part of this negotiated plea agreement.

Case Number(s)*	Jail Credit

\*Include all case numbers to which this plea applies.

**Restitution**

- 21. I agree to restitution in the amount indicated in the attached Restitution Addendum incorporated as page 4 of 4. If the amount of restitution is not decided at this time, I understand that I will have 30 days from the date written notification of the preliminary amount of restitution is mailed to me, or otherwise delivered to me, to deliver to the Court a written request for a hearing contesting the preliminary amount of restitution. **Failure to deliver a written request for a restitution hearing within the 30 day time period specified herein will result in the preliminary amount of restitution being established as the final amount of restitution.**

- A restitution hearing has been scheduled for \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ AM / PM.
- I hereby waive my right to be present at the restitution hearing.

**Costs and Fines**

- 22. If I am to be placed on probation or community control, I will pay the cost of supervision as ordered by this Court commencing with the first day of probation or community control.
- 23. My attorney has reviewed with me all statutory costs being assessed by the Court. My attorney has further advised me that I have a right to have the amount of each discretionary cost individually announced in open court. I hereby waive my right to such individual announcement and agree to pay all fines and costs, including the fines and costs checked on the attached sheets. The total fines and costs are \_\_\_\_\_.

SSD Court  
1 SD State

JH  
Def. Initial

**Attorney Fees and Costs**

- 24. If my lawyer was appointed to represent me, I understand that the Court will assess an application fee as part of my sentence or as a condition of probation if the application fee was not paid at the time of the filing my affidavit of indigence with the Clerk of the Circuit Court. I understand that attorney fees and costs will be assessed against me pursuant to Section 938.29, Florida Statutes. I understand that I have a right to a hearing before the Court to determine the amount of attorney's fees and/or costs provided by Section 938.29, Florida Statutes, and that I will be waiving or giving up that right if I do not deliver my written request for a contested hearing to the Court within 30 days from the date the preliminary amount is mailed or otherwise delivered to me.
- 25. I further understand that there will be lien(s) placed against me and/or my real property for any unpaid fines, attorney fees, costs of prosecution, and court costs.

I have read or had this plea form read to me by the undersigned interpreter, have understood every word, and have discussed it with my lawyer. I am completely satisfied with the services of my lawyer and I feel that I have had enough time to discuss my case(s) and this plea with my lawyer.

SWORN TO, SIGNED, AND FILED IN OPEN COURT in the presence of my lawyer and the Judge this 25 day of Oct, 2021.

[Signature]  
Defendant

I have read this form to the Defendant in \_\_\_\_\_ (language)

\_\_\_\_\_  
Interpreter

**CERTIFICATE OF COUNSEL**

I hereby certify that I am counsel for the above-named Defendant and that I have discussed this case with my client and explained the rights, defenses, elements, and evidence relating to this case to my client. I have further reviewed with my client all mandatory and discretionary statutory fines and costs being assessed against him/her. I have reviewed the discovery disclosed by the State, including a listing or a description of physical evidence. I reviewed the nature of the evidence disclosed through discovery with my client. I am personally unaware of any physical evidence for which DNA testing may exonerate my client. I have advised the Defendant of the deportation consequences of this plea including whether this plea will invoke any presumptively mandatory deportation proceedings under the Immigration and Nationality Act. I believe the Defendant understands this plea form, his/her rights and the consequences of pleading and that he/she is entering this plea freely, voluntarily, and knowingly. I do not believe the Defendant to be under the influence of any substances or suffering from any mental or emotional illness that prevents him/her from understanding these proceedings.

[Signature]  
Counsel for the Defendant

I hereby certify that I am personally unaware of any physical evidence for which DNA testing may exonerate the above-named Defendant.

[Signature]  
Assistant State Attorney

I hereby find that the above-named Defendant did, on this date, freely, voluntarily, and knowingly change his/her plea in the above-referenced case(s).

[Signature]  
Circuit Judge

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS #	REPORT # CW [REDACTED] 5	DOCKET # 1935888
Person ID 311410486	SS [REDACTED]	
Charge Description <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Warrant <input type="checkbox"/> Traffic <input type="checkbox"/> Ordinance	Traffic Citation # (if any)	Court Case #
Charge LEAVING SCENE OF AN CRASH INVOLVING DEATH	AHLWEOE	23-06855-CF-1
Defendant's Name (Last, First, Middle) HOOKS, CHRISTIAN JAMAAL	DOB 11/26/2000	Sex M Race B Ht 604 Wt 170 Hair BLK Eyes BRO Skin DRK
Alias	DL # H-200-110-00-426-0	State FL Scars/Marks/Tattoos/Physical Features
Local Address (Street, City, State, Zip Code) 1001 MOHAWK ST CLEARWATER FL 33755	Telephone 727-902-5716	Place of Birth NC Citizenship USA
Permanent Address (Street, City, State, Zip Code) 1001 MOHAWK ST CLEARWATER FL 33755	Telephone 727-902-5716	Employed by / School SANITATION
Weapon Seized Type <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Indication of Drug Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>	Indication of Mental Health Issues Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>
Indication of Alcohol Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>	Co-Defendant's Name (Last, First, Middle)	DOB Sex Race In Custody <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
Co-Defendant's Name (Last, First, Middle)	DOB Sex Race	In Custody <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 15 day of JULY, 2023,

at approximately 12:42 AM, at S MISSOURI AVE & DRUID RD, in Pinellas County did:

THEN AND THERE DRIVE A VEHICLE, TO-WIT: A 2009 TOYOTA RAV4, FL TAG 93BYCE, WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO JOSHUA MAXSON, AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

HOOKS, WAS THE DRIVER, AND SOLE OCCUPANT, OF A VEHICLE (FL TAG 93BYCE) DRIVING NORTHBOUND ON S MISSOURI AVE THE IN CURB LANE. THE VICTIM WAS CROSSING SOUTH MISSOURI AVE, JUST SOUTH OF THE ABOVE INTERSECTION. HOOKS STRUCK THE VICTIM WITH THE FRONT OF HIS VEHICLE CAUSING THE VICTIM TO BE ENTRAPPED WITHIN THE WINDSHIELD OF HOOKS' VEHICLE.

HOOKS TRAVELED AN ESTIMATED 150 FEET WITH THE VICTIM ENTRAPPED IN THE WINDSHIELD OF THE VEHICLE. THE VICTIM THEN STRUCK THE ROADWAY AND CAME TO A FINAL REST IN THE TURN LANE TO TRAVEL EAST ON DRUID RD FROM S MISSOURI AVE.

HOOKS THEN FLED FROM THE SCENE TRAVELING NORTHBOUND ON S MISSOURI AVE. ABOUT 20 MIN LATER CLEARWATER POLICE DISPATCH RECEIVED A CALL FROM A FRIEND OF HOOKS. THE CALLER ADVISED HOOKS WAS IN A CRASH AND FLED THE SCENE BECAUSE HE WAS SCARED.

THERE WAS EXTENSIVE DAMAGE TO THE FRONT OF THE VEHICLE CONSISTENT WITH THE CRASH. USING A SPEED FORMULA, THE ESTIMATED SPEED OF HOOKS WAS 65 MPH IN A 40 MPH ZONE. THE VICTIM DIED FROM INJURIES SUSTAINED IN THE CRASH.

HOOKS WAS ARRESTED FOR DUI BY OFFICER GILES. POST-MIRANDA, HOOKS MADE MULTIPLE INCRIMINATING STATEMENTS ABOUT THE CRASH.

Contrary to Florida Statute/Ordinance 316.027(2)(C) - F2

ARREST DATE: 7/15/2023 Time 1:46 AM Aggravating/Mitigating Factors HIGH BOND - DUI AS WELL

Booking Officer: GUGLIOTTA, A 54151 Amount of Bond 100,000 Bond Out Date Time  a.m.  p.m.

Victim Notified of Advisory?  Yes  No Injuries to Victim?  Yes  No Medical Treatment to Victim?  Yes  No

The Court reviewed this complaint and finds there:  is probable cause  is not probable cause to detain defendant  Bond Action, if any:

The probable cause determination is passed for:  24 Hrs  24 Hrs on showing of extraordinary circumstances Received by Booking: 7/15/2023 5:56:59 AM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.

*Justin Buis*  
 Declarant Signature CLEARWATER POLICE DEPT. Agency  
 OFFICER JUSTIN BUIS 9899 311012341  
 Printed Name Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)				
DATE	OFFICER	HOURS X PAY RATE	OR	COST
07/15/2023	J.BUIS	40 29.14		\$1,165.60

OTHER - Describe  
 Continuation sheet  Yes  No TOTAL \$ 1,165.60

**Defendant** HOOKS, CHRISTIAN JAMAAL

**Court Case No:** 23-06855-CF-1

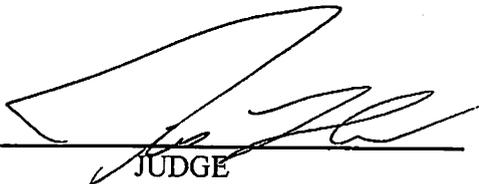
**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

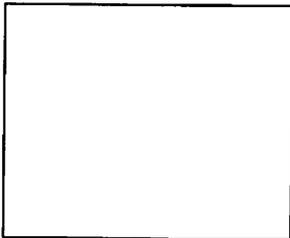
I FURTHER CERTIFY THAT:

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

  
\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE      DEFENDANT'S ATTORNEY'S SIGNATURE      DATE



FLORIDA DUI UNIFORM TRAFFIC CITATION

AHC405E

CITY OF PINELLAS 04		<input type="checkbox"/> (1) F.H.P. <input checked="" type="checkbox"/> (2) P.D. <input type="checkbox"/> (3) S.O. <input type="checkbox"/> (4) OTHER	
CITY (IF APPLICABLE) CLEARWATER 36		AGENCY NAME CLEARWATER PD	
IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON		DHS/MV RECORD FORWARD TO DESIGNATED DHS/MV HEARING OFFICE	
DAY OF WEEK SAT	MONTH 7	DAY 15	YEAR 2023
TIME 12:42		<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	
NAME (PRINT) FIRST CHRISTIAN	MIDDLE JAMAAL	LAST HOOKS	
STREET 1001 MOHAWK ST			
CITY CLEARWATER		STATE FL	ZIP CODE 33755
TELEPHONE NUMBER	DATE OF BIRTH 11 26	YR 00	RACE B SEX M HGT 604
DRIVER LICENSE NUMBER H 200110004260	STATE FL	CLASS E	CDL LICENSE <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
YR VEHICLE 09	MAKE TOYT	STYLE UT	COLOR BLK
VEHICLE LICENSE NO 93BYCE	TRAILER TAG NO	STATE FL	YEAR TAG EXPIRES 2023
UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMED DRUID RD / S MISSOURI AVE			MOTORCYCLE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
FT. _____ MILES _____			COMPANION CITATION(S) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

DID UNLAWFULLY COMMIT THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES, CHEMICAL OR CONTROLLED SUBSTANCES; DID DRIVE, OR WAS IN ACTUAL PHYSICAL CONTROL OF A VEHICLE, WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE/CHEMICAL SUBSTANCE/CONTROLLED SUBSTANCE TO THE EXTENT NORMAL FACULTIES WERE IMPAIRED, OR WITH A BLOOD OR BREATH ALCOHOL LEVEL OF .08 OR ABOVE OF .217 L. 223

COMMENTS PERTAINING TO OFFENSE (Only one offense each citation)  
 LEAVING SCENE VEHICLE VS PED DEATH

RE-EXAM  YES  NO

AGGRESSIVE DRIVER  PASSENGER < 18 YEARS  NO

STATE STATUTE SECTION 316.193(3)(C)3

CRASH  YES  NO DAMAGE TO OTHER PROPERTY  YES \$7000  NO INJURY TO ANOTHER  YES  NO SERIOUS BODILY INJURY TO ANOTHER  YES  NO FATAL  YES  NO

THIS IS A CRIMINAL VIOLATION. COURT APPEARANCE REQUIRED, AS INDICATED BELOW.

AT THE CALL OF THE COURT AHC405E

COURT DATE TIME: NORTH COUNTY TRAFFIC COURT

COURT AND LOCATION: 29582 U.S. 19 NORTH, CLEARWATER, FL 33761

ARREST DELIVERED TO PINELLAS COUNTY JAIL DATE 7/15/2023

I AGREE AND PROMISE TO COMPLY AND ANSWER TO THE CHARGES AND INSTRUCTIONS SPECIFIED IN THIS CITATION. WILLFUL REFUSAL TO ACCEPT AND SIGN THE CITATION MAY RESULT IN ARREST. I UNDERSTAND MY SIGNATURE IS NOT AN ADMISSION OF GUILT OR WAIVER OF RIGHTS. IF YOU NEED REASONABLE FACILITY ACCOMMODATIONS TO COMPLY WITH THIS CITATION, CONTACT THE CLERK OF THE COURT.

SIGNATURE OF VIOLATOR

EFFECTIVE IMMEDIATELY, YOUR DRIVING PRIVILEGE IS SUSPENDED/DISQUALIFIED FOR:

DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL THIS SUSPENSION IS FOR A PERIOD OF SIX MONTHS IF THIS IS THE FIRST VIOLATION OR ONE YEAR IF PREVIOUSLY SUSPENDED FOR DRIVING WITH AN UNLAWFUL BLOOD OR BREATH ALCOHOL LEVEL IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/PRIVILEGE WILL ALSO BE DISQUALIFIED FOR ONE YEAR FOR THE FIRST OFFENSE OR PERMANENTLY DISQUALIFIED FOR A SUBSEQUENT OFFENSE

REFUSAL TO SUBMIT TO LAWFUL BREATH, BLOOD OR URINE TEST SECTION 322.2615, F.S. THIS SUSPENSION IS FOR A PERIOD OF ONE YEAR IF THIS IS A FIRST REFUSAL OR 18 MONTHS IF PREVIOUSLY SUSPENDED FOR THIS OFFENSE IF YOU HOLD A CDL OR YOU ARE OPERATING A CMV, YOUR COMMERCIAL DRIVER LICENSE/PRIVILEGE WILL ALSO BE DISQUALIFIED FOR A PERIOD OF ONE YEAR FOR A FIRST REFUSAL OR PERMANENTLY DISQUALIFIED FOR A SUBSEQUENT REFUSAL

LICENSE SURRENDERED?  YES  NO REASON \_\_\_\_\_

ELIGIBLE FOR PERMITS?  YES  NO REASON \_\_\_\_\_

UNLESS INELIGIBLE, THIS CITATION SHALL SERVE AS A TEMPORARY DRIVER LICENSE AND WILL EXPIRE AT MIDNIGHT ON THE 10TH DAY FOLLOWING THE DATE OF SUSPENSION.

AT THE CLEARWATER BUREAU OF ADMINISTRATIVE REVIEWS OFFICE YOU MAY REQUEST, WITHIN 10 DAYS AFTER THE DATE OF SUSPENSION A REVIEW OF SUSPENSION BY THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES OR A REVIEW TO DETERMINE ELIGIBILITY FOR A RESTRICTED LICENSE IF THIS IS YOUR FIRST DUI RELATED OFFENSE. SEE REVERSE SIDE

H. GILES CW2285

DATE - SIGNATURE OF OFFICER 7/15/2023

CASE # 2023 1027500

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS #	REPORT # CW [REDACTED]				DOCKET # 1935888																												
Person ID	311410486				SS [REDACTED]																												
Charge Description	<input checked="" type="checkbox"/> Felony	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Warrant	<input type="checkbox"/> Traffic	<input type="checkbox"/> Ordinance	Traffic Citation # (if any)	Court Case #																										
Charge	DUI MANSLAUGHTER				AHC405E		23-06855-CF-2																										
Defendant's Name (Last, First, Middle)	HOOKS, CHRISTIAN JAMAAL		DOB	11/26/2000	Sex	M	Race	B																									
	Ht	604	Wt	170	Hair	BLK	Eyes	BRO																									
	Skin	DRK	Scars/Marks/Tattoos/Physical Features																														
Alias	DL #	H-200-110-00-426-0		State	FL																												
Local Address (Street, City, State, Zip Code)	1001 MOHAWK ST CLEARWATER FL 33755				Telephone	727-902-5716		Place of Birth	NC																								
	Citizenship	USA																															
Permanent Address (Street, City, State, Zip Code)	1001 MOHAWK ST CLEARWATER FL 33755				Telephone	727-902-5716		Employed by / School	SANITATION																								
Weapon Seized Type	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Indication of Drug Influence	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK	Indication of Mental Health Issues	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK	Indication of Alcohol Influence	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> UNK																									
Co-Defendant's Name (Last, First, Middle)					DOB	Sex	Race	In Custody <input type="checkbox"/> Yes <input type="checkbox"/> No																									
								<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor																									
Co-Defendant's Name (Last, First, Middle)					DOB	Sex	Race	In Custody <input type="checkbox"/> Yes <input type="checkbox"/> No																									
								<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor																									
<p>The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the <u>15</u> day of <u>JULY</u>, 2023,</p> <p>at approximately <u>12:42</u> AM, at <u>MISSOURI AVE / DRUID RD</u>, in Pinellas County did:</p> <p>DID DRIVE OR BE IN ACTUAL PHYSICAL CONTROL OF A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES OR ANY CHEMICAL SUBSTANCE SET FORTH IN F.S.S. 877.111, OR ANY SUBSTANCE CONTROLLED UNDER CHAPTER 893, AND WAS AFFECTED TO THE EXTENT THAT DEFENDANT NORMAL FACULTIES WERE IMPAIRED OR HAD A BLOOD OR BREATH ALCOHOL LEVEL OF 0.08 PERCENT OR HIGHER AND AS A RESULT OF OPERATION OF THE VEHICLE DID CAUSE OR CONTRIBUTE TO CAUSING GREAT BODILY HARM TO, ANOTHER PERSON THEREBY INFLECTING MORTAL WOUNDS UPON ONE JOSHUA BRUCE MAXSON, A HUMAN BEING, OF WHICH SAID MORTAL WOUNDS, AND BY THE MEANS AFORESAID AND AS A DIRECT RESULT THEREOF, THE SAID JOSHUA BRUCE MAXSON DIED.</p> <p>SELECT SUBSECTION: C. BREATH ALCOHOL 0.08 OR MORE PER 210 L</p> <p>REASON FOR STOP: HOOKS WAS INVOLVED IN A CRASH WHERE HE STRUCK A PEDESTRIAN WITH HIS BLACK 2009 TOYOTA UTILITY (FL TAG# 93BYCE) AND LEFT THE SCENE. THE CRASH CAUSED THE DEATH OF JOSHUA BRUCE MAXSON. DURING THE INVESTIGATION IT WAS DETERMINED THAT HOOKS WAS TRAVELING APPROXIMATELY 67 MPH IN A POSTED 40 MPH ZONE USING A SPEED CALCULATION. THE ROADWAY WAS WELL LIT WITH STREET LIGHTS AND THERE APPEARED TO BE NO HEAVY BREAKING ON THE ROADWAY. CONTACT WAS MADE WITH HOOKS APPROXIMATELY 20 MINUTES LATER AFTER A FRIEND OF HIS CALLED 911 TO REPORT THE ACCIDENT. THE FRIEND OBSERVED HOOKS BEHIND THE WHEEL, AND IN ACTUAL CONTROL OF THE VEHICLE.</p> <p>POST MIRANDA, HOOKS MADE SEVERAL INCRIMINATING STATEMENTS.</p> <p>BRAC: 217/223 BREATH: STRONG ODOR OF AN ALCOHOLIC BEVERAGE BALANCE: SWAYING, UNSTEADY, STUBBLING EYES: BLOODSHOT WATERY GLASSY PRIOR CONVICTIONS: NONE FOUND.</p> <p>DEFENDANT DID SHOW SIGNS OF IMPAIRMENT AND PERFORMED POORLY ON FIELD SOBRIETY TESTS.</p> <p>COURT INFORMATION: NORTH COUNTY TRAFFIC COURT AT THE CALL OF THE COURT, CITATION #: AHC405E</p>																																	
<p>Contrary to Florida Statute/Ordinance <u>316.193(3)(C)(3)(A) - F2</u></p> <p>ARREST DATE: <u>7/15/2023</u> Time: <u>1:46 AM</u> Aggravating/Mitigating Factors: <u>HIGH BOND</u></p> <p>Booking Officer: <u>GUGLIOTTA, A 54151</u> Amount of Bond: <u>20000</u> Bond Out Date: _____ Time: _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.</p> <p>Victim Notified of Advisory? <input type="checkbox"/> Yes <input type="checkbox"/> No Injuries to Victim? <input type="checkbox"/> Yes <input type="checkbox"/> No Medical Treatment to Victim? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>The Court reviewed this complaint and finds there: <input checked="" type="checkbox"/> is probable cause <input type="checkbox"/> is not probable cause to detain defendant <input type="checkbox"/> Bond Action, if any: _____</p> <p>The probable cause determination is passed for: <input type="checkbox"/> 24 Hrs <input type="checkbox"/> 24 Hrs on showing of extraordinary circumstances Received by Booking: <u>7/15/2023 5:56:47 AM</u></p>																																	
<p>Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.</p> <p></p> <p>_____ Declarant Signature</p> <p>CLEARWATER POLICE DEPT. Agency</p> <p>OFFICER HENRY GILES 9594 Printed Name</p> <p>310843226 Declarant ID#</p>				<p>REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)</p> <table border="1"> <tr> <th>DATE</th> <th>OFFICER</th> <th>HOURS X PAY RATE</th> <th>OR</th> <th>COST</th> </tr> <tr> <td>07/15/2023</td> <td>H. GILES</td> <td>6 29.14</td> <td></td> <td>\$174.84</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> <p>OTHER - Describe _____</p> <p>Continuation sheet <input type="checkbox"/> Yes <input type="checkbox"/> No TOTAL \$ <u>174.84</u></p>					DATE	OFFICER	HOURS X PAY RATE	OR	COST	07/15/2023	H. GILES	6 29.14		\$174.84															
DATE	OFFICER	HOURS X PAY RATE	OR	COST																													
07/15/2023	H. GILES	6 29.14		\$174.84																													

**Defendant** HOOKS, CHRISTIAN JAMAAL

**Court Case No:** 23-06855-CF-2

**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

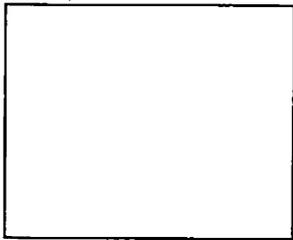
I FURTHER CERTIFY THAT:

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

  
\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ATTORNEY'S SIGNATURE

\_\_\_\_\_  
DATE

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522023CF006855000APC

REF No. : 23-06855-CF - T

OBTS NUMBER .....

STATE OF FLORIDA  
VS.

**CHRISTIAN HOOKS**  
Defendant

PID: 311410486

SS# [REDACTED]

**JUDGMENT**

The Defendant, **CHRISTIAN HOOKS**, being personally before this court represented by **DARRIN E JOHNSON** the attorney of record, and the state represented by **HANNAH FARRELL**, Assistant State Attorney, and having:

entered a plea of guilty to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F
02	DRIVING UNDER THE INFLUENCE	MISDEMEANOR	

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : CHRISTIAN HOOKS

UCN : 522023CF006855000APC  
REF No. : 23-06855-CF - T

\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION  
OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
*(Check if Applicable)*

\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_  
(Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on **June 7, 2024**.

\_\_\_\_\_  
JUDGE

FINGERPRINTS OF THE DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

\_\_\_\_\_  
*Bryant W1348*  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, **CHRISTIAN HOOKS**, and that they were placed thereon by the defendant in my presence in open court this day.

\_\_\_\_\_  
JUDGE

Defendant: CHRISTIAN HOOKS

UCN: 522023CF006855000APC  
REF No.: 23-06855-CF - T

OBTs Number \_\_\_\_\_

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, **DARRIN E JOHNSON**, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### **It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$824.84**, inclusive of, Investigative Costs in the amount of **\$174.84** pursuant to s. 938.27 F.S., **\$100.00** as a Cost of Prosecution assessment. These assessments excluding the Investigative Costs and Cost of Prosecution are concurrent with **Count 02**.

The Defendant is **committed to the custody of the Department of Corrections**.

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### **To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **5 YEARS**.

Followed by a period of **5 YEARS Probation** under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

## **SPECIAL PROVISIONS**

By appropriate notation, the following provisions apply to the sentence imposed:

### **Mandatory/Minimum Provisions:**

**DUI Manslaughter**

**It is further ordered that the 4 year minimum mandatory imprisonment provision of 316.193(3)(c)3, Florida Statutes, is imposed.**

### **Other Provisions:**

**Please see the last page of this document for other provisions.**

Defendant: CHRISTIAN HOOKS

UCN: 522023CF006855000APC  
REF No.: 23-06855-CF - T

OBTS Number .....

## SENTENCE

(as to Count 02 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, **DARRIN E JOHNSON**, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### **It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$1538.00**, inclusive of, **\$20.00** as a Crime Prevention assessment.

The Defendant is **committed to the custody of the Sheriff of Pinellas County, Florida.**

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### **To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **180 DAYS.**

## SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

### **Mandatory/Minimum Provisions:**

**No Mandatory/Minimum provisions are imposed on this count.**

### **Other Provisions:**

**Consecutive/Concurrent As To Other Counts**    **It is further ordered that the sentence imposed for this count shall run concurrent with the sentence set forth in count 01 of this case.**

**Other Provisions: (continued)**

**Jail Credit**

**It is further ordered that the defendant shall be allowed a total of 329 DAYS as credit for time incarcerated before imposition of this sentence.**

**Immigration Detainer**

**It is further ordered that, as per s. 908.104(3)(b), F.S., the secure correctional facility in which the defendant is to be confined shall reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.**

**It is further ordered that:**

**Restitution is not applicable in this case.**

Restitution to State:

If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

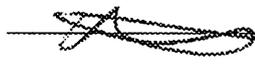
In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:

**The defendant shall pay a \$7.00 fee to the Pinellas County Sheriff's Office for DNA testing. The defendant shall complete 50 hours of community service work. Your driver's license is revoked for 3 YEARS. The defendant will enroll in DUI School, including substance abuse evaluation and any recommended treatment, and assume all reasonable costs for such education, evaluation and treatment.**

DONE AND ORDERED in open court at Clearwater, Pinellas County, Florida on **June 7, 2024.**

  
\_\_\_\_\_  
Judge

**Rule 3.992(a) Criminal Punishment Code Scoresheet**

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <b>01/17/2024</b>	2. PREPARER'S NAME ALEC WAID	3. COUNTY PINELLAS	4. SENTENCING JUDGE JUDGE PAT SIRACUSA
5. NAME (LAST, FIRST, MI.) HOOKS, CHRISTIAN	6. DOB 11/26/2000	8. RACE BLACK	10. PRIMARY OFF. DATE 7/14/2023
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 23-06855-CF
			12. PLEA TRIAL <input checked="" type="checkbox"/>

**I. PRIMARY OFFENSE:** Qualifier:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	LEAVE CRASH W/DEATH	7	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

I. 56.0000

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
23-06855-CF	5/MM	316.193	M		1	0.2	0.2
DESCRIPTION	DUI-MISD.						
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points 0.2000

II. 0.2000

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

III. \_\_\_\_\_

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points \_\_\_\_\_

IV. \_\_\_\_\_

Page 1 Subtotal: 56.2000

NAME (LAST, FIRST, MI. I.)  
HOOKS, CHRISTIAN

DOCKET #  
23-06855-CF

Page 1 Subtotal: 56.2000

V. Legal Status Violation = 4 Points

- Escape  Fleeing  Failure to Appear  Supersedeas bond  Incarceration  Pretrial intervention or diversion program
- Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

VI. Community Sanction Violation before the court for sentencing

- Probation  Community Control  Pretrial intervention or diversion
- 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR
- New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
- 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR
- New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VI. \_\_\_\_\_

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points

VII. \_\_\_\_\_

VIII. Prior Serious Felony = 30 points

VIII. \_\_\_\_\_

Subtotal Sentence Points 56.2000

IX. Enhancements (only if primary offense qualifies for enhancement)

Law Enf. Protect <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker <input type="checkbox"/> x 1.5	Motor Vehicle Theft <input type="checkbox"/> x 1.5	Criminal Gang Offense <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07) <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14) <input type="checkbox"/> x 2.0
--	---	---	---	---	--

Enhanced Subtotal Sentence Points

IX. \_\_\_\_\_

TOTAL SENTENCE POINTS 56.2000

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{56.2000}{\text{total sentence points}} \text{ minus } 28 = \frac{28.2000}{x .75} = \frac{21.150000}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence for each individual felony offense is the statutory maximum as provided in s 775.082, F.S., unless the lowest permissible sentence listed above exceeds the statutory maximum for that offense. If the lowest permissible sentence exceeds the statutory maximum for an individual felony offense, the lowest permissible sentence replaces the statutory maximum and must be imposed for that offense. See State v. Gabriel, 314 So. 3d 1243 (Fla.2021). Sentences for multiple felony offenses may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.

Primary offense:	<u>LEAVE CRASH W/DEATH</u>	Description	<u>30 years</u>
Additional offense:	<u>DUI-MISD.</u>	Description	Maximum sentence in years
Additional offense:	_____	Description	Maximum sentence in years
Additional offense:	_____	Description	Maximum sentence in years
Total maximum sentence in years for all counts above if consecutive sentence imposed:			<u>30 years</u>

TOTAL SENTENCE IMPOSED

<input checked="" type="checkbox"/> State Prison	<input type="checkbox"/> Life	Years	Months	Days
<input type="checkbox"/> County Jail	<input type="checkbox"/> Time Served	<u>5</u>	_____	_____
<input type="checkbox"/> Community Control		_____	_____	_____
<input checked="" type="checkbox"/> Probation	<input type="checkbox"/> Modified	<u>5</u>	_____	_____

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender,

or a  mandatory minimum applies (4 yrs)

Mitigated Departure  Plea Bargain  Prison Diversion Program

Other Reason \_\_\_\_\_

JUDGE'S SIGNATURE

**COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA**

OBTS #		REPORT # <b>21-0047255</b>	DOCKET # <b>1882833</b>
Person ID	<b>311186096</b>	SSN	[REDACTED]
Charge Description	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Warrant <input type="checkbox"/> Traffic <input type="checkbox"/> Ordinance	Traffic Citation # (if any)	Court Case #
Charge	<b>LEAVING SCENE OF AN CRASH INVOLVING DEATH</b>	<b>ABJ509E</b>	<b>21-12147-CF-1</b>
Defendant's Name (Last, First, Middle)	<b>LEWIS, CHEDDY HERLAND</b>	DOB	<b>09/10/1988</b>
Sex	<b>M</b>	Race	<b>B</b>
Ht	<b>506</b>	Wt	<b>135</b>
Hair	<b>BLK</b>	Eyes	<b>BRO</b>
Skin			
Alias	DL # <b>L200108883300</b>	State FL	Scars/Marks/Tattoos/Physical Features
Local Address (Street, City, State, Zip Code)	<b>148 DOUGLAS ROAD OLDSMAR FL 34677</b>	Telephone	<b>7279530359</b>
Place of Birth	<b>JAMAICA</b>	Citizenship	<b>YES</b>
Permanent Address (Street, City, State, Zip Code)	<b>148 DOUGLAS ROAD OLDSMAR FL 34677</b>	Telephone	<b>7279530359</b>
Employed by / School	<b>DUNEDIN SMOKEHOUSE</b>		
Weapon Seized Type	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Indication of Drug Influence	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK
Indication of Mental Health Issues	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK	Indication of Alcohol Influence	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> UNK
Co-Defendant's Name (Last, First, Middle)		DOB	
Sex		Race	
In Custody	<input type="checkbox"/> Yes <input type="checkbox"/> No		
	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor		

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 18 day of DECEMBER, 2021,

at approximately 2:30 AM, at US 19 ALDERMAN RD, in Pinellas County did:

THEN AND THERE DRIVE A VEHICLE, TO-WIT: RED IN COLOR, 2008 MERCEDES CLS550, WHICH WAS INVOLVED IN A HIT AND RUN CRASH INVOLVING DEATH TO MICHAEL PATRICK HOGAN, AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

ON 12/18/21 I, CORPORAL O. RODRIGUEZ, WAS DISPATCHED TO A FATAL CRASH INVOLVING A VEHICLE AND PEDESTRIAN RESULTING IN 1 FATALITY. THE DRIVER WAS IDENTIFIED BY HIS FLORIDA DRIVING LICENSE. THE FRONT OF V-1 STRUCK AND KILLED P-1. AFTER THE COLLISION D-1 CONTINUED TO TRAVEL SOUTH ON US-19 FOR OVER A MILE AND FAILED TO STOP AND RENDER AID TO P-1.

THE PINELLAS SHERIFF'S OFFICE WAS ABLE TO FOLLOW V-1 A MADE A TRAFFIC STOP ON D-1. TROOPER SMITH MADE CONTACT WITH MR. LEWIS AND BASED ON HIS TRAINING AND EXPERIENCE BELIEVE THAT MR. LEWIS WAS UNDER THE INFLUENCE OF ALCOHOL. MR. LEWIS FAILED THE FIELD SOBRRARITY EXERCISE AND WAS PLACED UNDER ARREST. WHEN I ARRIVED ON SCENE I OBSERVED A WHITE MALE DECEASED IN THE INSIDE TRAVEL LANE WITH FATAL ENGURIES. THE INJURIES THE PEDESTRIAN EXHIBITED WERE CONSISTENT WITH BEING STRUCK BY A MOTOR VECHILE A RED PIECE OF FRONT BUMPER, HEADLIGHTS PIECES, AND VEHICLE GLASS WERE LOCATED AT THE CRASH SCENE I TRAVELED APPROXIMATELY A MILE DOWN BULCHER ROAD AND ALDERMAN ROAD WHERE I OBSERVED THE RED VEHICLE IN THE INSIDE LANE WITH SIGNIFICANT DAMAGE TO THE FRONT. THE DAMAGE OF THE VEHICLE WAS CONSISTENT WITH THE CRASH. I OBTAIN A SWORN RECORDED STATEMENT FROM MR. LEWIS. MR. LEWIS STATED HE WAS THE ONLY PERSON INSIDE V-1 AND WAS IN ACTUAL PHYSICAL CONTROL OF THE VEHICLE AT THE TIME OF THE CRASH. MR. LEWIS STATED HE WAS DRINKING ALCOHOL AT HIS COUSIN HOUSE RPIOR TO THE CRASH. THIS AFFIDAVIT WAS COMPLETED BY CPL. RODRIGUEZ, LEAD INVESTIGATOR, DUE TO NO ACCESS TO VIPAR.

Contrary to Florida Statute/Ordinance 316.027(2)(C) - F1

ARREST DATE: 12/18/2021 Time 3:57 AM . Aggravating/Mitigating Factors \_\_\_\_\_

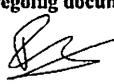
Booking Officer: KIMBLE, E 59770 Amount of Bond 50000 Bond Out Date 12/18/21 Time 20:46  a.m.  p.m.

Victim Notified of Advisory?  Yes  No Injuries to Victim?  Yes  No Medical Treatment to Victim?  Yes  No

The Court reviewed this complaint and finds there:  is probable cause  is not probable cause to detain defendant  Bond Action, if any: \_\_\_\_\_

The probable cause determination is passed for:  24 Hrs  24 Hrs on showing of extraordinary circumstances Received by Booking: 12/18/2021 2:10:07 PM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.

  
 Declarant Signature \_\_\_\_\_ Agency FHP PINELLAS

TROOPER RACHEL PALFY 3675 310779264  
 Printed Name \_\_\_\_\_ Declarant ID# \_\_\_\_\_

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)					
DATE	OFFICER	HOURS X PAY RATE	OR	COST	
12/18/2021	SMITH	8	25.00		\$200.00
12/18/2021	RODRIGUEZ	30	25.00		750
12/18/2021	THOMPSON	30	25.00		750
12/18/2021	JAMES	8	25.00		200
OTHER - Describe _____					
Continuation sheet <input type="checkbox"/> Yes <input type="checkbox"/> No				TOTAL \$ <u>\$1,900.00</u>	

5B  
 21 DEC 19  
 COURT REC  
 LIST  
 12/18/21 AM 9:05  
 COURT REC

**Defendant** LEWIS, CHEDDY HERLAND

**Court Case No:** 21-12147-CF-1

**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

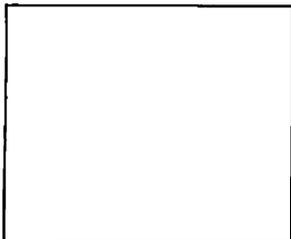
**I FURTHER CERTIFY THAT:**

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ATTORNEY'S SIGNATURE

\_\_\_\_\_  
DATE

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522021CF012147000APC

REF No. : 21-12147-CF - D

OBTS NUMBER .....

STATE OF FLORIDA

VS.

**CHEDDY HERLAND LEWIS**

Defendant

PID: 311186096

SS# [REDACTED]

**JUDGMENT**

The Defendant, **CHEDDY HERLAND LEWIS**, being personally before this court represented by **CURTIS M CRIDER ESQ** the attorney of record, and the state represented by **BENJAMIN KANOSKI**, Assistant State Attorney, and having:

entered a plea of guilty to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027(2) (e) /316.027 (2) (f)	1F
02	DRIVING UNDER THE INFLUENCE	MISDEMEANOR	

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : CHEDDY HERLAND LEWIS

UCN : 522021CF012147000APC  
REF No. : 21-12147-CF - D

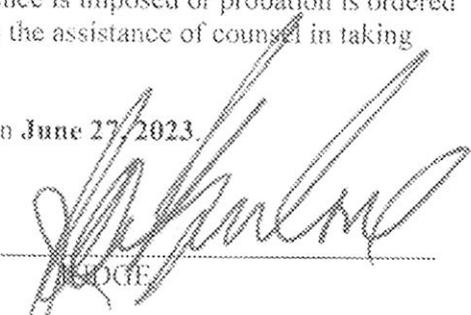
\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
(Check if Applicable)

\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on June 27, 2023.



\_\_\_\_\_  
JUDGE

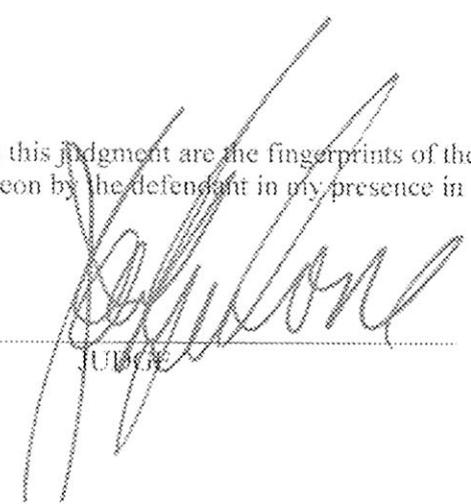
FINGERPRINTS OF THE DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

Dep. J. AdKisson 54209  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this Judgment are the fingerprints of the defendant, CHEDDY HERLAND LEWIS, and that they were placed thereon by the defendant in my presence in open court this day.



\_\_\_\_\_  
JUDGE

**Rule 992(a) Criminal Punishment Code Scoresheet**

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_opcmindex.html](http://www.dc.state.fl.us/pub/sen_opcmindex.html)

1. DATE OF SENTENCE <b>6/27/23</b>		2. PREPARER'S NAME KANOSKI		3. COUNTY PINELLAS		4. SENTENCING JUDGE BULONE	
5. NAME (LAST, FIRST, M.I.) LEWIS, CHEDDY		6. DOB 9/10/1988		8. RACE BLACK		10. PRIMARY OFF. DATE 12/18/2021	
		7. DC #		9. GENDER MALE		11. PRIMARY DOCKET # 21-12147CF	
						12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>	

**I. PRIMARY OFFENSE:** Qualifier:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	LEAVE CRASH W/DEATH	7	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

**I. 56.0000**

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
21-12147CF	5/MM	316.193	M		1	0.2	0.2
DESCRIPTION	DUI-MISD.						
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points **II. 0.2000**

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

**III. \_\_\_\_\_**

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points **IV. \_\_\_\_\_**

**Page 1 Subtotal: 56.2000**

**V. Legal Status Violation = 4 Points**

- Escape  
  Fleeing  
  Failure to Appear  
  Supersedeas bond  
  Incarceration  
  Pretrial intervention or diversion program  
 Court imposed post prison release community supervision resulting in a conviction
- V. \_\_\_\_\_

**VI. Community Sanction Violation before the court for sentencing**

- Probation  
  Community Control  
  Pretrial intervention or diversion  
 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR  
 New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR  
 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR  
 New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation
- VI. \_\_\_\_\_

**VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points**

VII. \_\_\_\_\_

**VIII. Prior Serious Felony = 30 points**

VIII. \_\_\_\_\_

**Subtotal Sentence Points** 56.2000

**IX. Enhancements (only if primary offense qualifies for enhancement)**

Law Enf. Protect.  <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker  <input type="checkbox"/> x 1.5	Motor Vehicle Theft  <input type="checkbox"/> x 1.5	Criminal Gang Offense  <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child <small>(offenses committed on or after 03-12-07)</small>  <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense <small>(offenses committed on or after 10-1-14)</small>  <input type="checkbox"/> x 2.0
---	---	---	---	--	---

Enhanced Subtotal Sentence Points **IX.** \_\_\_\_\_

**TOTAL SENTENCE POINTS** 56.2000

**SENTENCE COMPUTATION**

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{56.2000}{\text{total sentence points}} \text{ minus } 28 = \frac{28.2000}{\text{total sentence points}} \times .75 = \frac{21.150000}{\text{total sentence points}}$$
 Lowest permissible prison sentence in months

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence for each individual felony offense is the statutory maximum as provided in s. 775.082, F.S., unless the lowest permissible sentence listed above exceeds the statutory maximum for that offense. If the lowest permissible sentence exceeds the statutory maximum for an individual felony offense, the lowest permissible sentence replaces the statutory maximum and must be imposed for that offense. See *State v. Gabriel*, 314 So. 3d 1243 (Fla.2021). Sentences for multiple felony offenses may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.

Primary offense:	LEAVE CRASH W/DEATH	30 years
Additional offense:	DUI-MISD.	Maximum sentence in years
Additional offense:		years
Additional offense:		Maximum sentence in years
Additional offense:		Maximum sentence in years
		Maximum sentence in years
	Total maximum sentence in years for all counts above if consecutive sentence imposed:	30 years

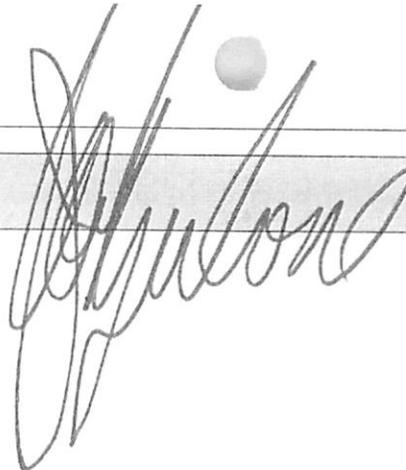
**TOTAL SENTENCE IMPOSED**

	Years	Months	Days
<input type="checkbox"/> State Prison	_____	_____	_____
<input type="checkbox"/> County Jail	_____	_____	_____
<input checked="" type="checkbox"/> Community Control	1	_____	_____
<input checked="" type="checkbox"/> Probation	3	_____	_____
<input type="checkbox"/> Life	_____	_____	_____
<input type="checkbox"/> Time Served	_____	_____	_____
<input type="checkbox"/> Modified	_____	_____	_____

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

Mitigated Departure  Plea Bargain  Prison Diversion Program  
Other Reason \_\_\_\_\_

**JUDGE'S SIGNATURE**

A handwritten signature in black ink, appearing to be "J. J. ...", is written over a horizontal grey bar. The signature is cursive and somewhat stylized.

**Rule 3.992(b) Supplemental Criminal Punishment Code Scoresheet**

<b>NAME (LAST, FIRST, MI. I.)</b> LEWIS, CHEDDY	<b>DOCKET #</b> 21-12147CF	<b>DATE OF SENTENCE</b> <del>6/6/2022</del> 6/27/23
--	-------------------------------	--

**X. ADDITIONAL OFFENSE(S):**

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

II. \_\_\_\_\_

**IV. PRIOR RECORD:**

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

**Reasons for Departure – Mitigating Circumstances**  
(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain.
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence
- The victim was an initiator, willing participant, aggressor, or provoker of the incident
- The defendant acted under extreme duress or under the domination of another person
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense
- The defendant is to be sentenced as a youthful offender.
- The defendant is amenable to the services of a post adjudicatory treatment-based drug court program and is otherwise qualified to participate in the program
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s 921.0026(2)(m)

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS # [ ] REPORT # SO [REDACTED] DOCKET # 1947247

Person ID 312253566 SSN [REDACTED]

Charge Description [X] Felony [ ] Misdemeanor [ ] Warrant [ ] Traffic [ ] Ordinance [ ] Traffic Citation # (if any) Court Case #

Charge LEAVING SCENE OF AN CRASH INVOLVING DEATH AIPORRE 23-10954-CF-1

Defendant's Name (Last, First, Middle) MCKEOWN, MARK ALAN DOB 03/01/1962 Sex M Race W Ht 508 Wt 220 Hair Eyes Skin

Alias DL # M250585040159 State MI Scars/Marks/Tattoos/Physical Features

Local Address (Street, City, State, Zip Code) 3575 CHEVRON DR HIGHLAND MI 48356 Telephone 248-420-6701 Place of Birth MI Citizenship YES

Permanent Address (Street, City, State, Zip Code) 3575 CHEVRON DR HIGHLAND MI 48356 Telephone 248-420-6701 Employed by / School

Weapon Seized Type [ ] Yes [X] No Indication of Drug Influence [ ] Y [X] N [ ] UNK Indication of Mental Health Issues [ ] Y [X] N [ ] UNK Indication of Alcohol Influence [X] Y [ ] N [ ] UNK

Co-Defendant's Name (Last, First, Middle) DOB Sex Race In Custody [ ] Yes [ ] No [ ] Felony [ ] Misdemeanor

Co-Defendant's Name (Last, First, Middle) DOB Sex Race In Custody [ ] Yes [ ] No [ ] Felony [ ] Misdemeanor

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 11 day of NOVEMBER, 2023

at approximately 8:29 PM, at 245 108TH AVE, TREASURE ISLAND, FL 33706, in Pinellas County did:

THEN AND THERE DRIVE A VEHICLE, TO-WIT: BLACK 2019 DODGE RAM 1500, VIN 1C6SRFFTXKN899546, MICHIGAN REGISTRATION 0NAC1, WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO THOMAS JOSEPH MCKEOWN, AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

THE DEF (SON) AND THE VICTIM (FATHER) LEFT THE OCCURRED LOCATION TOGETHER ON FOOT. THE VICTIM FELL DOWN IN FRONT OF THE VEHICLE BELONGING TO THE VICTIM. THE DEF DROVE THE VICTIMS VEHICLE OVER THE VICTIM AND THEN APPEARED TO BACK OVER HIM AND PULL FORWARD OVER HIM MULTIPLE TIMES. THE DEF THEN LEFT THE SCENE IN THE VEHICLE AND CAME BACK ON FOOT. THE DEF ACTED AS IF HE DID NOT KNOW WHAT HAPPENED AND THEN LEFT IN THE VEHICLE PARKING IT AT ANOTHER LOCATION. BLOOD/TISSUE WAS FOUND UNDER THE VEHICLE. THE DEFENDANT ARRIVED AT THE HOSPITAL WHERE THE VICTIM WAS TRANSPORTED. THE VICTIM WAS PRONOUNCED DECEASED AFTER HE WAS TRANSPORTED. THE DEF ADMITTED TO DRIVING THE VICTIM'S VEHICLE FROM THE BAR AND ADMITTED TO RETURNING TO THE SCENE BUT DENIED SEEING THE VICTIM ON THE GROUND AND HE DENIED HITTING ANYONE. SURVEILLANCE FOOTAGE WAS COLLECTED WHICH SHOWED THE ENTIRE OFFENSE. THE DEF WAS ARRESTED FOR THE OFFENSE. SEARCH WARRANT WAS SERVED ON THE VEHICLE.

Contrary to Florida Statute/Ordinance 316.027(2)(C) - F1

ARREST DATE: 11/12/2023 Time 1:50 AM Aggravating/Mitigating Factors VICTIM/SUSPECT - FATHER/SON

Booking Officer: EELLS, C 56501 Amount of Bond 50,000 Bond Out Date Time [ ] a.m. [ ] p.m.

Victim Notified of Advisory? [ ] Yes [ ] No Injuries to Victim? [ ] Yes [ ] No Medical Treatment to Victim? [ ] Yes [ ] No

The Court reviewed this complaint and finds there: [ ] is probable cause [ ] is not probable cause to detain defendant [ ] Bond Action, if any:

The probable cause determination is passed for: [ ] 24 Hrs [ ] 24 Hrs on showing of extraordinary circumstances Received by Booking: 11/12/2023 4:00:03 AM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true. Blaine Loring PINELLAS COUNTY SHERIFF Agency DEPUTY BLAINE LORING 59139 310500999 Printed Name Declarant ID#

Table with 5 columns: DATE, OFFICER, HOURS X PAY RATE, OR, COST. Includes rows for B. LORING, B. HIRSHMAN, G. YEARGIN, T. SPENCER and a TOTAL of \$830.00.

**Defendant** MCKEOWN, MARK ALAN

**Court Case No:** 23-10954-CF-1

**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

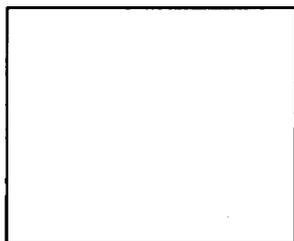
I FURTHER CERTIFY THAT:

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ATTORNEY'S SIGNATURE

\_\_\_\_\_  
DATE

**Rule 992(a) Criminal Punishment Code Scoresheet**

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

<b>1. DATE OF SENTENCE</b> 11/18/24	<b>2. PREPARER'S NAME</b> CB	<b>3. COUNTY</b> PINELLAS	<b>4. SENTENCING JUDGE</b> JUDGE BULONE
<b>5. NAME (LAST, FIRST, MI.)</b> MCKEOWN, MARK A.	<b>6. DOB</b> 3/1/1962	<b>8. RACE</b> WHITE	<b>10. PRIMARY OFF. DATE</b> 11/11/2023
	<b>7. DC #</b>	<b>9. GENDER</b> MALE	<b>11. PRIMARY DOCKET #</b> 23-10954-CF
			<b>12. PLEA</b> TRIAL <input checked="" type="checkbox"/>

**I. PRIMARY OFFENSE:** Qualifier: \_\_\_\_\_

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	LEAVE CRASH W/DEATH	7	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

**I. 56.0000**

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points \_\_\_\_\_  
**II. \_\_\_\_\_**

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	1	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

**III. 120.0000**

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points \_\_\_\_\_  
**IV. \_\_\_\_\_**

**Page 1 Subtotal: 176.0000**

NAME (LAST, FIRST, MI. I.)  
MCKEOWN, MARK A.

DOCKET #  
23-10954-CF

Page 1 Subtotal: 176.0000

V. LEGAL STATUS VIOLATION= 4 Points

- Escape  Fleeing  Failure to Appear  Supersedeas Bond  Incarceration  Pretrial Intervention or Diversion Program
- Court Imposed Post Prison Release Community Supervision Resulting in a Conviction

V. \_\_\_\_\_

VI. COMMUNITY SANCTION VIOLATION BEFORE THE COURT FOR SENTENCING

VI. \_\_\_\_\_

- Probation  Community Control  Pretrial intervention or Diversion
  - 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR
  - New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
  - 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR
  - New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VII. FIREARM/SEMI-AUTOMATIC OR MACHINE GUN = 18 or 25 points

VII. \_\_\_\_\_

VIII. PRIOR SERIOUS FELONY= 30 points

VIII. \_\_\_\_\_

Subtotal Sentence Points 176.0000

IX. ENHANCEMENTS (only if primary offense qualifies for enhancement)

Specified Justice System Personnel <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker <input type="checkbox"/> x 1.5	Motor Vehicle Theft <input type="checkbox"/> x 1.5	Criminal Gang Offense <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07) <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14) <input type="checkbox"/> x 2.0
--	---	---	---	---	--

Enhanced Subtotal Sentence Points IX. 176.0000  
TOTAL SENTENCE POINTS 176.0000

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{176.0000}{\text{total sentence points}} \text{ minus } 28 = \frac{148.0000}{\text{total sentence points}} \times .75 = \frac{111.000000}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence for each individual felony offense is the statutory maximum as provided in s. 775.082, F.S.; unless the lowest permissible sentence listed above exceeds the statutory maximum for that offense. If the lowest permissible sentence exceeds the statutory maximum for an individual felony offense, the lowest permissible sentence replaces the statutory maximum and must be imposed for that offense. See *State v. Gabriel*, 314 So. 3d 1243 (Fla.2021). Sentences for multiple felony offenses may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.

Primary offense:	LEAVE CRASH W/DEATH	Description	30 years
			Maximum sentence in years
Additional offense:		Description	Maximum sentence in years
Additional offense:		Description	Maximum sentence in years
Additional offense:		Description	Maximum sentence in years
Total maximum sentence in years for all counts above if consecutive sentence imposed:			30 years

TOTAL SENTENCE IMPOSED

- |   |                                      |       |        |       |
|---|--------------------------------------|-------|--------|-------|
| <input type="checkbox"/> State Prison         | <input type="checkbox"/> Life        | Years | Months | Days  |
| <input type="checkbox"/> County Jail          | <input type="checkbox"/> Time Served | _____ | _____  | _____ |
| <input type="checkbox"/> Community Control    | <input type="checkbox"/> Modified    | _____ | _____  | _____ |
| <input checked="" type="checkbox"/> Probation |                                      | 10    |        |       |

Please check if sentenced as  Habitual Offender,  Habitual Violent Offender,  Violent Career Offender,  Prison Release Reoffender, or a  Mandatory Minimum Applies.

- Mitigated Departure  Plea Bargain  Prison Diversion Program
- Other Reason(s)

JUDGE'S SIGNATURE

JUDGE: JOSEPH BULONE  
STATE OF FLORIDA  
-VS-  
MARK ALAN MCKEOWN  
PID: 312253566

IN THE SIXTH JUDICIAL CIRCUIT COURT  
IN AND FOR PINELLAS COUNTY  
UCN: 522023CF010954000APC - D  
REF NO: 23-10954-CF - D  
DC NUMBER \_\_\_\_\_

## ORDER OF PROBATION

This cause coming before the Court to be heard, and you, the defendant, MARK ALAN MCKEOWN being now present before me with counsel NICHOLAS JOHN CHOTOS ESQ and you having:

ENTERED A PLEA OF GUILTY TO

Count 01

LEAVING THE SCENE OF A CRASH INVOLVING DEATH

### SECTION 1: JUDGEMENT OF GUILT

The court hereby adjudges you guilty of the above offense(s).

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on PROBATION for a period of 10 YEARS under the supervision of the Department of Corrections, subject to Florida law.

**IT IS FURTHER ORDERED** that you shall comply with the following standard conditions of supervision as provided by Florida law:

1. You will report to the probation office as directed.
2. You will pay the State of Florida the amount of \$50.00 (fifty dollars) per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
3. You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
4. You will not possess, carry or own any firearm. You will not possess, carry, or own any weapons without first procuring the consent of your officer.
5. You will live without violating the law. A conviction in a court of law shall not be necessary for such a violation to constitute a violation of your probation/community control.
6. You will not associate with any person engaged in any criminal activity.

Return to:  
Criminal Court Records Department

7. You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician, an advanced registered nurse practitioner, or a physician assistant. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
8. You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
9. You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
10. You shall submit to a warrantless search of your person, property, place of residence, vehicle and personal effects at any time by a probation officer or community control officer. You shall also submit to a warrantless search of your person, property, place of residence, vehicle and personal effects at any time by a law enforcement officer if the officer's search was supported by reasonable suspicion of criminal activity.
11. You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
12. You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.
13. You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
14. You will submit to taking of a digitized photograph by the department. The photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
15. You will report in person within 72 hours of your release from incarceration to the probation office in Pinellas County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 is indicated above.) Otherwise, you must report immediately to the probation office located at the Pinellas County Justice Center, 14250 49th Street North, Room 1930 (FIRST FLOOR), Clearwater, Florida.

**SPECIAL CONDITIONS:**

16. You must undergo a Substance Abuse evaluation and, if treatment is deemed necessary, you must successfully complete the treatment, and be responsible for the payment of any costs incurred while receiving said evaluation and treatment, unless waived by the court.  
Additional instructions ordered: None
17. You will abstain entirely from the use of alcohol.
18. You shall submit your person, property, place of residence, vehicle or personal effects to warrantless search at any time, by any probation or community control officer or any law enforcement officer.
19. You will waive confidentiality.
20. Other: Exemptions for cost of supervision are hereby ordered for those months while participating in treatment programs or incarcerated without benefit of income. If exemptions do not apply, failure to make monthly payments for cost of supervision will result in a violation of probation. Cost of supervision is to be suspended until such time that the offender has satisfied all restitution and costs as stated on the supervision order.
21. Other: You will not reside in another state without authorization of the Court and contingent upon the approval of the receiving state.
22. Other: If you are ordered to receive an Alcohol, Drug, Substance Abuse, or Mental Health evaluation and counseling/treatment is deemed necessary, you must complete counseling/treatment and assume all reasonable costs for such counseling/treatment. If treatment is recommended, you only have one (1) opportunity to complete this treatment. You must call to arrange for the treatment within five (5) days of receipt of the recommendation for treatment. You also must schedule your treatment to begin at the first available opening.
23. Other: If electronic monitoring is imposed, you will pay the costs of electronic monitoring.
24. Other: Probation/community control may not be transferred out of state without express Court approval until all Court ordered and assessed monetary obligations are satisfied.
25. Other: Your probation may transfer to **MICHIGAN**.
26. Other: Your driver's license is revoked for **A PERIOD OF 3 YEARS**.
27. The Court further directs the Department of Highway Safety and Motor Vehicles to issue the defendant a driver's license restricted to business or employment purposes as defined by Florida Statute 322.271 if the

person otherwise qualifies for such.

**Effective for offenders whose crime was committed on or after September 1, 2005**, there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:

- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
- Are designated as a sexual predator pursuant to s. 775.21; or
- Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

**You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied**, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

**Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010**, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s.943.0435(1)(a)1.a.(I), or similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense: the following conditions are imposed in addition to all other conditions:

- (a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.
- (b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas, wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

**YOU ARE HEREBY PLACED ON NOTICE** that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

**IT IS FURTHER ORDERED** that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

**IT IS FURTHER ORDERED** that you pay the following charges/costs/fees indicated on the last page of this order entitled Court Ordered Payments.

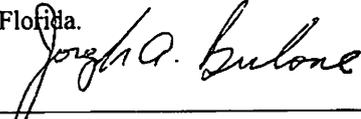
MARK ALAN MCKEOWN

UCN:  
522023CF010954000APC

REF No.23-10954-CF

**IT IS FURTHER ORDERED** that the clerk of this court file this order in the clerk's office and provide certified copies of the same to the officer for use in compliance with the requirements of law.

DONE AND ORDERED on November 18, 2024 in Clearwater, Florida.



\_\_\_\_\_  
JOSEPH BULONE, JUDGE

-----  
I acknowledge receipt of a certified copy of this Order. The conditions have been explained to me and I agree to abide by them.

Date: \_\_\_\_\_

\_\_\_\_\_  
Probationer

Instructed by: \_\_\_\_\_  
KT

**COURT ORDERED PAYMENTS**

**CHECK ALL THAT ARE ORDERED:**

**FINES**

- \$92.39 Total of fines assessed in sentence, pursuant to s. 775.083 (1)(a) through (g) or Chapter 316, F.S.
- \$4.61 Statutorily mandated 5% surcharge/cost of fine assessed (on first line) pursuant to s. 938.04, F.S.

**MANDATORY COSTS IN ALL CASES**

- \$225.00 Additional court cost for felony offense, pursuant to s. 938.05(1)(a), F.S.
- \$50.00 Crimes Compensation Trust Fund pursuant to s. 938.03(1), F.S.
- \$50.00 County Crime Prevention Fund pursuant to s. 775.083(2), F.S.
- \$3.00 Additional Court Costs Clearing Trust Fund pursuant to s. 938.01(1), F.S.
- \$100.00 Prosecution Costs, pursuant to s. 938.27, F.S. (Minimum of \$100 Felony/\$50 Misdemeanor).
- \$360.00 Investigative Costs, pursuant to s. 938.27, F.S. (if applicable and requested).
- \$20.00 Crime Stoppers Trust Fund, pursuant to s. 938.06(1), F.S.

**MANDATORY COSTS IN SPECIFIC TYPES OF CASES**

- \$3.00 State Agency Law Enforcement Radio System Trust Fund, pursuant to s. 318.18(17), F.S. for any violations of offenses listed in s. 318.17 including ss. 316.1935, 316.027, 316.061, 877.111, chapter 893, ss. 316.193, 316.192, 316.067, 316.072(3), 316.545(1), or any other offense in chapter 316 which is classified as a criminal violation.

- \$2.00 Pinellas Police Standards, pursuant to chapter 97-333.

**MANDATORY COURT COSTS AUTHORIZED BY LOCAL GOVERNMENTAL ENTITIES**

- \$2.00 Criminal Justice Education by Municipalities and Counties, pursuant to s. 938.15, F.S. and Pinellas County Code s.46-27.
- \$65.00 Additional court costs for local requirements and other county funded programs pursuant to s. 939.185(1)(a), F.S. and Pinellas County Code 46-32.
- \$3.00 Teen Court pursuant to s. 938.19(2), F.S. and Pinellas County Code s. 46-34
- \$30.00 Court Facilities, pursuant to s. 318.18(13). and Pinellas County Code s. 46-33, applies only to traffic offenses in 318.17, including violations of ch. 316 offenses.

**DISCRETIONARY**

- \$7.00 Pasco/Pinellas County Sheriff's Office fee for DNA testing, if the DNA specimen is taken by the County Sheriff's Office.

**PAYMENT IS TO BE MADE THROUGH AND PAYABLE TO:**  Department of Corrections or  Clerk of Court  
(If collected by the Department of Corrections, a surcharge of 4% will be added to all payments ordered by the court, pursuant to s. 945.31, F.S.)

- Court Costs/Fines Waived.
- Court Costs/Fines in the amount of \_\_\_\_\_ converted to \_\_\_\_\_ community service hours.
- Court Costs/Fines in the amount of \_\_\_\_\_ reduced to civil judgment.

**SPECIFIC INSTRUCTIONS FOR PAYMENT:** You will pay all fines and court costs specified in this order of probation/community control in full no later than 12 months from the date of this order. You will pay at least \$100 per month toward the fine and court cost. If the Court determines that you have the ability to pay, failure to pay all fines and court costs in full within 12 months will result in a violation of probation or community control, may become a lien against anything you own now or in the future and will accrue interest at the statutory rate, may result in the suspension of your driver's license, and may also result in collections efforts by the Clerk of the Court or its assignee.

DONE AND ORDERED on November 18, 2024 in Clearwater, Florida.

  
\_\_\_\_\_  
JOSEPH BULONE, JUDGE

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS #	REPORT # 2023-018168	DOCKET # 1930093
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Person ID 1930093	S [REDACTED]
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Charge Description <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Warrant <input type="checkbox"/> Traffic <input type="checkbox"/> Ordinance	Traffic Citation # (if any)	Court Case #
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Charge LEAVING SCENE OF AN CRASH INVOLVING DEATH	AHYRWZE	23-04743-CF-1
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Defendant's Name (Last, First, Middle) POWELL, JAKIL JOHN	DOB 07/29/2002	Sex M	Race B	Ht 510	Wt 190	Hair BRO	Eyes BRO	Skin DRK
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Alias	DL # P400430022690	State FL	Scars/Marks/Tattoos/Physical Features
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Local Address (Street, City, State, Zip Code) 5612 18 WAY S APT C ST PETERSBURG FL 33712	Telephone 7275542398	Place of Birth USA	Citizenship USA
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Permanent Address (Street, City, State, Zip Code) 5612 18 WAY S APT C ST PETERSBURG FL 33712	Telephone	Employed by / School N/A
---	-----------	-----------------------------

Weapon Seized Type <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Indication of Drug Influence Y N UNK <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Indication of Mental Health Issues Y N UNK <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	Indication of Alcohol Influence Y N UNK <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
---	---	---	--

Co-Defendant's Name (Last, First, Middle)	DOB	Sex	Race	In Custody <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
---	-----	-----	------	---

Co-Defendant's Name (Last, First, Middle)	DOB	Sex	Race	In Custody <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
---	-----	-----	------	---

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 13 day of MAY, 2023

at approximately 3:32 PM, at 22ND AVENUE SOUTH & 45TH STREET SOUTH, in Pinellas County did:

\*\*\*\*REQUEST FOR HIGH BOND\*\*\*\*\*

THEN AND THERE DRIVE A VEHICLE, TO-WIT: WHITE 2022 JEEP GRAND CHEROKEE BEARING FL TAG IENH97 IN WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO JONATHAN HUGHES (12/9/65), AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

THE DEFT WAS OPERATING A WHITE JEEP GRAND CHEROKEE BEARING FL TAG IENH97 EASTBOUND ON 22ND AVENUE SOUTH, IN THE MEDIAN LANE, MAKING A LEFT(NORTHBOUND) TURN ONTO 45TH STREET SOUTH. A MOTORCYCLIST (HUGHES) WAS TRAVELING WESTBOUND IN THE CURB LANE ON 22ND AVENUE SOUTH APPROACHING 45TH STREET SOUTH. THE DEFT TURNED LEFT, IN FRONT OF THE MOTORCYCLIST, CAUSING THE MOTORCYCLE TO COLLIDE WITH THE PASSENGER SIDE OF THE JEEP. THE MOTORCYCLIST DIED FROM HIS INJURIES SHORTLY AFTER THE CRASH. THE DEFT FAILED TO REMAIN AT THE SCENE OF THE CRASH. THE DEFT CAME TO THE POLICE STATION ON 5/16/23 AT APPROXIMATELY 1430 HOURS TO ADMIT TO BEING THE DRIVER OF THE JEEP AND TO LEAVING THE SCENE.

Contrary to Florida Statute/Ordinance 316.027(2)(C) - F1

Handwritten: \$ 150,000

ARREST DATE: 5/16/2023 Time 2:37 PM Aggravating/Mitigating Factors PRE CONVIC: 316.1935 LEO REQ HIGH BONI

Booking Officer: AUGUSTA 58493 Amount of Bond ZERO Bond Out Date Time  a.m.  p.m.

Victim Notified of Advisory  Yes  No Injuries to Victim?  Yes  No Medical Treatment to Victim?  Yes  No

The Court reviewed this complaint and finds there:  is probable cause  is not probable cause to detain defendant  Bond Action, if any:

The probable cause determination is passed for:  24 Hrs  24 Hrs on showing of extraordinary circumstances Received by Booking: 5/16/2023 5:54:21 PM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.

*Ryan L*  
 Declarant Signature ST. PETERSBURG POLICE  
 OFFICER RYAN LENAHAN 49356 311575423  
 Printed Name Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)				
DATE	OFFICER	HOURS X PAY RATE	OR	COST
05/16/2023	LENAHAN	3 35.00		\$105.00
OTHER - Describe				
Continuation sheet <input type="checkbox"/> Yes <input type="checkbox"/> No TOTAL \$ 105.00				

**Defendant** POWELL, JAKIL JOHN

**Court Case No:** 23-04743-CF-1

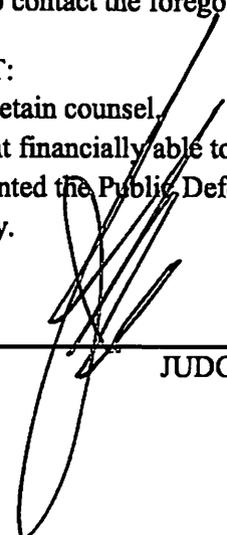
**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

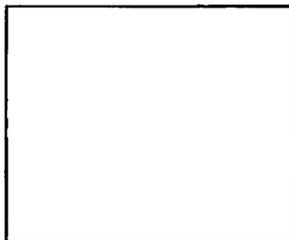
I FURTHER CERTIFY THAT:

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

  
\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE      DEFENDANT'S ATTORNEY'S SIGNATURE      DATE

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY  
UCN : 522023CF00474300APC  
REF No. : 23-04743-CF - 1  
ORBS NUMBER

STATE OF FLORIDA  
VS.  
JAKIL JOHN POWELL  
Defendant  
PID: 2544680  
SS# [REDACTED]

**JUDGMENT**

The Defendant, JAKIL JOHN POWELL, being personally before this court represented by STEVEN HEUSSER, Assistant Public Defender, the attorney of record, and the state represented by BRITTANY GOVONI, Assistant State Attorney, and having:

entered a plea of guilty to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F

and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

X

Defendant : JAKIL JOHN POWELL

UCN : 522023CF004743000APC

REF No. : 23-04743-CF - I

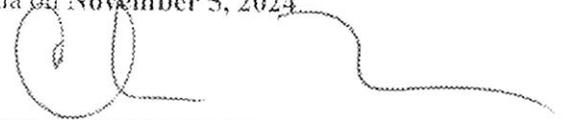
\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
(Check if Applicable)

\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on **November 5, 2024**



\_\_\_\_\_  
JUDGE

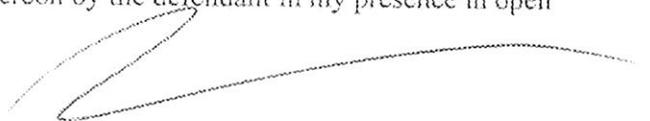
FINGERPRINTS OF THE DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

Deputy M Es 59304  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, **JAKIL JOHN POWELL**, and that they were placed thereon by the defendant in my presence in open court this day.



\_\_\_\_\_  
JUDGE

Defendant: JAKIL JOHN POWELL

UCN: 522023CF004743000APC  
REF No.: 23-04743-CF - I

OBTS Number .....

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, STEVEN HEUSSER, Assistant Public Defender, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown.

### **It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$805.00**, inclusive of a **\$50.00** Indigent Criminal Defense Fee as required by s. 27.52 F.S., Investigative Costs in the amount of **\$105.00** pursuant to s. 938.27 F.S., **\$100.00** as a Cost of Prosecution assessment. These assessments are hereby imposed as liens.

The Defendant pay attorney fees and costs of defense as determined by the Court.

The Defendant is committed to the custody of the Department of Corrections.

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### **To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **30 MONTHS**.

## SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

### **Mandatory/Minimum Provisions:**

**No Mandatory/Minimum provisions are imposed on this count.**

### **Other Provisions:**

**Please see the last page of this document for other provisions.**

Defendant: JAKIL JOHN POWELL

UCN: 522023CF004743000APC  
REF No.: 23-04743-CF - I

OBTS Number \_\_\_\_\_

**Other Provisions: (continued)**

**Jail Credit**

It is further ordered that the defendant shall be allowed a total of 66 DAYS as credit for time incarcerated before imposition of this sentence.

**Immigration Detainer**

It is further ordered that, as per s. 908.104(3)(b), F.S., the secure correctional facility in which the defendant is to be confined shall reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

It is further ordered that:

Restitution is ordered as follows:

\$6991.00 to CRIMES COMPENSATION TRUST FUND  
OFFICE OF ATTY GENERAL  
THE CAPITOL, PL-01  
TALLAHASSEE, FL 32399, as a lien.

Restitution to State:

If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:  
**Your driver's license is revoked for 3 YEARS.**

DONE AND ORDERED in open court at Clearwater, Pinellas County, Florida on November 5, 2024.

\_\_\_\_\_  
Judge

**Rule 3.992(a) Criminal Punishment Code Scoresheet**

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <b>11/5/24</b>	2. PREPARER'S NAME KANOSKI	3. COUNTY PINELLAS	4. SENTENCING JUDGE HELINGER	
5. NAME (LAST, FIRST, MI.) POWELL, JAKIL J.	6. DOB 7/29/2002	8. RACE BLACK	10. PRIMARY OFF. DATE 5/13/2023	12. PLEA <input type="checkbox"/> TRIAL <input type="checkbox"/>
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 23-04743CFANO	

**I. PRIMARY OFFENSE:** Qualifier: \_\_\_\_\_

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	LEAVE CRASH W/DEATH	7	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

**I. 56.0000**

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points \_\_\_\_\_

**II. \_\_\_\_\_**

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	= _____	Slight	4 X	= _____
Death	120 X	= _____	Sex Penetration	80 X	= _____
Severe	40 X	= _____	Sex Contact	40 X	= _____
Moderate	18 X	= _____			

**III. \_\_\_\_\_**

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
3	790.01(3)	5		UNLAWFUL CARRYING CONCE	1 X	3.6	= 3.6000
3	316.1935(1)	1		FLEE/ELUDE LEO-FELONY	1 X	0.5	= 0.5000
5/MM	VAR	M		VAR	1 X	0.2	= 0.2000
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points \_\_\_\_\_

**IV. 4.3000**

**Page 1 Subtotal: 60.3000**

**V. LEGAL STATUS VIOLATION= 4 Points**

- Escape  Fleeing  Failure to Appear  Supersedeas Bond  Incarceration  Pretrial Intervention or Diversion Program
- Court Imposed Post Prison Release Community Supervision Resulting in a Conviction

V. \_\_\_\_\_

**VI. COMMUNITY SANCTION VIOLATION BEFORE THE COURT FOR SENTENCING**

- Probation  Community Control  Pretrial intervention or Diversion
  - 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR
  - New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
  - 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR
  - New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VI. \_\_\_\_\_

**VII. FIREARM/SEMI-AUTOMATIC OR MACHINE GUN = 18 or 25 points**

VII. \_\_\_\_\_

**VIII. PRIOR SERIOUS FELONY= 30 points**

VIII. \_\_\_\_\_

Subtotal Sentence Points **60.3000**

**IX. ENHANCEMENTS (only if primary offense qualifies for enhancement)**

Specified Justice System Personnel	Drug Trafficker	Motor Vehicle Theft	Criminal Gang Offense	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07)	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14)
<input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 2.0			

Enhanced Subtotal Sentence Points **IX. 60.3000**  
**TOTAL SENTENCE POINTS**

**SENTENCE COMPUTATION**

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{60.3000}{\text{total sentence points}} \text{ minus } 28 = \frac{32.3000}{\text{total sentence points}} \times .75 = \frac{24.225000}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

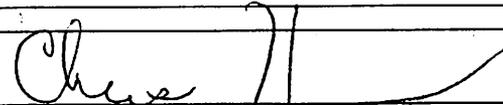
The maximum sentence for each individual felony offense is the statutory maximum as provided in s. 775.082, F.S., unless the lowest permissible sentence listed above exceeds the statutory maximum for that offense. If the lowest permissible sentence exceeds the statutory maximum for an individual felony offense, the lowest permissible sentence replaces the statutory maximum and must be imposed for that offense. See *State v. Gabriel*, 314 So. 3d 1243 (Fla.2021). Sentences for multiple felony offenses may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.

Primary offense:	<u>LEAVE CRASH W/DEATH</u>	<u>30 years</u>
	Description	Maximum sentence in years
Additional offense:	_____	Maximum sentence in years
	Description	Maximum sentence in years
Additional offense:	_____	Maximum sentence in years
	Description	Maximum sentence in years
Additional offense:	_____	Maximum sentence in years
	Description	Maximum sentence in years
Total maximum sentence in years for all counts above if consecutive sentence imposed:		<u>30 years</u>

**TOTAL SENTENCE IMPOSED**

- |  |                                      |             |                  |            |
|--|--------------------------------------|-------------|------------------|------------|
| <input checked="" type="checkbox"/> State Prison | <input type="checkbox"/> Life        | Years _____ | Months <u>30</u> | Days _____ |
| <input type="checkbox"/> County Jail             | <input type="checkbox"/> Time Served | _____       | _____            | _____      |
| <input type="checkbox"/> Community Control       | <input type="checkbox"/> Modified    | _____       | _____            | _____      |
| <input type="checkbox"/> Probation               |                                      | _____       | _____            | _____      |

Please check if sentenced as  Habitual Offender,  Habitual Violent Offender,  Violent Career Offender,  Prison Release Reoffender, or a  Mandatory Minimum Applies.  
 Mitigated Departure  Plea Bargain  Prison Diversion Program  
 Other Reason(s) \_\_\_\_\_

JUDGE'S SIGNATURE 

**Rule 3.992(b) Supplemental Criminal Punishment Code Scoresheet**

NAME (LAST, FIRST, MI. I.) POWELL, JAKIL J.	DOCKET # 23-04743CFANO	DATE OF SENTENCE 11/3/24
--	---------------------------	-----------------------------

**II. ADDITIONAL OFFENSE(S):**

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

II. \_\_\_\_\_

**IV. PRIOR RECORD:**

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

**Reasons for Departure - Mitigating Circumstances**  
(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain.
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence.
- The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- The defendant acted under extreme duress or under the domination of another person.
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- The defendant is to be sentenced as a youthful offender.
- The defendant is amenable to the services of a post adjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.
- Other Reason(s): \_\_\_\_\_

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s. 921.0026(2)(m).

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS #	REPORT # <b>SO23-77526</b>				DOCKET # <b>1923870</b>												
Person ID	<b>1487407</b>				SSN	[REDACTED]											
Charge Description	<input checked="" type="checkbox"/> Felony	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Warrant	<input type="checkbox"/> Traffic	<input type="checkbox"/> Ordinance	Traffic Citation # (if any)	Court Case #										
Charge	<b>LEAVING SCENE OF AN CRASH INVOLVING DEATH</b>				<b>AH5NT6E</b>		<b>23-02449-CF-1</b>										
Defendant's Name (Last, First, Middle)	<b>RUSH, TIMOTHY LEONARD</b>		DOB	<b>12/26/1936</b>	Sex	<b>M</b>	Race	<b>W</b>	Ht	<b>600</b>	Wt	<b>180</b>	Hair	<b>GRY</b>	Eyes	<b>BLU</b>	Skin
Alias	DL #	<b>R-200-812-36-466-0</b>		State	<b>FL</b>												
Scars/Marks/Tattoos/Physical Features																	
Local Address (Street, City, State, Zip Code)						Telephone		Place of Birth		Citizenship							
<b>1655 LEE RD CLEARWATER FL 33764</b>						<b>7275602429</b>		<b>PA</b>		<b>USA</b>							
Permanent Address (Street, City, State, Zip Code)						Telephone		Employed by / School									
<b>1655 LEE RD CLEARWATER FL 33764</b>						<b>7275602429</b>											
Weapon Seized Type				Indication of Drug Influence			Indication of Mental Health Issues			Indication of Alcohol Influence							
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK			<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK			<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> UNK							
Co-Defendant's Name (Last, First, Middle)				DOB		Sex	Race	In Custody		<input type="checkbox"/> Yes <input type="checkbox"/> No							
								<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor									
Co-Defendant's Name (Last, First, Middle)				DOB		Sex	Race	In Custody		<input type="checkbox"/> Yes <input type="checkbox"/> No							
								<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor									

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 09 day of MARCH, 2023, at approximately 9:07 AM, at 3180 ENTERPRISE RD E, in Pinellas County did:

THEN AND THERE DRIVE A VEHICLE, TO-WIT: 2017 WHITE BUICK ENCLAVE WHICH WAS INVOLVED IN A CRASH INVOLVING DEATH TO MINDY YI, AND THE SAID DEFENDANT DID WILLFULLY FAIL TO STOP SAID VEHICLE AT THE SCENE OF THE CRASH UNTIL HE HAD FULFILLED THE REQUIREMENTS OF FSS 316.062, TO-WIT: DID NOT GIVE HIS NAME AND ADDRESS AND THE REGISTRATION NUMBER OF THE VEHICLE HE WAS DRIVING AND DID NOT RENDER REASONABLE ASSISTANCE TO PERSONS INJURED IN THE CRASH.

SEE ATTACHED FOR DETAILED PC

*Ret Tues 3/14 atty*

Contrary to Florida Statute/Ordinance 316.027(2)(C) - F1

ARREST DATE: 3/11/2023 Time 1:28 AM . Aggravating/Mitigating Factors \_\_\_\_\_

Booking Officer: RUSSELL 60573 Amount of Bond 50,000.00 Bond Out Date \_\_\_\_\_ Time \_\_\_\_\_  a.m.  p.m.

Victim Notified of Advisory?  Yes  No Injuries to Victim?  Yes  No Medical Treatment to Victim?  Yes  No

The Court reviewed this complaint and finds there:  is probable cause  is not probable cause to detain defendant  Bond Action, if any: \_\_\_\_\_

The probable cause determination is passed for:  24 Hrs  24 Hrs on showing of extraordinary circumstances Received by Booking: 3/11/2023 1:48:30 AM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.



\_\_\_\_\_  
PINELLAS COUNTY SHERIFF  
Declarant Signature Agency

DEPUTY DAMON LANEY 58140 03190766  
Printed Name Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)				
DATE	OFFICER	HOURS X PAY RATE	OR	COST
03/09/2023	D.LANEY	20 25.00		\$500.00
03/09/2023	M.EASTTY	20 25.00		500
OTHER - Describe _____				
Continuation sheet <input type="checkbox"/> Yes <input type="checkbox"/> No				TOTAL \$ 1,000.00

**Defendant** RUSH, TIMOTHY LEONARD

**Court Case No:** 23-02449-CF-1

**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

I FURTHER CERTIFY THAT:

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

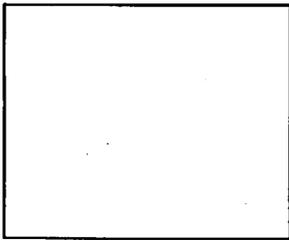
3/11/23

DATE AND TIME



JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

DEFENDANT'S SIGNATURE

DEFENDANT'S ATTORNEY'S SIGNATURE

DATE

On March 10, 2023, Cpl. Laney received a voice mail at approximately 8:41AM. On the voicemail, the def identified himself as Tim Rush who stated that he wished to speak with Cpl. Laney regarding the crash on Enterprise Road and provided a contact number of 727-560-2429. Cpl. Laney attempted to call the number back on multiple occasions with no response.

Research of the phone number in police information systems and learned the number belonged to TIMOTHY LEONARD RUSH, residing at 1655 Lee Road, Clearwater, Florida.

Cpl. Laney spoke with Sergeant Mark Eastty who was sent to 1655 Lee Road to speak with TIMOTHY LEONARD RUSH. Cpl. Laney learned from Sergeant Eastty no one was present at the home. Sergeant Eastty then spoke with a neighbor, Danny Overton residing at 1677 Lee Road, Clearwater, Florida, from whom Sergeant Eastty learned TIMOTHY LEONARD RUSH owns and operates a Buick Enclave, white in color. Sergeant Eastty informed Cpl. Laney, Overton stated TIMOTHY RUSH is married to Barbara McNeill, but is the only person to operate the Buick Enclave. Overton also informed Sergeant Eastty a Belleair Police Lieutenant arrived at the house on the morning of March 10, 2023, at approximately 8:30AM. Cpl. Laney learned Overton informed Sergeant Eastty that TIMOTHY LEONARD RUSH is Catholic.

Cpl. Laney was informed by Sergeant Eastty he made contact with Belleair Police Department and identified the Lieutenant as Brian Beery. Cpl. Laney was informed by Sergeant Eastty, he spoke with Lieutenant Beery and learned he is a friend of TIMOTHY LEONARD RUSH and was supposed to meet him in the morning on March 10, 2023, to have a meal. Sergeant Eastty learned from Lieutenant Beery when he arrived at the home, he observed TIMOTHY LEONARD RUSH and Barbara McNeill, the wife of TIMOTHY LEONARD RUSH, who appeared to be hysterical. In the presence of TIMOTHY LEONARD RUSH, she stated TIMOTHY LEONARD RUSH was in an accident last night and believed he hit a barrel on the way back from church. She asked Lieutenant Beery what they should do. Lieutenant Beery responded that he could not give legal advice. Barbara McNeill asked if Lieutenant Beery knew a good attorney. In response, Lieutenant Beery provided the name of a local attorney.

Cpl. Laney was informed by Sergeant Eastty he identified a catholic church, Espiritu Santo Catholic Church, located at 2405 Philippe Parkway, Safety Harbor, Florida. This church is approximately a mile and a half east of the scene of the crash and would be on a likely path of travel for a person traveling from Espiritu Santo and the residence of TIMOTHY LEONARD RUSH.

Cpl. Laney was informed by Deputy Melonie Stickney she spoke with the officer manager of the church, Michelle Ishman, who informed her TIMOTHY LEONARD RUSH is a member of the

church and there was a single event on the night of March 9, 2023, a Knight of Columbus meeting, from 6:00PM to 9:00PM. Deputy Stickney spoke with the Grand Knight of Counsel, Eugene Jajuga, and learned that TIMOTHY LEONARD RUSH was observed at the meeting at 6:00PM. Eugene left at 8:30PM and RUSH was still there. Deputy Stickney spoke with the Deputy Grand Knight Thomas Krichania who left the event at 9:15PM and TIMOTHY RUSH was already gone. Krichania informed Deputy Stickney, RUSH attended the event alone. Krichania confirmed that he knows RUSH to own a Buick Enclave, white in color, but did not observe him arrive or leave in the vehicle.

Deputy Alex Mitchell informed Cpl. Laney she spoke with Father Michael Cooper. Cooper informed Deputy Mitchell he observed RUSH enter the driver's seat of a gray or bland SUV in the north parking lot between 8:45PM and 9:00PM. Cooper confirmed that RUSH made a left turn exiting the parking lot to head home.

After the scene was processed, Cpl. Laney analyzed the pieces of the head light and assembled them together. Cpl. Laney photographed the assembled pieces and began comparing them with headlight assemblies for sedans and SUVs. TIMOTHY LEONARD RUSH was the registered owner of a Buick Enclave, assigned tag JH89M, vehicle identification number 5GAKRBD3HJ161184. With this information, Cpl. Laney compared the assembled pieces to the headlight of a Buick Enclave and found that they were consistent in appearance, with similarities in both shape and contours and detailing on the interior edge with a check pattern. The shape of the assembled pieces is consistent with the passenger headlight of a Buick Enclave.

After a search warrant was served on the vehicle, there was purple paint transfer on the front passenger bumper (consistent with the crash scene), which is the same color of the bicycle on scene. The lower passenger corner of the window shield was shattered, with brown hair (color consistent with the victim's hair) and possible bio matter. The passenger mirror was also pushed back and cracked. The passenger side headlight lens was broken out consistent with the pieces found at the scene of the crash.

Cpl. Laney was informed there was video of the Buick Enclave coming form the location of the scene three (3) minute prior to the complainant calling 911.

Cpl. [Signature]  
38170  
3/11/23

JUDGE: JULIE L SERCUS

STATE OF FLORIDA  
-VS-  
TIMOTHY L RUSH  
PID: 1487407

IN THE SIXTH JUDICIAL CIRCUIT COURT  
IN AND FOR PINELLAS COUNTY  
UCN: 522023CF002449000APC - C  
REF NO: 23-02449-CF - C  
DC NUMBER \_\_\_\_\_

## ORDER OF PROBATION

This cause coming before the Court to be heard, and you, the defendant, **TIMOTHY L RUSH** being now present before me with counsel **ROGER D FUTERMAN ESQ** and you having:

**ENTERED A PLEA OF GUILTY TO**

**Count 01**

**LEAVING THE SCENE OF A CRASH INVOLVING DEATH**

### SECTION 1: JUDGEMENT OF GUILT

The court hereby adjudges you guilty of the above offense(s).

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on PROBATION for a period of 4 YEARS under the supervision of the Department of Corrections, subject to Florida law.

**IT IS FURTHER ORDERED** that you shall comply with the following standard conditions of supervision as provided by Florida law:

1. You will report to the probation office as directed.
2. You will pay the State of Florida the amount of \$50.00 (fifty dollars) per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
3. You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
4. You will not possess, carry or own any firearm. You will not possess, carry, or own any weapons without first procuring the consent of your officer.
5. You will live without violating the law. A conviction in a court of law shall not be necessary for such a violation to constitute a violation of your probation/community control.
6. You will not associate with any person engaged in any criminal activity.

**Return to:**  
**Criminal Court Records Department**

7. You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician, an advanced registered nurse practitioner, or a physician assistant. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
8. You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
9. You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
10. You shall submit to a warrantless search of your person, property, place of residence, vehicle and personal effects at any time by a probation officer or community control officer. You shall also submit to a warrantless search of your person, property, place of residence, vehicle and personal effects at any time by a law enforcement officer if the officer's search was supported by reasonable suspicion of criminal activity.
11. You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
12. You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.
13. You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
14. You will submit to taking of a digitized photograph by the department. The photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
15. You will report in person within 72 hours of your release from incarceration to the probation office in Pinellas County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 is indicated above.) Otherwise, you must report immediately to the probation office located at the Pinellas County Justice Center, 14250 49th Street North, Room 1930 (FIRST FLOOR), Clearwater, Florida.

**SPECIAL CONDITIONS:**

16. You will successfully complete 100 hours of community service at a rate of the State of Florida minimum wage at a work site approved by your officer. Additional instructions ordered: You may pay off the Community Service hours at the rate of \$12.00 per hour.
17. Other: Exemptions for cost of supervision are hereby ordered for those months while participating in treatment programs or incarcerated without benefit of income. If exemptions do not apply, failure to make monthly payments for cost of supervision will result in a violation of probation. Cost of supervision is to be suspended until such time that the offender has satisfied all restitution and costs as stated on the supervision order.
18. Other: You will not reside in another state without authorization of the Court and contingent upon the approval of the receiving state.
19. Other: If electronic monitoring is imposed, you will pay the costs of electronic monitoring.
20. Other: Probation/community control may not be transferred out of state without express Court approval until all Court ordered and assessed monetary obligations are satisfied.
21. Other: You will not operate a vehicle requiring a driver's license unless and until you are licensed to do so.
22. Other: Your driver's license is revoked for **A PERIOD OF 3 YEARS**.
23. Other: You will attend a Victim Impact Educational Seminar(s). You shall remit a twenty-five (\$25.00) dollar administrative fee prior to attending the Victim Impact Course.
24. The defendant will sit through 1 victim impact panel annually on or around March 9th.

Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:

- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
- Are designated as a sexual predator pursuant to s. 775.21; or

- Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s.943.0435(1)(a)1.a.(I), or similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense: the following conditions are imposed in addition to all other conditions:

- (a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.
- (b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas, wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

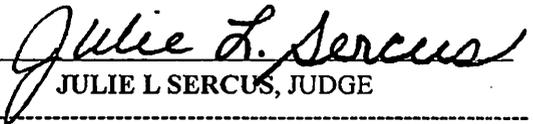
**YOU ARE HEREBY PLACED ON NOTICE** that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

**IT IS FURTHER ORDERED** that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

**IT IS FURTHER ORDERED** that you pay the following charges/costs/fees indicated on the last page of this order entitled Court Ordered Payments.

**IT IS FURTHER ORDERED** that the clerk of this court file this order in the clerk's office and provide certified copies of the same to the officer for use in compliance with the requirements of law.

DONE AND ORDERED on March 18, 2024 in Clearwater, Florida.

  
JULIE L SERCUS, JUDGE

I acknowledge receipt of a certified copy of this Order. The conditions have been explained to me and I agree to abide by them.

Date: \_\_\_\_\_ Probationer

Instructed by: \_\_\_\_\_  
C.K.

TIMOTHY L RUSH

UCN:  
522023CF002449000APC

REF No.23-02449-CF

**COURT ORDERED PAYMENTS**

CHECK ALL THAT ARE ORDERED:

**FINES**

- \$92.39 Total of fines assessed in sentence, pursuant to s. 775.083 (1)(a) through (g) or Chapter 316, F.S.
- \$4.61 Statutorily mandated 5% surcharge/cost of fine assessed (on first line) pursuant to s. 938.04, F.S.

**MANDATORY COSTS IN ALL CASES**

- \$225.00 Additional court cost for felony offense, pursuant to s. 938.05(1)(a), F.S.
- \$50.00 Crimes Compensation Trust Fund pursuant to s. 938.03(1), F.S.
- \$50.00 County Crime Prevention Fund pursuant to s. 775.083(2), F.S.
- \$3.00 Additional Court Costs Clearing Trust Fund pursuant to s. 938.01(1), F.S.
- \$100.00 Prosecution Costs, pursuant to s. 938.27, F.S. (Minimum of \$100 Felony/\$50 Misdemeanor).
- \$1000.00 Investigative Costs, pursuant to s. 938.27, F.S. (if applicable and requested).
- \$20.00 Crime Stoppers Trust Fund, pursuant to s. 938.06(1), F.S.

**MANDATORY COSTS IN SPECIFIC TYPES OF CASES**

- \$3.00 State Agency Law Enforcement Radio System Trust Fund, pursuant to s. 318.18(17), F.S. for any violations of offenses listed in s. 318.17 including ss. 316.1935, 316.027, 316.061, 877.111, chapter 893, ss. 316.193, 316.192, 316.067, 316.072(3), 316.545(1), or any other offense in chapter 316 which is classified as a criminal violation.
- \$2.00 Pinellas Police Standards, pursuant to chapter 97-333.

**MANDATORY COURT COSTS AUTHORIZED BY LOCAL GOVERNMENTAL ENTITIES**

- \$2.00 Criminal Justice Education by Municipalities and Counties, pursuant to s. 938.15, F.S. and Pinellas County Code s.46-27.
- \$65.00 Additional court costs for local requirements and other county funded programs pursuant to s. 939.185(1)(a), F.S. and Pinellas County Code 46-32.
- \$3.00 Teen Court pursuant to s. 938.19(2), F.S. and Pinellas County Code s. 46-34
- \$30.00 Court Facilities, pursuant to s. 318.18(13). and Pinellas County Code s. 46-33, applies only to traffic offenses in 318.17, including violations of ch. 316 offenses.

PAYMENT IS TO BE MADE THROUGH AND PAYABLE TO:  Department of Corrections or  Clerk of Court  
(If collected by the Department of Corrections, a surcharge of 4% will be added to all payments ordered by the court, pursuant to s. 945.31, F.S.)

- Court Costs/Fines Waived.
- Court Costs/Fines in the amount of \_\_\_\_\_ converted to \_\_\_\_\_ community service hours.
- Court Costs/Fines in the amount of \_\_\_\_\_ reduced to civil judgment.

**SPECIFIC INSTRUCTIONS FOR PAYMENT:** You will pay all fines and court costs specified in this order of probation/community control in full no later than 12 months from the date of this order. You will pay at least \$100 per month toward the fine and court cost. If the Court determines that you have the ability to pay, failure to pay all fines and court costs in full within 12 months will result in a violation of probation or community control, may become a lien against anything you own now or in the future and will accrue interest at the statutory rate, may result in the suspension of your driver's license, and may also result in collections efforts by the Clerk of the Court or its assignee.

DONE AND ORDERED on March 18, 2024 in Clearwater, Florida.

  
JULIE L SERCUS, JUDGE

## Rule 3.992(a) Criminal Punishment Code Scoresheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <b>3/18/24</b>	2. PREPARER'S NAME KANOSKI	3. COUNTY PINELLAS	4. SENTENCING JUDGE <del>BURGESS</del> <b>Sercus</b>	
5. NAME (LAST, FIRST, MI.) RUSH, TIMOTHY L.	6. DOB 12/26/1936	8. RACE WHITE	10. PRIMARY OFF. DATE 3/9/2023	12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 23-02449CFANO	

**I. PRIMARY OFFENSE:** Qualifier:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	LEAVE CRASH W/DEATH	7	56

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

I. 56.0000

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
----------	---------------	-------	---------------	------------------	--------	--------	-------

DESCRIPTION \_\_\_\_\_

DESCRIPTION \_\_\_\_\_

DESCRIPTION \_\_\_\_\_

DESCRIPTION \_\_\_\_\_

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points \_\_\_\_\_

II. \_\_\_\_\_

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	= _____	Slight	4 X	= _____
Death	120 X	= _____	Sex Penetration	80 X	= _____
Severe	40 X	= _____	Sex Contact	40 X	= _____
Moderate	18 X	= _____			

III. \_\_\_\_\_

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
---------------	-------	---------------	------------------	-------------	--------	--------	-------

_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____
_____	_____	_____	_____	_____	X	=	_____

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points \_\_\_\_\_

IV. \_\_\_\_\_

Page 1 Subtotal: 56.0000

NAME (LAST, FIRST, MI. I.) RUSH, TIMOTHY L.	DOCKET # 23-02449CFANO
--	---------------------------

Page 1 Subtotal: 56.0000

**V. Legal Status Violation = 4 Points**

- Escape  
 Fleeing  
 Failure to Appear  
 Supersedeas bond  
 Incarceration  
 Pretrial intervention or diversion program  
 Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

**VI. Community Sanction Violation before the court for sentencing**

- Probation  
 Community Control  
 Pretrial intervention or diversion  
 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR  
 New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR  
 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR  
 New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VI. \_\_\_\_\_

**VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points**

VII. \_\_\_\_\_

**VIII. Prior Serious Felony = 30 points**

VIII. \_\_\_\_\_

**Subtotal Sentence Points**      56.0000

**IX. Enhancements (only if primary offense qualifies for enhancement)**

Law Enf. Protect.  <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker  <input type="checkbox"/> x 1.5	Motor Vehicle Theft  <input type="checkbox"/> x 1.5	Criminal Gang Offense  <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child  (offenses committed on or after 03-12-07)  <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense  (offenses committed on or after 10-1-14)  <input type="checkbox"/> x 2.0
---	---	---	---	---	--

Enhanced Subtotal Sentence Points

IX. \_\_\_\_\_

**TOTAL SENTENCE POINTS**      56.0000

**SENTENCE COMPUTATION**

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{56.0000}{\text{total sentence points}} \text{ minus } 28 = \frac{28.0000}{\text{total sentence points}} \times .75 = \frac{21.000000}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence for each individual felony offense is the statutory maximum as provided in s. 775.082, F.S., unless the lowest permissible sentence listed above exceeds the statutory maximum for that offense. If the lowest permissible sentence exceeds the statutory maximum for an individual felony offense, the lowest permissible sentence replaces the statutory maximum and must be imposed for that offense. See *State v. Gabriel*, 314 So. 3d 1243 (Fla.2021). Sentences for multiple felony offenses may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.

Primary offense:

LEAVE CRASH W/DEATH	30 years
Description	Maximum sentence in years

Additional offense:

	Maximum sentence in years
Description	Maximum sentence in years

Additional offense:

	Maximum sentence in years
Description	Maximum sentence in years

Additional offense:

	Maximum sentence in years
Description	Maximum sentence in years

Total maximum sentence in years for all counts above if consecutive sentence imposed:	30 years
---	----------

**TOTAL SENTENCE IMPOSED**

<input type="checkbox"/> State Prison	<input type="checkbox"/> Life	Years	Months	Days
<input type="checkbox"/> County Jail	<input type="checkbox"/> Time Served	_____	_____	_____
<input type="checkbox"/> Community Control		_____	_____	_____
<input checked="" type="checkbox"/> Probation	<input type="checkbox"/> Modified	<u>4</u>	_____	_____

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

Mitigated Departure  Plea Bargain  Prison Diversion Program  
Other Reason \_\_\_\_\_

**JUDGE'S SIGNATURE**



**Rule 3.992(b) Supplemental Criminal Punishment Code Scoresheet**

NAME (LAST, FIRST, MI. I.) RUSH, TIMOTHY L.	DOCKET # 23-02449CFANO	DATE OF SENTENCE 879/2023 3/18/24
--	---------------------------	--------------------------------------

**X. ADDITIONAL OFFENSE(S):**

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level – Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

II. \_\_\_\_\_

**IV. PRIOR RECORD:**

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	
					X	=	

(Level – Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

**Reasons for Departure – Mitigating Circumstances**

(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain.
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence.
- The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- The defendant acted under extreme duress or under the domination of another person.
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- The defendant is to be sentenced as a youthful offender.
- The defendant is amenable to the services of a post adjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s. 921.0026(2)(m).

COMPLAINT/ARREST AFFIDAVIT - CIRCUIT/COUNTY COURT - PINELLAS COUNTY, FLORIDA

OBTS #	REPORT # 2023-017203	DOCKET # 1932891
Person ID 2188753	S [REDACTED]	
Charge Description <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Warrant <input type="checkbox"/> Traffic <input type="checkbox"/> Ordinance	Traffic Citation # (if any)	Court Case #
Charge LEAVE SCENE OF CRASH INVOLVING DEATH	AHYTLBE	23-05782-CF-1
Defendant's Name (Last, First, Middle) SHAW, TWANDA	DOB 03/03/1985	Sex F
Alias N/A	DL # S000813855830	State FL
Local Address (Street, City, State, Zip Code) 905 CARLTON STREET CLEARWATER, FL 33756	Telephone 813-439-2157	Place of Birth FL
Permanent Address (Street, City, State, Zip Code) 905 CARLTON STREET CLEARWATER, FL 33756	Telephone 813-439-2157	Employed by / School DISABLED
Weapon Seized Type <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Indication of Drug Influence Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>	Indication of Mental Health Issues Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>
Co-Defendant's Name (Last, First, Middle)	DOB	Sex Race
Co-Defendant's Name (Last, First, Middle)	DOB	Sex Race

The undersigned swears that he/she has reasonable grounds to believe that the above named defendant on the 06 day of MAY, 2023

at approximately 2:15 AM, at 15TH AVE S/ 34TH STREET S, in Pinellas County did:

ON MAY 6TH, 2023, AT APPROXIMATELY 0215 HOURS, THE DEFENDANT DID THEN AND THERE STRIKE A PEDESTRIAN IN THE ROADWAY WHILE OPERATING A MOTOR VEHICLE TO WIT: A GRAY IN COLOR 2006 LEXUS SUV BEARING FL TAG# Z892RC, DURING THE CRASH CAUSING THE PEDESTRIANS DEATH.

THE VEHICLE WAS FOUND TO HAVE BEEN TRAVELING NORTHBOUND ON 34TH STREET SOUTH IN THE MIDDLE LANE THROUGH THE INTERSECTION OF 15TH AVENUE SOUTH WHEN THE CRASH OCCURED. THE VEHICLE STRUCK THE PEDESTRIAN IN THE SOUTH CROSSWALK. THE DEFENDANT THEN FAILED TO REMAIN ON SCENE AND PROVIDE THE INFORMATION REQUIRED IN STATE STATUTE 316.062. THE VEHICLE THE DEFENDANT WAS DRIVING WAS FOUND TO HAVE NO FORCED ENTRY AND LEFT ABANDONED IN THE AREA OF THE CRASH. IT WAS LATER DETERMINED TROUGH INVESTIGATIVE TECHNIQUES, THE DEFENDANT WAS THE DRIVER OF THE VEHICLE AT THE TIME OF THE CRASH.

CITATION# AHYTLBE, 316.027(2)(C) LEAVING THE SCENE OF A CRASH INVOLVING DEATH.

Contrary to Florida Statute/Ordinance 316.027(1)(B) - F2

ARREST DATE: 6/6/2023 Time: 2:15 PM Aggravating/Mitigating Factors

Booking Officer: PATRICK 58099 Amount of Bond 10,000 Bond Out Date Time a.m. p.m.

Victim Notified of Advisory? Yes No Injuries to Victim? Yes No Medical Treatment to Victim? Yes No

The Court reviewed this complaint and finds there: is probable cause is not probable cause to detain defendant Bond Action, if any:

The probable cause determination is passed for: 24 Hrs 24 Hrs on showing of extraordinary circumstances Received by Booking: 6/14/2023 2:57:28 PM

Pursuant to F.S. 92.525 and under penalty of perjury, I declare that I have read the foregoing document and that the facts in it are true.

Declarant Signature: [Signature] ST. PETERSBURG POLICE Agency
OFFICER SEAN MCCULLOUGH 44650 10747825 Printed Name Declarant ID#

Table with 5 columns: DATE, OFFICER, HOURS X PAY RATE, OR, COST. Row 1: 06/14/2023, S.MCCULLOUGH, 3 35.00, \$105.00

OTHER - Describe Continuation sheet Yes No TOTAL \$ 105.00

**Defendant** SHAW, TWANDA

**Court Case No:** 23-05782-CF-1

**ADVISORY AND SOLVENCY HEARING**

The above named Defendant came before me for Advisory and Solvency hearing and was advised by me of the charge(s) against him; his right to remain silent; that any statements by him may be used against him; his right to counsel, and, if he is financially unable to afford counsel, that counsel forthwith will be appointed; of his right to communicate with his counsel, family or friends, and that reasonable implementation will be afforded him to contact the foregoing.

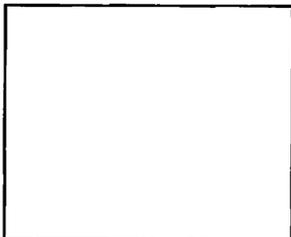
**I FURTHER CERTIFY THAT:**

- A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- D. The Defendant waived the right to counsel at the first appearance only.

\_\_\_\_\_  
DATE AND TIME

\_\_\_\_\_  
JUDGE

- I hereby waive the right to counsel at the first appearance only.
- I, having been found solvent and financially able to secure counsel, hereby waive counsel until my attorney files an appearance in this case or until I file a written request for a review of my solvency and ability to secure counsel.



Thumb Print

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

I HEREBY acknowledge receipt of a copy of the foregoing Complaint and Advisory.

\_\_\_\_\_  
DEFENDANT'S SIGNATURE

\_\_\_\_\_  
DEFENDANT'S ATTORNEY'S SIGNATURE

\_\_\_\_\_  
DATE

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522023CF005782000APC

REF No. : 23-05782-CF - I

OBTS NUMBER \_\_\_\_\_

STATE OF FLORIDA  
VS.

TWANDA MONIQUE SHAW  
Defendant

PID: 1861666

SS# [REDACTED]

**JUDGMENT**

The Defendant, TWANDA MONIQUE SHAW, being personally before this court represented by ROBERT A LOVE ESQ the attorney of record, and the state represented by NOELLE CUMMINS, Assistant State Attorney, and having:

entered a plea of guilty to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : TWANDA MONIQUE SHAW

UCN : 522023CF005782000APC

REF No. : 23-05782-CF - I

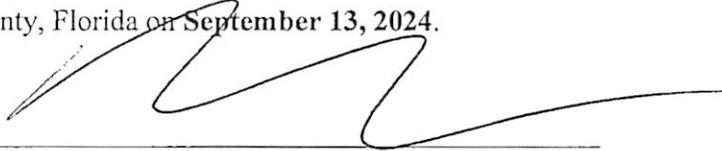
\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred  
Until Later Date  
(Check if Applicable)

\_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on September 13, 2024.

  
\_\_\_\_\_  
JUDGE

FINGERPRINTS OF THE DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

Det. KARABEKOU 57418   
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, TWANDA MONIQUE SHAW, and that they were placed thereon by the defendant in my presence in open court this day.

  
\_\_\_\_\_  
JUDGE

Defendant: TWANDA MONIQUE SHAW

UCN: 522023CF005782000APC  
REF No.: 23-05782-CF - I

OBTS Number \_\_\_\_\_

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, **ROBERT A LOVE ESQ**, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### **It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$755.00**, inclusive of, Investigative Costs in the amount of **\$105.00** pursuant to s. 938.27 F.S., **\$100.00** as a Cost of Prosecution assessment. These assessments are hereby imposed as liens.

The Defendant is **committed to the custody of the Department of Corrections.**

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### **To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **7 YEARS.**

## SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

### **Mandatory/Minimum Provisions:**

<b>Driver Leaving Scene Involving Death</b>	<b>It is further ordered that the 4 year mandatory minimum imprisonment provision of 316.027(2)(c), Florida Statutes, is imposed.</b>
---	---

### **Other Provisions:**

**Please see the last page of this document for other provisions.**

**Other Provisions: (continued)**

**Jail Credit**

**It is further ordered that the defendant shall be allowed a total of 40 DAYS as credit for time incarcerated before imposition of this sentence.**

**Immigration Detainer**

**It is further ordered that, as per s. 908.104(3)(b), F.S., the secure correctional facility in which the defendant is to be confined shall reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.**

**It is further ordered that:**

**Restitution is not applicable in this case.**

**Restitution to State:**

If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

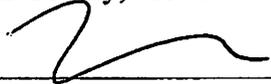
In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:

**Your driver's license is revoked for 3 YEARS.**

**DONE AND ORDERED** in open court at Clearwater, Pinellas County, Florida on **September 13, 2024.**

  
\_\_\_\_\_  
Judge

## Rule 3.992(a) Criminal Punishment Code Scoresheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpccm/index.html](http://www.dc.state.fl.us/pub/sen_cpccm/index.html)

1. DATE OF SENTENCE <del>7/07/2022</del> 9/13/24	2. PREPARER'S NAME HOMBURG Cummins	3. COUNTY PINELLAS	4. SENTENCING JUDGE HELINGER
5. NAME (LAST, FIRST, M.I.) SHAW, TWANDA	6. DOB 3/3/1985	8. RACE BLACK	10. PRIMARY OFF. DATE 5/6/2023
	7. DC #	9. GENDER FEMALE	11. PRIMARY DOCKET # 23-05782-CF
			12. PLEA TRIAL <input checked="" type="checkbox"/> <input type="checkbox"/>

**I. PRIMARY OFFENSE:** Qualifier: RECLASSIFICATION

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	LEAVE CRASH W/DEATH	8	74
<small>(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)</small>				
Prior capital felony doubles Primary Offense points <input type="checkbox"/>				I. <u>74.0000</u>

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
<small>(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)</small>							
Prior capital felony doubles Additional Offense points <input type="checkbox"/>							Supplemental page points _____
							II. _____

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	= _____	Slight	4 X	= _____
Death	120 X	= _____	Sex Penetration	80 X	= _____
Severe	40 X	= _____	Sex Contact	40 X	= _____
Moderate	18 X	= _____			
III. _____					

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
2	893.13(1)(A)1	5		COCAINE-SALE/MANUF/DELI	4	X 3.6	= 14.4000
3	893.13(6)(A)	3		COCAINE - POSSESSION	4	X 1.6	= 6.4000
5/MM	9100	M		Various	8	X 0.2	= 1.6000
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=
<small>(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)</small>							
Supplemental page points _____							IV. <u>22.4000</u>

Page 1 Subtotal: 96.4000

NAME (LAST, FIRST, MI. I.)  
SHAW, TWANDA

DOCKET #  
23-05782-CF

Page 1 Subtotal: 96.4000

V. Legal Status Violation = 4 Points

- Escape  Fleeing  Failure to Appear  Supersedeas bond  Incarceration  Pretrial intervention or diversion program
- Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

VI. Community Sanction Violation before the court for sentencing

- Probation  Community Control  Pretrial intervention or diversion
  - 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR
  - New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
  - 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR
  - New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VI. \_\_\_\_\_

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points

VII. \_\_\_\_\_

VIII. Prior Serious Felony = 30 points

VIII. \_\_\_\_\_

Subtotal Sentence Points 96.4000

IX. Enhancements (only if primary offense qualifies for enhancement)

Law Enf. Protect. <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker <input type="checkbox"/> x 1.5	Motor Vehicle Theft <input type="checkbox"/> x 1.5	Criminal Gang Offense <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07) <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14) <input type="checkbox"/> x 2.0
---	---	---	---	---	--

Enhanced Subtotal Sentence Points IX. \_\_\_\_\_

TOTAL SENTENCE POINTS 96.4000

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{96.4000}{\text{total sentence points}} \text{ minus } 28 = \frac{68.4000}{\text{total sentence points}} \times .75 = \frac{51.300000}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence for each individual felony offense is the statutory maximum as provided in s. 775.082, F.S., unless the lowest permissible sentence listed above exceeds the statutory maximum for that offense. If the lowest permissible sentence exceeds the statutory maximum for an individual felony offense, the lowest permissible sentence replaces the statutory maximum and must be imposed for that offense. See *State v. Gabriel*, 314 So. 3d 1243 (Fla.2021). Sentences for multiple felony offenses may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.

Primary offense:

LEAVE CRASH W/DEATH

30 years

Description

Maximum sentence in years

Total maximum sentence in years for all counts above if consecutive sentence imposed:

30 years

TOTAL SENTENCE IMPOSED

	Years	Months	Days
<input checked="" type="checkbox"/> State Prison	7		
<input type="checkbox"/> County Jail			
<input type="checkbox"/> Community Control			
<input type="checkbox"/> Probation			
<input type="checkbox"/> Life			
<input type="checkbox"/> Time Served			
<input type="checkbox"/> Modified			

*AC 4 yr min men*

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

Mitigated Departure  Plea Bargain  Prison Diversion Program

Other Reason \_\_\_\_\_

JUDGE'S SIGNATURE

**Rule 3.992(b) Supplemental Criminal Punishment Code Scoresheet**

NAME (LAST, FIRST, MI. I.) SHAW, TWANDA	DOCKET # 23-05782-CF	DATE OF SENTENCE <u>2/6/2023</u> <u>9/13/24</u>
--	-------------------------	--

**X. ADDITIONAL OFFENSE(S):**

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

II. \_\_\_\_\_

**IV. PRIOR RECORD:**

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

**Reasons for Departure - Mitigating Circumstances**  
(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain.
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence.
- The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- The defendant acted under extreme duress or under the domination of another person.
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- The defendant is to be sentenced as a youthful offender.
- The defendant is amenable to the services of a post adjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s. 921.0026(2)(m).

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY

STATE OF FLORIDA

20-01706-CF (C)

v.

LEAVING THE SCENE OF A CRASH  
INVOLVING DEATH; 1°F

KEITH ERIC WHITE JR  
SPN: 311474755 (CF)  
B/M DOB: 04/16/1981

FILED  
CRIMINAL COURT  
CUSTOMER SERVICE  
20 FEB 14 AM 10:23  
KEM ROBERT  
CLERK OF CIRCUIT COURT  
PINELLAS COUNTY

AFFIDAVIT

BEFORE ME, A JUDGE OF THE CIRCUIT COURT, in and for said County, personally came Officer MICHAEL F. JOCKERS, who, being duly sworn, says that on February 8<sup>th</sup>, 2020, in the County aforesaid, one KEITH ERIC WHITE JR (B/M DOB: 04/16/1981) did unlawfully, operate a motor vehicle; a 2005 Hyundai Accent bearing Florida tag IC16BP, and was involved in a motor vehicle crash on public property, which resulted in the death of another; BRENDAN MARKEITH HAWKINS, and then fled the scene without providing his information or rendering aid as required in Chapter 316.062(1). Your Affiant, MICHAEL F. JOCKERS is a sworn Police Officer with the St. Petersburg Police Department, St. Petersburg, Pinellas County, Florida and has been employed for 29 years. Your Affiant, MICHAEL F. JOCKERS is presently serving the City of St. Petersburg Police Department in the capacity of a Traffic Homicide Investigator and has been doing so for twenty years. Your Affiant, MICHAEL F. JOCKERS has experience in criminal investigations and is especially familiar with traffic homicide investigations and accident reconstructions. Your Affiant, MICHAEL F. JOCKERS' knowledge in the area of traffic homicide investigations and accident reconstructions has been gained through specialized training, as well as in-service studies and training provided by the Institute of Police Technology and Management (IPTM).

Your Affiant, MICHAEL F. JOCKERS has personally participated in investigations concerning traffic homicide and accident reconstructions within St. Petersburg, Pinellas County, Florida, which have resulted in numerous arrests of subjects for Vehicular Homicide, Driving Under the Influence Manslaughter, and Leaving the Scene of Fatal Crashes.

Your Affiant, MICHAEL F. JOCKERS also received specialized training from attending and completing the eighty (80) hour course on At Scene Traffic Homicide Investigation, the eighty (80) hour course on Advanced Traffic Homicide Investigation, the eighty (80) hour course on Accident Reconstruction from IPTM and the forty (40) hour course on Crash Data Retrieval Technician and Data Analyst from the Collision Safety Institute.

On February 8<sup>th</sup>, 2020, at approximately 7:41 PM at the intersection of 5<sup>th</sup> Avenue South and 37<sup>th</sup> Street in St. Petersburg, Pinellas County Florida, a motor vehicle crash occurred involving a red sedan and a 2017 Suzuki motorcycle bearing Florida temporary tag 04YHA. Your Affiant learned through his investigation of the scene, the evidence and video obtained of the crash and the events leading up to it, the red sedan was westbound on 5<sup>th</sup> Avenue North attempting to turn left onto 37<sup>th</sup> Street South. The Suzuki motorcycle, being driven by BRENDAN MARKEITH HAWKINS was eastbound on 5<sup>th</sup> Avenue South at a speed over the posted speed limit of 35 miles per hour. According to your Affiant's investigation of the scene, the evidence and the video obtained of the crash and the events leading up to it, the turning vehicle caused HAWKINS to lock his rear tire, which in turn caused the motorcycle to fall onto its right side. The motorcycle continued sliding almost 300 feet to its point of final rest. Hawkins, who was wearing a helmet, struck the right rear corner of the red sedan with his head and almost immediately stopped in the roadway. Hawkins was unresponsive at the scene and was transported to Bayfront health St. Petersburg where he was pronounced dead at 8:24 PM.

The driver of the red sedan slowed down, then left the scene of the crash, southbound on 37<sup>th</sup> Street South. The red sedan suffered heavy damage to the right rear corner to include the rear bumper and right rear taillight assembly. Pieces of the bumper, taillight assembly and reflectors were found at the scene and placed into evidence. One of the reflectors contained part #Korea SAE AP2 01 DOT.

On Tuesday, February 11<sup>th</sup>, your affiant was contact by CHASTITY MCNEAL and advised the vehicle we were looking for had been at The Lamplighter Motel, 12208 North Florida Avenue, Tampa, Florida. The owner of the vehicle was known to MCNEAL as KEITH WHITE and he has been staying with the resident of unit #5. MCNEAL stated that the vehicle left the motel on Saturday, February 8<sup>th</sup>, and was unremarkable. It returned during the morning hours on Sunday, February 9<sup>th</sup> and had massive damage on the right rear corner. A Computer search for KEITH WHITE turned up KEITH ERIC WHITE JR, B/M, 08/16/1981 who owned a 2005 Hyundai 3 door, red in color, with Florida tag IC16BP. A photo of KEITH ERIC WHITE JR was shown to MCNEAL and she positively identified his as the driver of the red Hyundai that stays at The Lamplighter Motel. A review of the security camera footage of the Lamplighter Motel showed Hyundai leaving on Saturday, February 8<sup>th</sup>, 2020 at 11:19 AM in good condition. The vehicle returns to The Lamplighter on Sunday, February 9<sup>th</sup>, 2020 at 8:29 AM and has significant damage to the right rear corner to include the right rear bumper and right rear taillight assembly. A check of the reflector which contained part #Korea SAE AP2 01 DOT showed it is a rear bumper reflector for a 2005 Hyundai Accent.

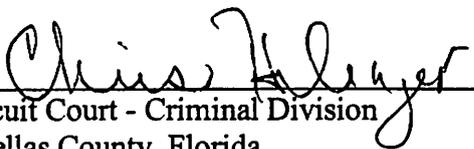
Your Affiant conducted a canvas of The Lamplighter Motel and found room #5 to be rented and occupied by CHRISTINE CABRERA, W/F, 11/03/1980. Your Affiant conducted an in-person interview with CABRERA after confirming her identity via Florida Driver's License

and was informed by her that she has known KEITH WHITE for about a year. Your Affiant was informed by CABRERA that she and WHITE are fiends and he usually stays with her in room #5 of The Lamplighter Motel. Your Affiant was informed by CABRERA that she and WHITE had an argument on Saturday, February 8<sup>th</sup>, 2020 and he left. Your Affiant was informed by CABRERA that she tried calling and texting him several times throughout the afternoon. CABRERA informed Your Affiant that KEITH WHITE eventually answered his phone about 10:30 PM and sounded very scared. Your Affiant was informed by CABRERA that KEITH WHITE admitted to her that he had been involved in an accident involving a motorcycle and that the motorcyclist had been hurt. Your Affiant was informed by CABRERA that KEITH WHITE admitted to CABRERA that he last saw the motorcyclist lying on the roadway as he drove away. Your Affiant was informed by CABRERA that WHITE further stated that he was afraid and that was why he took off. CABRERA stated KEITH WHITE drove back to The Lamplighter Motel Sunday morning, February 9<sup>th</sup>, 2020. CABRERA informed Your Affiant that she observed the damage to the right rear corner to his vehicle. Your Affiant was informed by CABRERA that KEITH WHITE again recounted the events of being involved in a crash which left a motorcyclist lying on the road after hitting his vehicle, and then leaving the scene.

All of the events occurred in Pinellas County, Florida. At this time, KEITH ERIC WHITE JR has not since been located. Based on the above-mentioned events, YOUR AFFIANT respectfully requests this Honorable Court issue a Capias so that KEITH ERIC WHITE JR can be made to answer to the charge of LEAVING THE SCENE OF A CRASH INVOLVING DEATH, pursuant to Chapter 316.027(2) Florida Statute.

Sworn to and subscribed before me  
this 13 Day of FEBRUARY, 2020

  
\_\_\_\_\_  
AFFIANT

  
\_\_\_\_\_  
Circuit Court - Criminal Division  
Pinellas County, Florida  
SP2020-005678  
NAF20-00554-C

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR PINELLAS COUNTY

WARRANT

STATE OF FLORIDA

v.

KEITH ERIC WHITE JR  
SPN:  
B/M  
DOB: 04/16/1981

LEAVING THE SCENE OF A CRASH  
INVOLVING DEATH; 1°F

FILED  
CRIMINAL COURT  
CLERK OF DISTRICT  
AND COUNTY CLERK  
2020 FEB 14 AM 10:23  
SHERIFF'S OFFICE  
PINELLAS COUNTY

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR THE  
SHERIFFS AND INVESTIGATORS OF THE STATE ATTORNEY,

WHEREAS, Officer MICHAEL JOCKERS has this day made oath before this Court that on February 8<sup>th</sup>, 2020, in the County and District aforesaid, one KEITH ERIC WHITE JR (B/M DOB: 04/16/1981) did unlawfully, operate a motor vehicle; a 2005 Hyundai Accent bearing Florida tag IC16BP, and was involved in a motor vehicle crash on public property, which resulted in the death of another; BRENDAN MARKEITH HAWKINS, and then fled the scene without providing his information or rendering aid as required in Chapter 316.027(2)(c).

These are, therefore, to command you to arrest instanter the said KEITH ERIC WHITE JR, and bring him before me to be dealt with according to the law.

Given under my hand and seal this 13 day of FEBRUARY, 2020.

Chris Helwig  
JUDGE OF THE CIRCUIT COURT

SP2020-005678  
NAF20-00554-C

RECEIVED THIS WARRANT

IN THE CIRCUIT COURT OF THE  
SIXTH JUDICIAL CIRCUIT

On the \_\_\_\_\_ day of FEBRUARY, 2020

Pinellas County  
Florida  
STATE OF FLORIDA

And executed same on the

\_\_\_\_\_ by arresting the within

VS

named KEITH ERIC WHITE JR

KEITH ERIC WHITE JR  
WARRANT

and having him now before the

Court.

Filed this 13 day of FEBRUARY, 2020

BOND SET IN THIS CASE IN THE  
AMOUNT

\_\_\_\_\_  
ARRESTING OFFICER

\$ 100,000.<sup>00</sup>

# PERSONAL DATA INFORMATION SHEET

ALL INFORMATION MUST BE PROVIDED BY THE INVESTIGATING OFFICER I

\*Note: Starred lines are required for computer warrant entries. \*FCIC System (local) \*\*NCIC System

\* Defendant's Full Name:

KEITH ERIC WHITE JR.

\* Alias:

\* SSN:

\* SID #:

Last Known Address:

12208 N. FLORIDA AV. #5, TAMPA, FL, 33612

Place of Employment:

(company)

(business address)

\*DOB:

08/16/1981

\*SEX:

M

\*RACE:

B

FINGERPRINTS AVAILABLE: YES  NO

\*\*HT: 5-06

\*\*WT: 150

\*\*HAIR: BLK/PLATS

I EYES: BROWN

OTHER FEATURES: (BEARD, MARKS, SCARS, TATTOOS)

Per FLCrRule 3.121 attach photo - SOPICS preferred!

Originating Source of PHOTO:

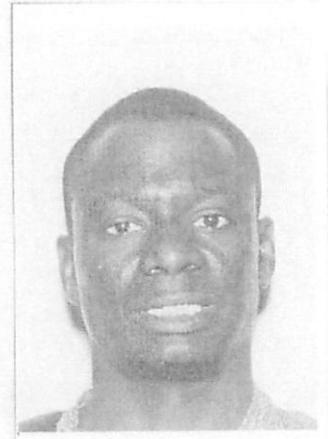
SOPICS Docket #

FL DL # DAVID Photo confirmed  
accurate by: *dlh 28526*

Other State DL #  
State

Other Photo Source #

NO PHOTO AVAILABLE — Explanation For No Photo:



\*AGENCY:

S.P.P.D.

OFFENSE NUMBER:

2020-005678

\*INVESTIGATING OFFICER:

Off. MICHAEL JOCKELS

IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT,  
IN AND FOR PINELLAS COUNTY FLORIDA  
DIVISION: FELONY

UCN : 522020CF001706000APC

REF No. : 20-01706-CF - D

OBTS NUMBER \_\_\_\_\_

STATE OF FLORIDA  
VS.

**KEITH WHITE JR**  
Defendant

PID: 311474755

SS# [REDACTED]

**JUDGMENT**

The Defendant, **KEITH WHITE JR**, being personally before this court represented by **MARIA E DELIBERATO**, Assistant Public Defender, the attorney of record, and the state represented by **ALEC WAID**, Assistant State Attorney, and having:

entered a plea of guilty to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER (S)	DEGREE OF CRIME
01	LEAVING THE SCENE OF A CRASH INVOLVING DEATH	316.027	1F

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is ADJUDICATED GUILTY of the above crime(s).

Defendant : KEITH WHITE JR

UCN : 522020CF001706000APC  
REF No. : 20-01706-CF - D

\_\_\_\_\_ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD as to Count(s) \_\_\_\_\_

Sentence Deferred \_\_\_\_\_ The Court hereby defers imposition of sentence until \_\_\_\_\_ (Date)  
Until Later Date  
(Check if Applicable)

The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in open court in Pinellas County, Florida on July 7, 2023.

\_\_\_\_\_  
JUDGE

FINGERPRINTS OF THE DEFENDANT

1. R. Thumb 	2. R. Index 	3. R. Middle 	4. R. Ring 	5. R. Little 
6. L. Thumb 	7. L. Index 	8. L. Middle 	9. L. Ring 	10. L. Little 

Fingerprints taken by:

\_\_\_\_\_  
(Name and Title)

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the defendant, KEITH WHITE JR, and that they were placed thereon by the defendant in my presence in open court this day.

\_\_\_\_\_  
JUDGE

Defendant: KEITH WHITE JR

UCN: 522020CF001706000APC  
REF No.: 20-01706-CF - D

OBTS Number \_\_\_\_\_

## SENTENCE

(as to Count 01 )

The defendant, being personally before the court, accompanied by the defendant's attorney of record, **MARIA E DELIBERATO, Assistant Public Defender**, and having been adjudicated guilty, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

### **It Is the Sentence Of the Court That:**

The Defendant pay total statutory costs in the amount of **\$700.00**, inclusive of a **\$50.00** Indigent Criminal Defense Fee as required by s. 27.52 F.S., **\$100.00** as a Cost of Prosecution assessment.

The Defendant pay **attorney fees and costs of defense as determined by the Court.**

The Defendant is **committed to the custody of the Department of Corrections.**

Unless otherwise prohibited by law, the Sheriff is authorized to release the Defendant on electronic monitoring or other sentencing programs subject to the Sheriff's discretion.

### **To Be Imprisoned:**

The Defendant is to be imprisoned for a term of **5 YEARS.**

## **SPECIAL PROVISIONS**

By appropriate notation, the following provisions apply to the sentence imposed:

### **Mandatory/Minimum Provisions:**

<b>Driver Leaving Scene Involving Death</b>	<b>It is further ordered that the 4 year mandatory minimum imprisonment provision of 316.027(2)(c), Florida Statutes, is imposed.</b>
---	---

### **Other Provisions:**

**Please see the last page of this document for other provisions.**

Defendant: KEITH WHITE JR

UCN: 522020CF001706000APC  
REF No.: 20-01706-CF - D

OBTS Number \_\_\_\_\_

**Other Provisions: (continued)**

**Jail Credit**

It is further ordered that the defendant shall be allowed a total of 645 DAYS as credit for time incarcerated before imposition of this sentence.

**Immigration Detainer**

It is further ordered that, as per s. 908.104(3)(b), F.S., the secure correctional facility in which the defendant is to be confined shall reduce the defendant's sentence by a period of not more than 12 days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

**Prison Credit**

It is further ordered that the defendant shall be allowed credit for all time previously served on this count in the Department of Corrections prior to resentencing.

**It is further ordered that:**

**Restitution is ordered as follows:**

\$5680.00 to LINWA WRIGHT  
7708 GULF COURT  
TEMPLE TERRACE, FL 33637, as a lien.

**Restitution is ordered as follows:**

\$1013.75 to PINELLAS COUNTY SHERIFF  
14400 49TH ST N  
CLEARWATER, FL 33762, as a lien.

**Restitution to State:**

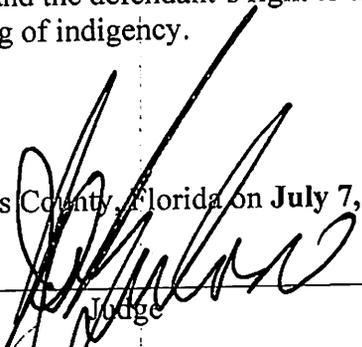
If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing a notice of appeal within 30 days from this date with the Clerk of the Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing this sentence, the court further orders:  
**Your driver's license is revoked for 3 YEARS.**

DONE AND ORDERED in open court at Clearwater, Pinellas County, Florida on July 7, 2023.

  
\_\_\_\_\_  
Judge

**Rule 3.992(a) Criminal Punishment Code Scoresheet**

The Criminal Punishment Code Scoresheet Preparation Manual is available at: [http://www.dc.state.fl.us/pub/sen\\_cpcm/index.html](http://www.dc.state.fl.us/pub/sen_cpcm/index.html)

1. DATE OF SENTENCE <b>7/7/23</b>	2. PREPARER'S NAME <del>WADE</del> <b>Waid</b>	3. COUNTY <b>Pinellas</b>	4. SENTENCING JUDGE <del>ANDREWS</del> <b>Bulone</b>
5. NAME (LAST, FIRST, M.I.) <b>WHITE, JR., KEITH E.</b>	6. DOB <b>8/16/1981</b>	8. RACE <b>BLACK</b>	10. PRIMARY OFF. DATE <b>2/8/2020</b>
	7. DC #	9. GENDER <b>MALE</b>	11. PRIMARY DOCKET # <b>20-01706CF</b>
			12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>

**I. PRIMARY OFFENSE:** Qualifier: \_\_\_\_\_

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
<u>1</u>	<u>316.027(2)(C)</u>	<u>LEAVE CRASH W/DEATH</u>	<u>7</u>	<u>56</u>

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony doubles Primary Offense points

**I. 56.0000**

**II. ADDITIONAL OFFENSE(S):** Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony doubles Additional Offense points

Supplemental page points \_\_\_\_\_  
**II. \_\_\_\_\_**

**III. VICTIM INJURY:**

	Number	Total		Number	Total
2 <sup>nd</sup> Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

**III. \_\_\_\_\_**

**IV. PRIOR RECORD:** Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
<u>3</u>	<u>831.01</u>	<u>2</u>		<u>FORGERY/UTTERING</u>	<u>1</u>	<u>X 0.8</u>	<u>= 0.8000</u>
<u>5/MM</u>	<u>893.13(6)(B)</u>	<u>M</u>		<u>POSSES MARIJUANA-MISD</u>	<u>1</u>	<u>X 0.2</u>	<u>= 0.2000</u>
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=
					X		=

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points \_\_\_\_\_  
**IV. 1.0000**

**Page 1 Subtotal: 57.0000**

NAME (LAST, FIRST, MI. I.)

WHITE, JR., KEITH E.

DOCKET #

20-01706CF

Page 1 Subtotal: 57.0000

V. Legal Status Violation = 4 Points

- Escape  Fleeing  Failure to Appear  Supersedeas bond  Incarceration  Pretrial intervention or diversion program
- Court imposed post prison release community supervision resulting in a conviction

V. \_\_\_\_\_

VI. Community Sanction Violation before the court for sentencing

- Probation  Community Control  Pretrial intervention or diversion
- 6 points for any violation other than new felony conviction X \_\_\_\_\_ each successive violation OR
- New felony conviction = 12 points X \_\_\_\_\_ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
- 12 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR
- New felony conviction = 24 points X \_\_\_\_\_ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VI. \_\_\_\_\_

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points

VII. \_\_\_\_\_

VIII. Prior Serious Felony = 30 points

VIII. \_\_\_\_\_

Subtotal Sentence Points 57.0000

IX. Enhancements (only if primary offense qualifies for enhancement)

Law Enf. Protect. <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker <input type="checkbox"/> x 1.5	Motor Vehicle Theft <input type="checkbox"/> x 1.5	Criminal Gang Offense <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07) <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14) <input type="checkbox"/> x 2.0
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Enhanced Subtotal Sentence Points

IX. \_\_\_\_\_

TOTAL SENTENCE POINTS 57.0000

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{57.0000}{\text{total sentence points}} \text{ minus } 28 = \frac{29.0000}{\text{total sentence points}} \times .75 = \frac{21.750000}{\text{Lowest permissible prison sentence in months}}$$

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s.775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

30  
maximum sentence in years

TOTAL SENTENCE IMPOSED

State Prison       Life  
 County Jail       Time Served  
 Community Control  
 Probation       Modified

Years: 5 yr      Months: w/ 4 yr m/m      Days: \_\_\_\_\_

*lien Restit.  
and Cost.  
Extraditi.*

Please check if sentenced as  habitual offender,  habitual violent offender,  violent career offender,  prison release reoffender, or a  mandatory minimum applies.

Mitigated Departure  Plea Bargain  Prison Diversion Program

Other Reason \_\_\_\_\_

JUDGE'S SIGNATURE