

**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 Dennelly*, 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 2nd 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, 1st 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.

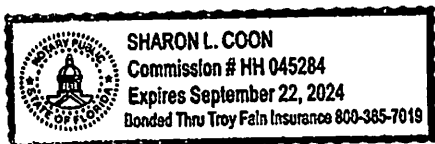
The foregoing instrument was acknowledged before me
by means of ☒ physical presence or ☐ online
notarization this

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

JAN 13 2021

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/01 ad2

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.

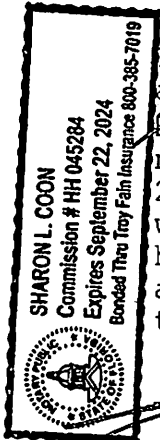
JEREMIAH ALDRED was interviewed by sworn Law Enforcement Officers with the Florida Highway Patrol at which time he denied driving the vehicle, denied being at the scene of the crash, claimed that he was home all afternoon and could not explain the cell phone data. JEREMIAH ALDRED indicated that the victim, 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.

NOTARY PUBLIC

[Signature]
AFFIANT

11305 N. McKinley Palm Beach FL
AFFIANT'S ADDRESS 72612

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-

Last Known Address:

7501 142nd 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:

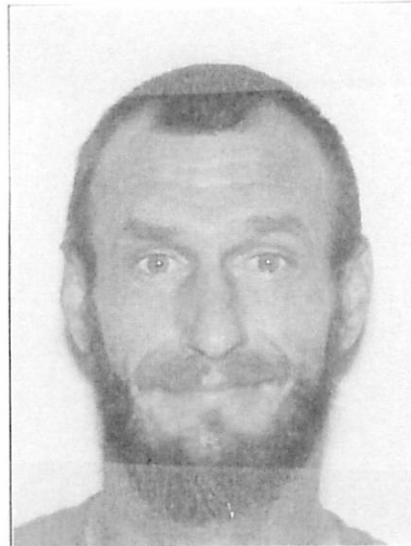
☐ SOPICS Docket #

☐ 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: FHPCMOFF-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

1. DATE OF SENTENCE 3/7/23	2. PREPARER'S NAME KANOSKI	3. COUNTY PINELLAS	4. SENTENCING JUDGE ANDREWS	
5. NAME (LAST, FIRST, MI.) ALDRED, JEREMIAH	6. DOB 4/12/1984	8. RACE WHITE	10. PRIMARY OFF. DATE 10/15/2017	12. PLEA <input checked="" type="checkbox"/> TRIAL <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 nd 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

NAME (LAST, FIRST, MI. I.) ALDRED, JEREMIAH	DOCKET # 21-00506CFANO
---	----------------------------------

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

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 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:

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

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:

LEAVE CRASH W/DEATH	30 years
Description	Maximum sentence in years

Additional offense: POCS	10 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:	40 years
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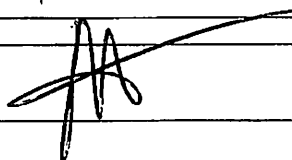
TOTAL SENTENCE IMPOSED

Years	Months	Days
<input checked="" type="checkbox"/> State Prison	<input type="checkbox"/> Life	
<input type="checkbox"/> County Jail	<input type="checkbox"/> Time Served	
<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



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 2/27/2023 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	Traffic Citation # (if any)	Court Case #
Charge	LEAVING SCENE OF AN CRASH INVOLVING DEATH	AEUQFJE	21-07358-CF-1
Defendant's Name (Last, First, Middle)	BELL, DAVID GREGORY	DOB	04/02/1984
Sex	M	Race	B
Ht	510	Wt	200
Hair	BLK	Eyes	BRO
Skin	MED		
Alias	DL # B400167841220	State FL	Scars/Marks/Tattoos/Physical Features
Local Address (Street, City, State, Zip Code)	922 11TH STREET SOUTH ST PETERSBURG FL 33705	Telephone	7276861744
Place of Birth	DELAWARE	Citizenship	US
Permanent Address (Street, City, State, Zip Code)	922 11TH STREET SOUTH ST PETERSBURG FL 33705	Telephone	7276861744
Employed by / School			
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)	STEPHANY MARIE WILES	DOB	03/11/1997
Sex	F	Race	W
In Custody	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Felony	<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	Felony	<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 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)

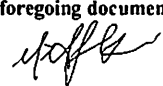
ARREST DATE: 8/5/2021 Time 11:55 AM Aggravating/Mitigating Factors _____

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 OFFICER MICHAEL JOCKERS 28526 Printed Name ST. PETERSBURG POLICE Agency 01055030 Declarant ID#	REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1) <table style="width:100%;"> <tr> <th>DATE</th> <th>OFFICER</th> <th>HOURS X PAY RATE</th> <th>OR</th> <th>COST</th> </tr> <tr> <td>09/08/2020</td> <td>M. JOCKERS</td> <td>80 25.00</td> <td></td> <td>\$2,000.00</td> </tr> </table> OTHER - Describe _____ Continuation sheet <input type="checkbox"/> Yes <input type="checkbox"/> No TOTAL \$ 2,000.00	DATE	OFFICER	HOURS X PAY RATE	OR	COST	09/08/2020	M. JOCKERS	80 25.00		\$2,000.00
DATE	OFFICER	HOURS X PAY RATE	OR	COST							
09/08/2020	M. JOCKERS	80 25.00		\$2,000.00							

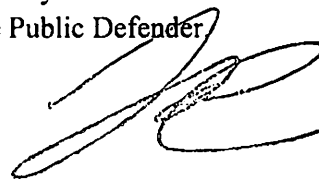
Defendant BELL, DAVID GREGORY **Court Case No:** 21-07358-CF-1

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:

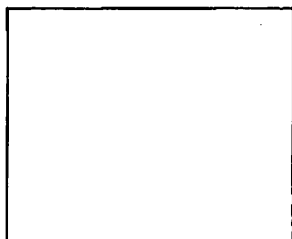
- ☐ A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- ☐ B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- ☐ C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.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

COUNTY 04 PINELLAS		<input type="checkbox"/> (1) FHP <input checked="" type="checkbox"/> (2) P.D. <input type="checkbox"/> (3) S.O. <input type="checkbox"/> (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
TIME 9:15 PM			
NAME (PRINT) FIRST MIDDLE LAST DAVID GREGORY BELL			
STREET 922 11TH STREET SOUTH			
IF DIFFERENT THAN ONE ON DRIVER LICENSE "X" HERE <input type="checkbox"/>			
CITY ST PETERSBURG		STATE FL	ZIP CODE 33705
TELEPHONE NUMBER	DATE OF BIRTH 4 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	STAT FL	CLASS E	CDL LICENSE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
YR VEHICLE 1982	MAKE GMC	STYLE PK	COLOR BLU
VEHICLE LICENSE 1 R S T 3 0	TRAILER TAG N	STATE FL	YEAR TAG EXP. 2021
UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY 125 N 5TH ST 27.769682 -82.640570- TRAVELING N			
FT _____ MILES _____ <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W 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:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> CARELESS DRIVING | <input type="checkbox"/> CHILD RESTRAINT | <input type="checkbox"/> EXPIRED DRIVER LICENSE SIX (6) MONTHS OR LESS |
| <input type="checkbox"/> VIOLATION OF TRAFFIC CONTROL DEVICE | <input type="checkbox"/> SAFETY BELT VIOLATION | <input type="checkbox"/> EXPIRED DRIVER LICENSE MORE THAN SIX (6) MONTHS |
| <input type="checkbox"/> FAILURE TO STOP AT A TRAFFIC SIGNAL | <input type="checkbox"/> IMPROPER OR UNSAFE EQUIPMENT | <input type="checkbox"/> NO VALID DRIVER LICENSE |
| <input type="checkbox"/> IMPROPER LANE CHANGE OR COURSE | <input type="checkbox"/> EXPIRED TAG SIX (6) MONTHS OR LESS | <input type="checkbox"/> DRIVING WHILE LICENSE SUSPENDED OR REVOKED |
| <input type="checkbox"/> NO PROOF OF INSURANCE | <input type="checkbox"/> EXPIRED TAG MORE THAN SIX (6) MONTHS | <input type="checkbox"/> DRIVING UNDER THE INFLUENCE |
| <input type="checkbox"/> VIOLATION OF RIGHT-OF-WAY | <input type="checkbox"/> IMPROPER PASSING | <input type="checkbox"/> Passenger Under 18 Yrs |

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

14250 49TH STREET NORTH 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
BADGE NO ID NO TROOP UNIT

☒ 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

WHEN PRESENTED TO VIOLATOR, THE FOLLOWING AMOUNT WAS ENTERED.

PAY A CIVIL PENALTY IN THE AMOUNT OF \$

CASE NO. _____ DOCKET NO. _____ PAGE NO. _____

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: _____ FINDING: _____ ADJUDICATION: _____ 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 _____



UTC Court Information Report

ST. PETERSBURG POLICE DEPARTMENT

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

VIOLATOR			
NAME (PRINT) FIRST	MIDDLE	LAST	SUFFIX
DAVID	GREGORY	BELL	
STREET	CITY	STATE	ZIP CODE
922 11TH STREET SOUTH	ST PETERSBURG	FL	33705
TELEPHONE	DL #	STATE	TAG #
	B400167841220	FL	IRST30
STATE	CLASS	YEAR	MAKE
FL	E	1982	GMC
TAG #	STATE	TAG EXP.	
IRST30	FL	09/26/202	

ROADWAY INFORMATION
125 N 5TH ST 27.769682 -82.640570- TRAVELING N

VIOLATION							
FSS #	316.1925						
OFFENSE TYPE	VIOL SPEED	POSTED?	SCHOOL?	WORKERS?	CRASH?	SPEED MEASUREMENT DEVICE	
CARELESS DRIVING					YES		

REPORTING OFFICER				SECONDARY OFFICER			
RANK	FIRST	MIDDLE	LAST	BADGE #	ID #	FIRST	LAST
OFFICER	MICHAEL	F	JOCKERS	28526	28526		
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.

WITNESSES							
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		

1

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

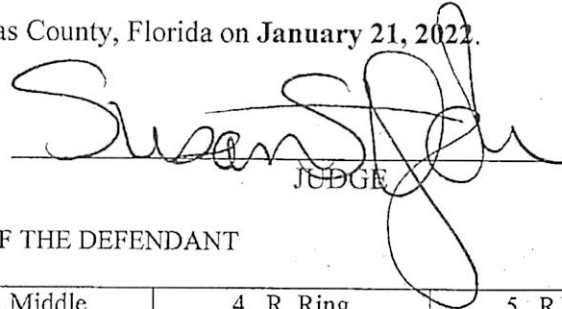
_____ and good cause being shown; IT IS ORDERED THAT ADJUDICATION
OF GUILT BE WITHHELD as to Count(s) _____

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

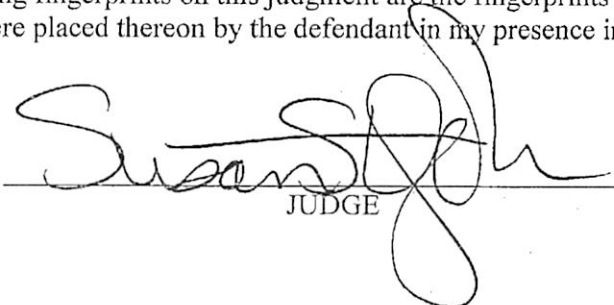
FINGERPRINTS OF THE DEFENDANT

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.

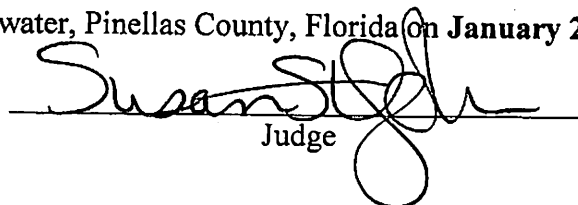
Restitution to State:

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

1. DATE OF SENTENCE 1/21/22	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 <input checked="" type="checkbox"/> TRIAL <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
(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 <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

(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 nd 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		=

(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. 12.5000

Page 1 Subtotal: 68.5000

NAME (LAST, FIRST, MI. I.)
BELL, DAVID G.

DOCKET #
21-07358CFANO

Page 1 Subtotal: 68.5000

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 68.5000

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 (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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<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:

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

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

	Years	Months	Days
<input checked="" type="checkbox"/> State Prison	8		
<input type="checkbox"/> Life			
<input type="checkbox"/> County Jail			
<input type="checkbox"/> Time Served			
<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
Charge	LEAVING SCENE OF AN CRASH INVOLVING DEATH		AEUWMRE	
Defendant's Name (Last, First, Middle)	BROUGHTON, MICHAEL WAYNE		DOB	05/24/1980
Sex	M	Race	W	Ht
Wt	150	Hair	BRO	Eyes
Skin	LGT	Scars/Marks/Tattoos/Physical Features		
Local Address (Street, City, State, Zip Code)	8101 23RD AVE N ST. PETERSBURG FL 33710		Telephone	Place of Birth
Permanent Address (Street, City, State, Zip Code)	8101 23RD AVE N ST. PETERSBURG FL 33710		Telephone	Employed by / School
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"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes
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 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
 OFFICER JACOB ROLLESTON 519
 Printed Name
 PINELLAS PARK POLICE
 Agency
 03023017
 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.

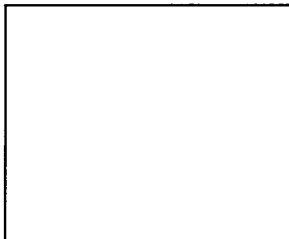
I FURTHER CERTIFY THAT:

- ☐ 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.

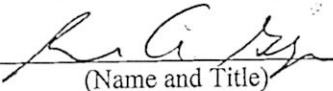
DONE AND ORDERED in open court in Pinellas County, Florida on **August 15, 2023**.

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:

DET-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

1. DATE OF SENTENCE 8/21/2022 8/15/23	2. PREPARER'S NAME AW Spodaro	3. COUNTY PINELLAS	4. SENTENCING JUDGE S. ST. JOHN Helinger	
5. NAME (LAST, FIRST, M.I.) BROUGHTON, MICHAEL	6. DOB 5/24/1980	8. RACE WHITE	10. PRIMARY OFF. DATE 8/10/2021	12. PLEA TRIAL <input checked="" type="checkbox"/>
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 21-07761-CF	

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 nd 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	X 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.	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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<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:

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

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.

$\frac{35}{\text{maximum sentence in years}}$

TOTAL SENTENCE IMPOSED

- ☒ State Prison ☐ Life
☐ County Jail ☐ Time Served
☐ Community Control
☐ Probation ☐ Modified

Years 4 Months Days

4 yr min /
man
on 21077610
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

=

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 BURKE
CLERK OF CIRCUIT COURT
AND COMPTROLLER

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.

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

KEN BURKE
CLERK OF CIRCUIT COURT
AND COMPTROLLER

2020 DEC 18 PM 1:25

FILED
CRIMINAL COURT
CUSTOMER SERVICE

STATE OF FLORIDA

:

COMPLAINT

V.

:

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

ZACHARY LEGEND CARIDE

:

PID 310377402

W/M; DOB: 08/03/96

BEFORE ME, A JUDGE OF THE CIRCUIT COURT, in and for said County, personally came Detective Christopher Lemmon, who, being duly sworn, says that on November 27, 2020, in the County aforesaid, one ZACHARY LEGEND CARIDE (W/M; DOB: 08/03/1996) 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 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 Chapter 316.027(2)(c), Florida Statutes, in such case made and provided, and against the peace and dignity of the State of Florida.

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.

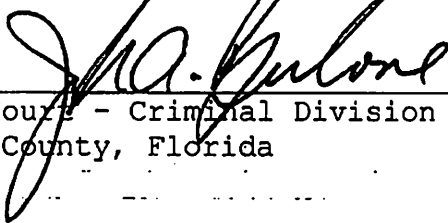
Your Affiant was advised by Megan Maloney that on December 13, 2020, at approximately 8:06 p.m. she made contact with ZACHARY LEGEND CARIDE at Sims Park located in New Port Richey, Florida. Your Affiant learned that ZACHARY LEGEND CARIDE told Megan Maloney that he "doesn't know what the fuck happened" 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:

* 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

FILED
CRIMINAL COURT
CUSTOMER SERVICE
2020 DEC 18 PM 1:26
KEN BURKE
CLERK OF CIRCUIT COURT
AND JUDGE

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:

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.

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

1. DATE OF SENTENCE 12/3/21 12/3/21	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	12. PLEA <input checked="" type="checkbox"/>
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 2011768CFANO	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 nd 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

NAME (LAST, FIRST, MI. I.)
CARIDE, ZACHARY L.

DOCKET #
2011768CFANO

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

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 80.5000

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 (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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<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

	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			

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

Nancy Hoate

AG
3y AL Rev
4y Min Max

Rule 3.992 Supplemental Criminal Punishment Code Scoresheet

NAME (LAST, FIRST, MI. I.) CARIDE, ZACHARY L.	DOCKET # 2011768CFANO	DATE OF SENTENCE 2/2/2021 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	<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)					
Charge	LEAVING SCENE OF AN CRASH INVOLVING DEATH		Court Case # 24-03442-CF-1					
Defendant's Name (Last, First, Middle)	DOB	Sex	Race	Ht	Wt	Hair	Eyes	Skin
CARLSON, NICOLE JENNIFER	01/18/1998	F	W	5'3	120	BRO	BRO	
Alias	DL #	State	Scars/Marks/Tattoos/Physical Features					
	C642630985180	FL						
Local Address (Street, City, State, Zip Code)	Telephone		Place of Birth		Citizenship			
190 112TH AVE N APT 605 ST PETERSBURG FL 33716	2079441355		MA		USA			
Permanent Address (Street, City, State, Zip Code)	Telephone		Employed by / School					
190 112TH AVE N APT 605 ST PETERSBURG FL 33716	2079441355		USHA					
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 N UNK <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		Y N UNK <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		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 <u>31</u> day of <u>MARCH</u> , 2024, at approximately <u>1:04</u> PM, at <u>62ND AVE N / 44TH ST N</u> , 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 <u>316.027(2)(C) - F1</u>								
ARREST DATE: <u>4/12/2024</u> Time <u>4:18 PM</u> . Aggravating/Mitigating Factors								
Booking Officer: <u>KUNZ, K 57593</u> Amount of Bond <u>ZERO</u> Bond Out Date Time <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.								
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								
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:								
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: 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. <u>Gary Caldwell</u> Declarant Signature OFFICER GARY CALDWELL JR 575 Printed Name				REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1) DATE 04/12/2024 OFFICER CALDWELL HOURS X PAY RATE 70 25.00 OR COST \$1,750.00 OTHER – Describe Continuation sheet <input type="checkbox"/> Yes <input type="checkbox"/> No TOTAL \$ 1,750.00				
PINELLAS PARK POLICE Agency 311262949 Declarant ID#								

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.

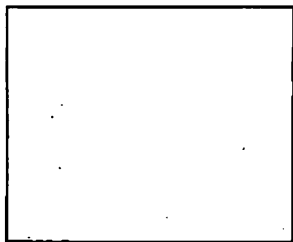
I FURTHER CERTIFY THAT:

- ☐ 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

COUNTY OF 04 PINELLAS		(1) F.H.P. <input checked="" type="checkbox"/> (2) P.D. (3) S.O. (4) OTHER	
CITY (IF APPLICABLE) 54 PINELLAS PARK		AGENCY NAME PINELLAS PARK POLICE DEPA AGENCY # 0454	
IN THE COURT DESIGNATED BELOW THE UNDERSIGNED CERTIFIES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE THAT ON			
DAY OF WEEK SUN	MONTH 3	DAY 31	YEAR 2024
TIME 1:04 AM			
NAME (PRINT) FIRST NICOLE		MIDDLE JENNIFER	LAST CARLSON
STREET 600 S BETTY LN APT 14			
CITY CLEARWATER		STATE FL	ZIP CODE 33756
TELEPHONE NUMBER	DATE OF BIRTH MO 1 DAY 18 YR 1998	RACE W	SEX F
DRIVER LICENSE NUMBER C 6 4 2 6 3 0 9 8 5 1 8 0	CLASS E	CDL LICENSE YES	YR LICENSE EXP. 2031
YR VEHICLE 2020	MAKE HYUN	STYLE 4D	COLOR GRY
VEHICLE LICENSE N B S 4 9 B N	TRAILER TAG N	STATE FL	YEAR TAG EXP. 2024
UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY 62ND AVE N AT 44TH ST N			
FT _____ MILES _____ OF NODE _____			
DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE.			

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

SPEED MEASUREMENT DEVICE:

- | | | |
|--|--------------------------------------|---|
| <input checked="" type="checkbox"/> 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 |

OTHER VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE:

- CARELESS DRIVING

AGGRESSIVE DRIVING	IN VIOLATION OF STATE STATUTE	SECTION 316.1925	SUB-SECTION
CRASH <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PROPERTY DAMAGE <input checked="" type="checkbox"/> YES \$ 8000 <input type="checkbox"/> NO	INJURY TO ANOTHER <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	SERIOUS INJURY TO ANOTHER <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
FATAL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			

CIVIL PENALTY IS **AJ91HWE**COURT INFORMATION
DATE _____ TIME _____
CALL OF COURT14250 49TH ST N COURT
CLEARWATER FL
33782 (727) 464-4846 WWW.MYPINELLASCLERK.ORG

Additional Comments:

ARREST DELIVERED TO _____ DATE _____


Arrested


OFFICER: GARY CALDWELL 575 311262949
RANK NAME OF OFFICER
BADGE NO ID NO TROOP UNIT☒ I CERTIFY THIS CITATION WAS DELIVERED TO THE PERSON CITED ABOVE AND CERTIFY THE CHARGE ABOVE


Additional Officer:

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 OF _____ RECEIVED AS REQUIRED BY COURT SCHEDULE. SIGNATURE OF CLERK _____	
CONTINUANCE TO _____ REASON _____	
CONTINUANCE _____ REASON _____	
BOND ESTREATED _____	
WARRANT ISSUED _____	
VIOLATOR FAILED TO APPEAR-DRIVER LICENSE SUSPENDED	
VIOLATOR ARRAIGNED ON _____ (DATE)	
PLEA: _____	
FINDING: _____	
ADJUDICATION: _____	
SENTENCE: FINE _____ COST _____ JAILED _____ DAYS	
DRIVER IMPROVEMENT SCHOOL _____	
OTHER _____	
DRIVER LICENSE SUSPENDED OR REVOKED FOR _____ DAYS	
RECOMMEND DRIVER LICENSE SUSPENSION FOR _____ DAYS	
RECOMMEND RE-TEST _____	
SIGNATURE OF JUDGE _____	
TESTIMONY - JUDGE'S NOTES (OR OTHER COURT ORDERS):	
APPEAL BOND OF _____	
VIOLATOR'S FINGERPRINT WHEN APPLICABLE →	

PERSON INFORMATION					
FIRST NAME NICOLE	MIDDLE NAME JENNIFER	LAST NAME CARLSON		SUFFIX	
CURRENT ADDRESS (Number and Street) 190 112TH AVE N APT 605					
CITY ST PETERSBURG				STATE FL - F	ZIP CODE 33716
PHONE NUMBER	D.O.B. 01/18/1998	RACE W	SEX FEMAL	HEIGHT 5' 03"	
DRIVER LICENSE NUMBER C642630985180		DL STATE FL - FL	DL CLASS E	DL EXP 01/18/2031	
VEHICLE INFORMATION					
YEAR 2020	MAKE HYUNDAI	COLOR GRAY -	TAG # BS49BN	STATE FL -	TAG EXP 01/18/2024
ROADWAY INFORMATION					
62ND AVE N AT 44TH ST N					

CITATIONS ISSUED		
CITATION # AJ91HVE	FL STATUTE # 316.027(2)	CRASH - LEAVING SCENE ON PUBLIC OR PRIVATE PROPERTY WITHOUT RENDERING AID (INVOLVING DEATH)
		

CITATION # AJ91HWE	FL STATUTE # 316.1926	CARELESS DRIVING
		

CITATION # AJ91HXE	FL STATUTE # 320.07(3)(A)	OPERATING A MOTOR VEHICLE/USING A MOBILE HOME WITH AN EXPIRED REGISTRATION: EXPIRED 6 MONT
		

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

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

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


NARRATIVE
<p>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</p>

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	576
OFFICER'S SIGNATURE			
			
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 :
Until Later Date
(Check if Applicable)

_____ The Court hereby defers imposition of sentence until _____
(Date)




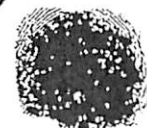






The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the 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 17, 2025.

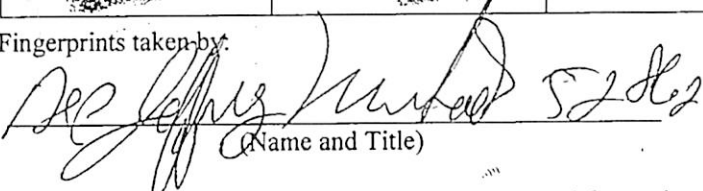


JUDGE

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, **NICOLE CARLSON**, and that they were placed thereon by the defendant in my presence in open court this day.



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

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

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				

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		
			<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

Effective Date: For offenses committed under the Criminal Punishment Code effective for offenses committed on or after October 1, 1998 and subsequent revisions.

NAME (LAST, FIRST, MI) <u>Carlson, Nicole, J.</u>	DOCKET # <u>24-03442-CF</u>
--	--------------------------------

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 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

- ☒ State Prison ☐ Life
☐ County Jail ☐ Time Served
☐ Community Control
☒ Probation ☐ 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

Years

Months

Days

8

8 years Doc
+ 1b 7y probation
(MHE, SAET, NO
Driving, NO AIC, NO
Waiver of confidentiality
+ search/seizure)

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
Charge	LEAVING SCENE OF AN CRASH INVOLVING DEATH		Traffic Citation # (if any)		Court Case #
Defendant's Name (Last, First, Middle)		DOB	Sex	Race	Ht
DENNELLY, JOHN MACKINNON		02/19/1960	M	W	601
Wt	230	Hair	BAL	Eyes	BLU
Skin	MED	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	
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 N UNK <input type="checkbox"/> <input checked="" type="checkbox"/> <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 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. *****

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

ARREST DATE: 12/10/2022 Time 1:50 PM

Aggravating/Mitigating Factors

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.

Declarant Signature

PINELLAS COUNTY SHERIFF

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 ☐ Yes ☐ 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 75th 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 75th 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

gpl [signature] 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.

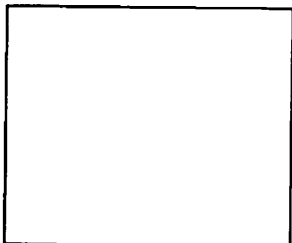
I FURTHER CERTIFY THAT:

- ☐ 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.

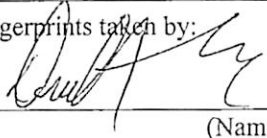
DONE AND ORDERED in open court in Pinellas County, Florida on April 12, 2024.


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:

 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.


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:

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: 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.

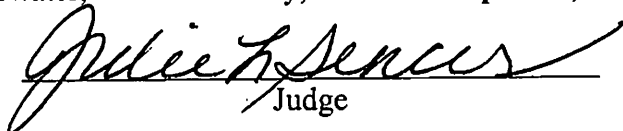
In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any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

1. DATE OF SENTENCE 4/12/24	2. PREPARER'S NAME Spadaro	3. COUNTY PINELLAS	4. SENTENCING JUDGE Burgess
5. NAME (LAST, FIRST, MI.) Dennelly, John	6. DOB 2/19/1960	8. RACE W	10. PRIMARY OFF. DATE 12/10/22
	7. DC #	9. GENDER M	11. PRIMARY DOCKET # 2211937CF
			12. PLEA TRIAL <input checked="" type="checkbox"/>

I. PRIMARY OFFENSE: Qualifier: _____

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1°	311.023(2)(c)	LSA 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**

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
2nd Degree Murder	240 X		Slight	4 X	
Death	120 X 1	120	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/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
3°	784.048	6		Agg Stalking	1	9	9
3°	914.22(1)	4		Tampering w/ Wit	1	2.4	2.4
3°	893	3		PCS	1	1.6	1.6
mm	Various	mm		Various	6	.2	1.2

(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

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. _____

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

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

Enhanced Subtotal Sentence Points

IX. _____

TOTAL SENTENCE POINTS

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:

$$\frac{70}{2} \times 190.2 \text{ total sentence points}$$

minus 28 =

$$472.2 \times .75 =$$

$$354.15 \text{ Lowest permissible prison sentence in months}$$

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.

$$\frac{30}{\text{maximum sentence in years}}$$

TOTAL SENTENCE IMPOSED

Years

Months

Days

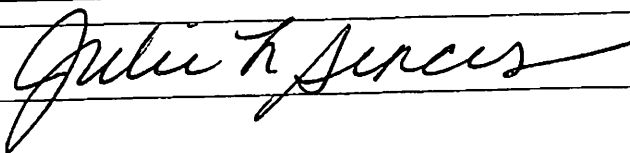
☒ State Prison☐ Life☐ County Jail☐ Time Served☐ Community Control☒ Probation ☐ Modified

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 _____

JUDGE'S SIGNATURE



with
4 yr
M
6415 DOC
P4415
probation
no driving
no 16 n
bar on
3 yr
DL
no
eligible + 12 mo
by court

B

ISSUE
CAPIAS

FELONY INFORMATION

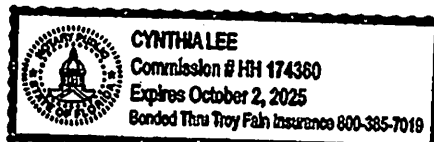
LEAVING THE SCENE OF A
CRASH INVOLVING DEATH, 1°F

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

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

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.

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



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.

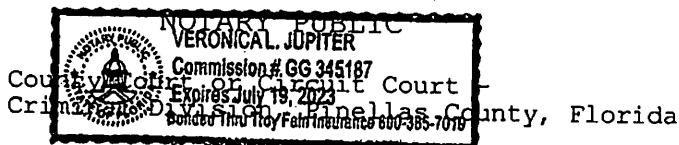
On October 8, 2021, a 2018 Jeep Compass, white in color, Florida Tag NENP47 attached, vehicle identification number 3C4NJCBB2JT469288 was seized under a Hillsborough County Search Warrant. Your Affiant observed the vehicle having significant damage to the front driver side bumper, headlight, and hood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

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 \$ <u>100,000</u> including surcharge	
Other conditions of release: <u>GPS Monitor</u>	
<u>[Signature]</u> 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

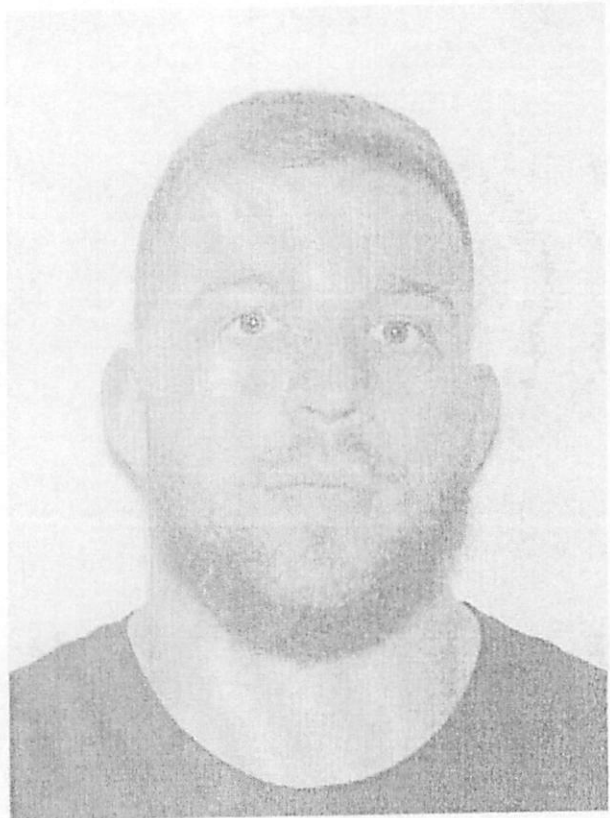
DAVID Photo confirmed accurate by:

☐ 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

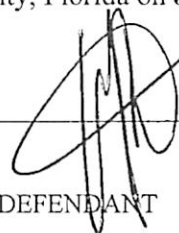
_____ and good cause being shown; IT IS ORDERED THAT ADJUDICATION
OF GUILT BE WITHHELD as to Count(s) _____

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

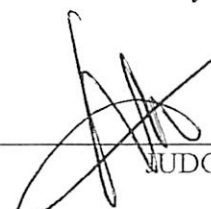
FINGERPRINTS OF THE DEFENDANT

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.

Defendant: DEREK DIOUS

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

OBTs Number _____

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 SURLES, 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.

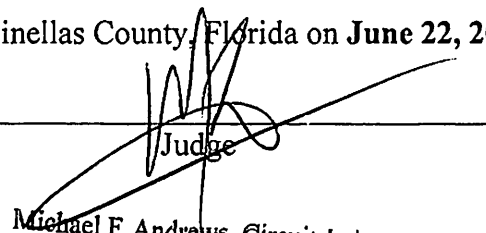
In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any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

1. DATE OF SENTENCE 12/13/2021 6.22.22	2. PREPARER'S NAME EISENBERG	3. COUNTY PINELLAS	4. SENTENCING JUDGE SIRACUSA	
5. NAME (LAST, FIRST, M.I.) DIOUS, DEREK	6. DOB 8/17/1995	8. RACE WHITE	10. PRIMARY OFF. DATE 10/6/2021	12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 2109904CF	

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 nd 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.)
DIOUS, DEREK

DOCKET #
2109904CF

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.	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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<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:

56.0000 minus 28 = 28.0000 x .75 = 21.000000
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 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"/> 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

Michael F. Andrews, Circuit Judge

Rule 3.992(b) Supplemental Criminal Punishment Code Scoresheet

NAME (LAST, FIRST, MI. I.) DIOUS, DEREK	DOCKET # 2109904CF	DATE OF SENTENCE 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

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

FILED
CRIMINAL COURT RECORDS
2020 DEC 16 PM 1:21
KEVIN BURKE COURT
CLERK OF CIRCUIT COURT
PINELLAS COUNTY

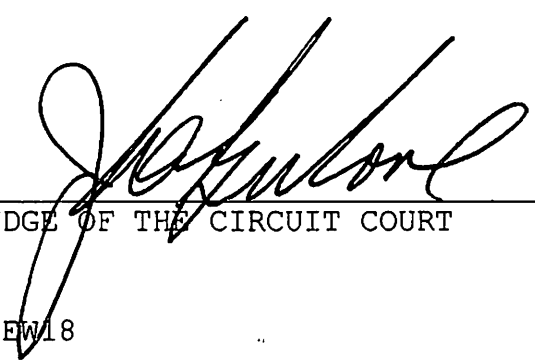
These are, therefore, to command you to arrest instanter the said WILLIAM GALLAHUE, JR, and bring him before me to be dealt with according to law.

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

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

WILLIAM GALLAHUE, JR

WARRANT

Leaving the Scene of a
Crash Involving Death

Filed this _____ day of

_____ 2020_.

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
CLERK OF CIRCUIT COURT
AND CRIMINAL JUSTICE

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 15th 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.

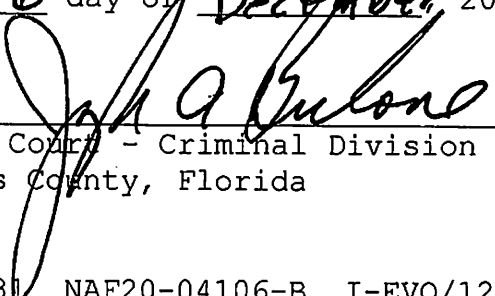
Your Affiant was able to determine that the Shell Gas Station is approximately 1 mile south from the crash scene.

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 33756

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

CRIMINAL 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:

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: 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.

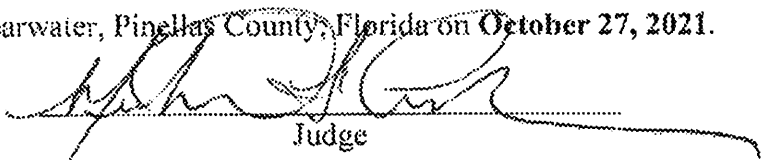
In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any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

1. PREPARER'S NAME 10/27/21 antinipinellas andrews		3. COUNTY williams		4. SENTENCING JUDGE allanue, 03/03/83	
5. DOB 03/03/83		8. RACE W		10. PRIMARY OFF. DATE 08/16/20	
7. DC #		9. GENDER M		11. PRIMARY DOCKET # 2011709CF	
12. PLEA GUILTY <input checked="" type="checkbox"/>		12. TRIAL <input type="checkbox"/>			

I. PRIMARY OFFENSE: Qualifier:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027	1st degree murder	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

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				

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

jallanue, william e. 2011709 CF

Page 1 Subtotal

56.4

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.	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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 2.0

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 minus 28 = 28.4 x .75 = 21.3 4yr 2m 1m
 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 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
☐ County Jail ☐ Time Served
☐ Community Control
☐ Probation ☐ Modified

12 Years _____ Months _____ Days _____

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

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

OBTS #			REPORT # 2022-043868	DOCKET # 1914097	
Person ID	311636112		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
Charge	LEAVING SCENE OF AN CRASH INVOLVING DEATH		Traffic Citation # (if any)	AGDDNAE	
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
Alias	DL # H653783651750		State	FL	
Local Address (Street, City, State, Zip Code)	2166 7 AVE N ST. PETERSBURG FL 33713		Telephone	727-358-1298	
Permanent Address (Street, City, State, Zip Code)	2166 7 AVE N ST. PETERSBURG FL 33713		Telephone	727-358-1298	
Weapon Seized	Type	Indication of Drug Influence		Indication of Mental Health Issues	
<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	
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 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? ☒ 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 OFFICER JEFFREY ESTOCH 44831 Printed Name		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 <input type="checkbox"/> Yes <input type="checkbox"/> No	
		TOTAL \$ 500.00	

ST. PETERSBURG POLICE
Agency
03031192
Declarant ID#

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:

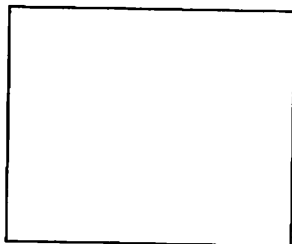
- ☐ A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- ☐ B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- ☐ C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- ☐ 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 full 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:

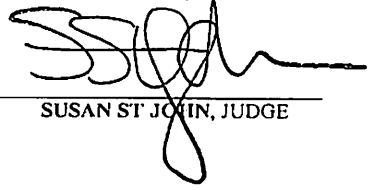
☐ Department of Corrections or ☒ Clerk of Court

(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

1. DATE OF SENTENCE 6/5/24	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	12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>
	7. DC #	9. GENDER M	11. PRIMARY DOCKET # 2211389CF	

I. PRIMARY OFFENSE: Qualifier:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(c)	LEAVING THE SCENE 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 doubles Primary Offense points ☐

I. 56

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 nd Degree Murder	240 X	=	Slight	4 X	=
Death	120 X 6	= 120	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/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
					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. **8.9**

Page 1 Subtotal: **64.9**

64.9

NAME (LAST, FIRST, MI. I.)
HERNDON, SCOTT

DOCKET #
2211389CF

Page 1 Subtotal: ~~64.9~~ 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

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

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 (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 1.5	<input type="checkbox"/> x 1.5	<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:

64.9 minus 28 = 36.9 x .75 = 27.675
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 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

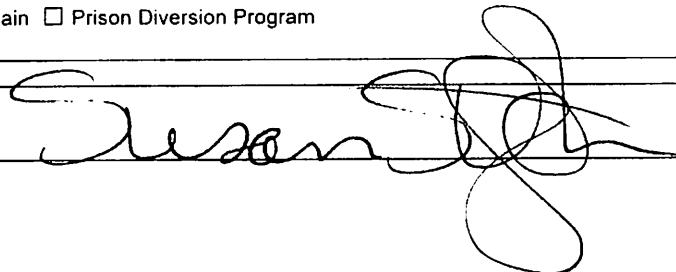
- ☐ State Prison ☐ Life
☐ County Jail ☐ Time Served
☒ Community Control
☒ Probation ☐ Modified AG

1
3



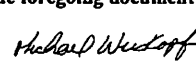
Please check if sentenced as ☐ habitual offender, ☐ habitual violent offender, ☐ violent career offender, ☐ prison release reoffender, or a ☐ mandatory minimum applies.

☒ 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)	Court Case #
Charge	LEAVING SCENE OF AN CRASH INVOLVING DEATH	AEB1Y4E	21-01504-CF-1
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)	<div style="border: 1px solid black; padding: 5px; text-align: center;"> FILED CRIMINAL COURT CUSTOMER SERVICES FEB 17 2021  KEN BURKE Clerk of the Circuit Court for Pinellas County </div>		
Co-Defendant's Name (Last, First, Middle)	<div style="border: 1px solid black; padding: 5px; text-align: center;"> FILED CRIMINAL COURT CUSTOMER SERVICES FEB 17 2021  KEN BURKE Clerk of the Circuit Court for Pinellas County </div>		
The undersigned swears that he/she has reasonable grounds 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:			
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.			
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.			
HOLLE WAS ISSUED CITATION NUMBER AEB1Y4E FOR LEAVING THE SCENE OF A CRASH INVOLVING DEATH.			
Contrary to Florida Statute/Ordinance <u>316.027.2C</u>			
ARREST DATE: <u>2/16/2021</u> Time <u>3:45 PM</u> . Aggravating/Mitigating Factors <u>SB</u>			
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 checked="" type="checkbox"/> p.m.			
Victim Notified of Advisory? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Injuries to Victim? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Medical Treatment to Victim? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
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:			
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			
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:		REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)	
 Michael Weiskopf Declarant Signature		DATE <u>02/16/2021</u> OFFICER <u>WEISKOPF</u> HOURS <u>3</u> X PAY RATE <u>25.00</u> OR <u>\$75.00</u> COST	
9C:0111 ST. PETERSBURG POLICE Agency		OTHER - Describe	
OFFICER MICHAEL WEISKOPF 35836 02418267 Printed Name		Continuation sheet <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No TOTAL \$ <u>\$75.00</u>	
Declarant ID#			

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.

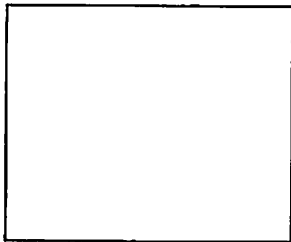
I FURTHER CERTIFY THAT:

- ☐ 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

JERROD SCOTT HOLLE

UCN:
522021CF001504000APC

REF No.21-01504-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).
☒ \$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, JUDGE

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

STATE OF FLORIDA,

Case Number(s): 21-01504 CF

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. 2 yr CC followed by 3 yr probation 1 year CAM
SO 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 \$

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.

JHB
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

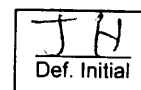
21. I agree to restitution in the amount indicated in the attached Restitution Addendum incorporated as page 4 of 4. If the amount of restitution is not decided at this time, I understand that I will have 30 days from the date written notification of the preliminary amount of restitution is mailed to 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 SSD State



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.

X [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 <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		

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:

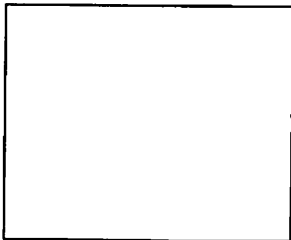
- ☐ A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- ☐ B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- ☐ C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.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



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
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	Y	N	UNK	Indication of Mental	Y	N	UNK	Indication of	Y	N	UNK			
				Drug Influence	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Health Issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Alcohol Influence	<input checked="" type="checkbox"/>	<input 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 <u>15</u> day of <u>JULY</u> , 2023, at approximately <u>12:42</u> AM, at <u>MISSOURI AVE / DRUID RD</u> , in Pinellas County did:																		
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.																		
SELECT SUBSECTION: C. BREATH ALCOHOL 0.08 OR MORE PER 210 L																		
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.																		
POST MIRANDA, HOOKS MADE SEVERAL INCRIMINATING STATEMENTS.																		
BRAC: 217/223 BREATH: STRONG ODOR OF AN ALCOHOLIC BEVERAGE BALANCE: SWAYING, UNSTEADY, STUBBLING EYES: BLOODSHOT WATERY GLASSY PRIOR CONVICTIONS: NONE FOUND.																		
DEFENDANT DID SHOW SIGNS OF IMPAIRMENT AND PERFORMED POORLY ON FIELD SOBRIETY TESTS.																		
COURT INFORMATION: NORTH COUNTY TRAFFIC COURT AT THE CALL OF THE COURT, CITATION #: AHC405E																		
Contrary to Florida Statute/Ordinance <u>316.193(3)(C)(3)(A) - F2</u>																		
ARREST DATE: <u>7/15/2023</u> Time: <u>1:46 AM</u> Aggravating/Mitigating Factors <u>HIGH BOND</u>																		
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.																		
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																		
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: _____																		
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: 7/15/2023 5:56:47 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.																		
																		
CLEARWATER POLICE DEPT.																		
Declarant Signature _____ Agency _____																		
OFFICER HENRY GILES 9594 310843226																		
Printed Name _____ Declarant ID# _____																		
REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)																		
DATE 07/15/2023 OFFICER H. GILES HOURS X PAY RATE 6 29.14 OR COST \$174.84																		
OTHER – Describe _____																		
Continuation sheet <input type="checkbox"/> Yes <input type="checkbox"/> No TOTAL \$ \$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:

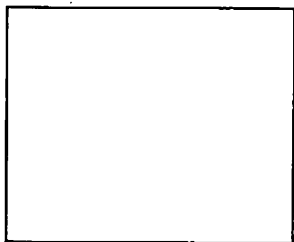
- ☐ A. Defendant has advised the Court that he has retained counsel or will retain counsel.
- ☐ B. The Court investigated Defendant's solvency and found the Defendant financially able to secure counsel.
- ☐ C. The Court investigated Defendant's solvency and provisionally appointed the Public Defender.
- ☐ 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:

(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

OBTS Number _____

REF No.: 23-06855-CF - T

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.

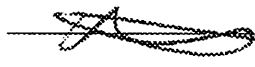
In the event the above sentence is to the Department of Corrections, the Sheriff of Pinellas County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any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

1. DATE OF SENTENCE 6/7/2024	2. PREPARER'S NAME ALEC WAID	3. COUNTY PINELLAS	4. SENTENCING JUDGE JUDGE PAT SIRACUSA	
5. NAME (LAST, FIRST, M.I.) HOOKS, CHRISTIAN	6. DOB 11/26/2000	8. RACE BLACK	10. PRIMARY OFF. DATE 7/14/2023	12. PLEA TRIAL. <input checked="" type="checkbox"/>
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 23-06855-CF	

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 <input type="checkbox"/>				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 <input type="checkbox"/>						Supplemental page points	
							II. 0.2000

III. VICTIM INJURY:

	Number	Total		Number	Total
2 nd 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

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

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 56.2000

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 (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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<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:

LEAVE CRASH W/DEATH

30 years

Additional offense:

DUI-MISD.

Description

Maximum sentence in years

Description

years

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

	Years	Months	Days
<input checked="" type="checkbox"/> State Prison	5		
<input type="checkbox"/> County Jail			
<input type="checkbox"/> Community Control			
<input checked="" type="checkbox"/> Probation	5		
<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 (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 # 21-0047255		DOCKET # 1882833	
Person ID 311186096		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 LEAVING SCENE OF AN CRASH INVOLVING DEATH		ABJ509E		21-12147-CF-1	
Defendant's Name (Last, First, Middle) LEWIS, CHEDDY HERLAND		DOB 09/10/1988	Sex M	Race B	Ht 506
Wt 135		Hair BLK	Eyes BRO	Skin	
Alias	DL # L200108883300	State FL	Scars/Marks/Tattoos/Physical Features		
Local Address (Street, City, State, Zip Code) 148 DOUGLAS ROAD OLDSMAR FL 34677		Telephone 7279530359	Place of Birth JAMAICA		Citizenship YES
Permanent Address (Street, City, State, Zip Code) 148 DOUGLAS ROAD OLDSMAR FL 34677		Telephone 7279530359	Employed by / School DUNEDIN SMOKEHOUSE		
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"/>	
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 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 VEHICLE 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 PRIOR 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

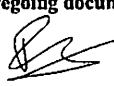
ARREST DATE: 12/18/2021 Time 3:57 AM . Aggravating/Mitigating Factors 5-B

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 <u>FHP PINELLAS</u> Agency TROOPER RACHEL PALFY 3675 <u>310779264</u> Printed Name <u>Declarant ID#</u>		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>	

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.

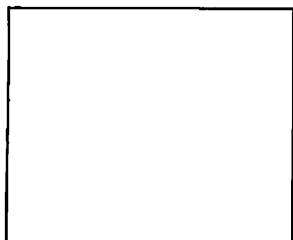
I FURTHER CERTIFY THAT:

- ☐ 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) (c) /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

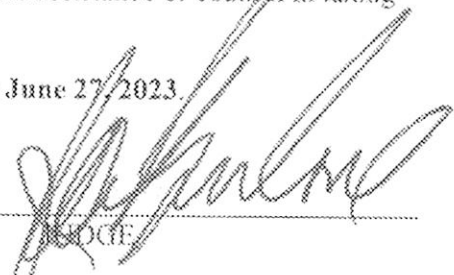
_____ and good cause being shown; IT IS ORDERED THAT ADJUDICATION
OF GUILT BE WITHHELD as to Count(s) _____

Sentence Deferred
Until Later Date
(Check if Applicable)

_____ The Court hereby defers imposition of sentence until _____
(Date)








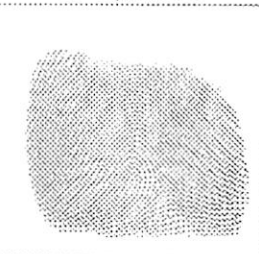


The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the 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

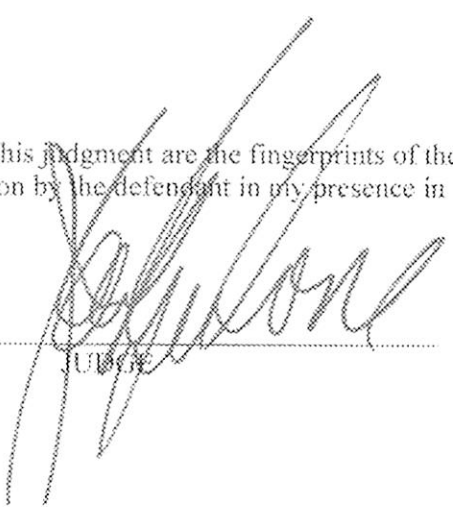
FINGERPRINTS OF THE DEFENDANT

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

1. DATE OF SENTENCE 6/27/23		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 nd 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.) LEWIS, CHEDDY	DOCKET # 21-12147CF
---	------------------------

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

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 56.2000

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 (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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<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:

$$\frac{56.2000}{\text{total sentence points}} \text{ minus } 28 = \frac{28.2000}{\text{Lowest permissible prison sentence in months}} \times .75 = \frac{21.150000}{\text{Lowest permissible prison sentence in months}}$$

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:

LEAVE CRASH W/DEATH

30 years

Additional offense:

DUI-MISD.

Description

Maximum sentence in years
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

Years

Months

Days

☐ State Prison

☐ Life

☐ County Jail

☐ Time Served

☒ Community Control

☒ Probation ☐ Modified

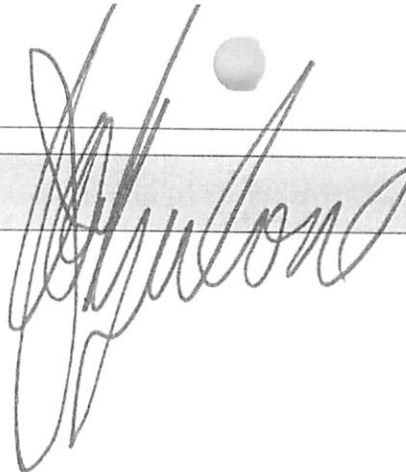
1

3

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 read "J. J. [unclear]", is written over a horizontal line. The signature is stylized with large, sweeping loops.

Rule 3.992(b) Supplemental Criminal Punishment Code Scoresheet

NAME (LAST, FIRST, MI. I.) LEWIS, CHEDDY	DOCKET # 21-12147CF	DATE OF SENTENCE 6/6/2022 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	DOCKET #	1947247
Person ID	312253566	SSN			
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	AIPORRE	23-10954-CF-1		
Defendant's Name (Last, First, Middle)	MCKEOWN, MARK ALAN	DOB	03/01/1962	Sex	M
Alias		DL #	M250585040159	Race	W
Local Address (Street, City, State, Zip Code)	3575 CHEVRON DR HIGHLAND MI 48356	Ht	508	Wt	220
Permanent Address (Street, City, State, Zip Code)	3575 CHEVRON DR HIGHLAND MI 48356	Scars/Marks/Tattoos/Physical Features			
Telephone	248-420-6701	Place of Birth	MI	Citizenship	YES
Telephone	248-420-6701	Employed by / School			
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)		Indication of Alcohol Influence	Y <input type="checkbox"/> N <input checked="" type="checkbox"/> UNK <input type="checkbox"/>	In Custody	<input type="checkbox"/> Yes <input type="checkbox"/> No
Co-Defendant's Name (Last, First, Middle)				<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 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 1C6SRFTXKN899546, 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 VICTIM'S 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

Declarant Signature

Agency

DEPUTY BLAINE LORING 59139

310500999

Printed Name

Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)

DATE	OFFICER	HOURS X PAY RATE	OR	COST
11/11/2023	B. LORING	6 35.00		\$210.00
11/11/2023	B. HIRSHMAN	4 35.00		140
11/11/2023	G. YEARGIN	4 35.00		140
11/11/2023	T. SPENCER	4 35.00		140

OTHER – Describe _____

Continuation sheet ☐ Yes ☐ No

TOTAL \$ \$630.00

Court

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.

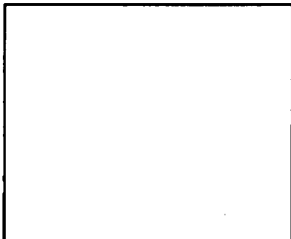
I FURTHER CERTIFY THAT:

- ☐ 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

1. DATE OF SENTENCE <u>11/18/24</u>	2. PREPARER'S NAME CB	3. COUNTY PINELLAS	4. SENTENCING JUDGE JUDGE BULONE	
5. NAME (LAST, FIRST, M.I.) MCKEOWN, MARK A.	6. DOB 3/1/1962	8. RACE WHITE	10. PRIMARY OFF. DATE 11/11/2023	12. PLEA TRIAL <input checked="" type="checkbox"/>
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 23-10954-CF	

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 nd Degree Murder	240 X	=	Slight	4 X	=
Death	120 X 1	= 120	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

- ☐ 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 176.0000

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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 2.0

Enhanced Subtotal Sentence Points

IX. _____

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:

$\frac{176.0000}{\text{total sentence points}} \text{ minus } 28 = \frac{148.0000}{\text{lowest permissible sentence in months}} \times .75 = \frac{111.000000}{\text{lowest permissible sentence in months}}$

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:

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

Years

Months

Days

☐ State Prison

☐ Life

☐ 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(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

MARK ALAN MCKEOWN

UCN:
522023CF010954000APC

REF No.23-10954-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).
☒ \$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

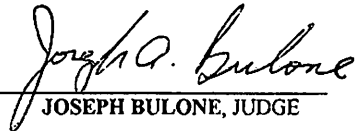
- ☒ \$7.00 Pasco/Pinellas County Sheriff's Office fee for DNA testing, if the DNA specimen is taken by the County Sheriff's Office.

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					
Person ID	1930093		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	LEAVING SCENE OF AN CRASH INVOLVING DEATH		AHYRWZE					
Defendant's Name (Last, First, Middle)	DOB	Sex	Race	Ht	Wt	Hair	Eyes	Skin
POWELL, JAKIL JOHN	07/29/2002	M	B	510	190	BRO	BRO	DRK
Alias	DL #	State	Scars/Marks/Tattoos/Physical Features					
	P400430022690	FL						
Local Address (Street, City, State, Zip Code)	Telephone	Place of Birth	Citizenship					
5612 18 WAY S APT C ST PETERSBURG FL 33712	7275542398	USA	USA					
Permanent Address (Street, City, State, Zip Code)	Telephone	Employed by / School						
5612 18 WAY S APT C ST PETERSBURG FL 33712		N/A						
Weapon Seized Type	Indication of Drug Influence	Y N UNK	Indication of Mental Health Issues	Y N UNK	Indication of Alcohol Influence	Y N UNK		
<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"/>		<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

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.

[Signature]
Declarant Signature
ST. PETERSBURG POLICE
Agency
OFFICER RYAN LENAHAAN 49356
Printed Name
311575423
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 ☐ Yes ☐ No TOTAL \$ 105.00

Court

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.

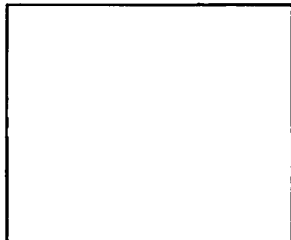
I FURTHER CERTIFY THAT:

- ☐ 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

ORIS NUMBER

STATE OF FLORIDA
VS.

JAKIL JOHN POWELL
Defendant

PID: 2544680
SS#

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	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 : JAKIL JOHN POWELL

UCN : 522023CF004743000APC

REF No. : 23-04743-CF - I

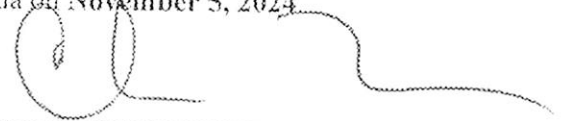
_____ and good cause being shown; IT IS ORDERED THAT ADJUDICATION
OF GUILT BE WITHHELD as to Count(s) _____

Sentence Deferred
Until Later Date
(Check if Applicable)

_____ The Court hereby defers imposition of sentence until _____
(Date)


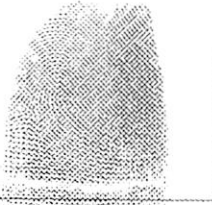


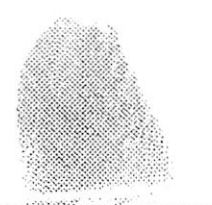





The Defendant in Open Court was advised of the right to appeal from this Judgment by filing notice of appeal with the Clerk of the Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of the right to the 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**

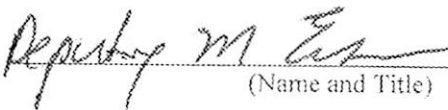


JUDGE

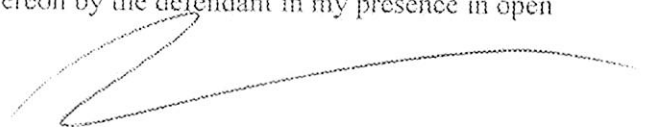
FINGERPRINTS OF THE DEFENDANT

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:

 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

I. DATE OF SENTENCE <div style="font-size: 1.5em; font-family: cursive;">11/5/24</div>	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: _____ F.S.# _____ DESCRIPTION _____ OFFENSE LEVEL _____ POINTS _____

FELONY DEGREE 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
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 _____	= _____			

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

NAME (LAST, FIRST, MI. I.)
POWELL, JAKIL J.

DOCKET #
23-04743CFANO

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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 2.0

Enhanced Subtotal Sentence Points
TOTAL SENTENCE POINTS

IX. 60.3000

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:

LEAVE CRASH W/DEATH

30 years

Description

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

☒ State Prison

☐ Life

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(s)

JUDGE'S SIGNATURE

Chris J.

Rule 5.992(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 # SO23-77526		DOCKET # 1923870					
Person ID 1487407	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 LEAVING SCENE OF AN CRASH INVOLVING DEATH	AH5NT6E		23-02449-CF-1					
Defendant's Name (Last, First, Middle) RUSH, TIMOTHY LEONARD	DOB 12/26/1936	Sex M	Race W	Ht 600	Wt 180	Hair GRY	Eyes BLU	Skin
Alias	DL # R-200-812-36-466-0	State FL	Scars/Marks/Tattoos/Physical Features					
Local Address (Street, City, State, Zip Code) 1655 LEE RD CLEARWATER FL 33764	Telephone 7275602429		Place of Birth PA		Citizenship USA			
Permanent Address (Street, City, State, Zip Code) 1655 LEE RD CLEARWATER FL 33764	Telephone 7275602429		Employed by / School					
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 checked="" type="checkbox"/> Y <input 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)	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 <u>09</u> day of <u>MARCH</u> , 2023, at approximately <u>9:07</u> AM, at <u>3180 ENTERPRISE RD E</u> , 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 <div style="text-align: right;"><i>Ret Tues 3/14 atty</i></div>								
Contrary to Florida Statute/Ordinance <u>316.027(2)(C) - F1</u>								
ARREST DATE: <u>3/11/2023</u> Time <u>1:28 AM</u> . Aggravating/Mitigating Factors _____								
Booking Officer: <u>RUSSELL 60573</u> Amount of Bond <u>50,000.00</u> Bond Out Date _____ Time _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.								
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								
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: _____								
The probable cause determination is passed for: <input checked="" type="checkbox"/> 24 Hrs <input type="checkbox"/> 24 Hrs on showing of extraordinary circumstances Received by Booking: <u>3/11/2023 1:48:30 AM</u>								
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			REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)					
Declarant Signature			Agency					
DEPUTY DAMON LANEY 58140			03190766					
Printed Name			Declarant ID#					
			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.

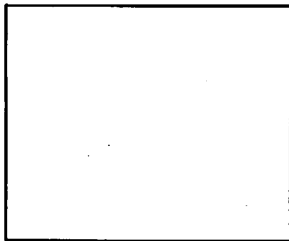
3/11/23

DATE AND TIME

[Signature]

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 5GAKRBKD3HJ161184. 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. 122
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

TIMOTHY L RUSH

UCN:
522023CF002449000APC

REF No.23-02449-CF

- 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.

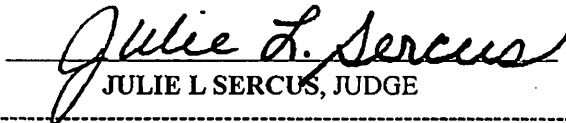
YOU ARE HEREBY PLACED ON NOTICE that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested 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

1. DATE OF SENTENCE 3/18/24	2. PREPARER'S NAME KANOSKI	3. COUNTY PINELLAS	4. SENTENCING JUDGE BURGESS Sercus	
5. NAME (LAST, FIRST, MI.I.) RUSH, TIMOTHY L.	6. DOB 12/26/1936	8. RACE WHITE	10. PRIMARY OFF. DATE 3/9/2023	12. PLEA TRIAL <input checked="" 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 nd 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: 56.0000

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

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 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:

$$\frac{56.0000}{\text{total sentence points}} \text{ minus } 28 = \frac{28.0000}{\text{Lowest permissible prison sentence in months}} \times .75 = \frac{21.000000}{\text{Lowest permissible prison sentence in months}}$$

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

Additional offense:

Description

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

	Years	Months	Days
<input type="checkbox"/> State Prison			
<input type="checkbox"/> County Jail			
<input type="checkbox"/> Community Control			
<input checked="" type="checkbox"/> Probation <input type="checkbox"/> Modified	4		

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 K. Parker

Rule 3.992(b) Supplemental Criminal Punishment Code Scoresheet

NAME (LAST, FIRST, MI. I.) RUSH, TIMOTHY L.	DOCKET # 23-02449CFANO	DATE OF SENTENCE 8/9/2023 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	Race	B
Local Address (Street, City, State, Zip Code)	905 CARLTON STREET CLEARWATER, FL 33756	State	FL	Ht	5'6
Permanent Address (Street, City, State, Zip Code)	905 CARLTON STREET CLEARWATER, FL 33756	Scars/Marks/Tattoos/Physical Features	TATTOO OF TWEETY BIRD ON UPPER LEFT ARM.		
Telephone	813-439-2157	Place of Birth	FL	Wt	173
Telephone	813-439-2157	Citizenship	US	Hair	BLK
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	
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 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 _____

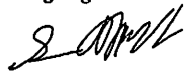
Booking Officer: PATRICK 58099 Amount of Bond 10,000 Bond Out Date _____ Time _____ ☐ a.m. ☐ p.m.

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
OFFICER SEAN MCCULLOUGH 44650
Printed Name
ST. PETERSBURG POLICE
Agency
10747825
Declarant ID#

REQUEST FOR INVESTIGATIVE COSTS, F.S. 938.27(1)
DATE 06/14/2023 OFFICER S.MCCULLOUGH HOURS X PAY RATE 3 35.00 OR COST \$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.

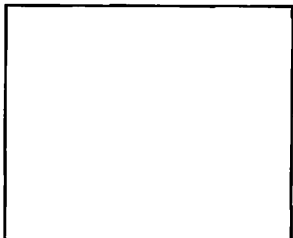
I FURTHER CERTIFY THAT:

- ☐ 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:

**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.

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_cpcm/index.html

1. DATE OF SENTENCE 7/07/2022 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"/>

I. PRIMARY OFFENSE: Qualifier: RECLASSIFICATION

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	316.027(2)(C)	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 <input type="checkbox"/>				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 nd 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		=

(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. 22.4000

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

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 96.4000

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 (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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<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

Description

30 years

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

Maximum sentence in years
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 2/6/2023 9/13/24
---	--------------------------------	---

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).

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

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 8th, 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 8th, 2020, at approximately 7:41 PM at the intersection of 5th Avenue South and 37th 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 5th Avenue North attempting to turn left onto 37th Street South. The Suzuki motorcycle, being driven by BRENDAN MARKEITH HAWKINS was eastbound on 5th 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 37th 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.

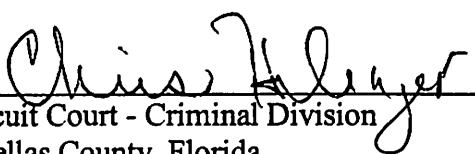
On Tuesday, February 11th, your affiant was contact by CHASTITY MCNEAL and advised the vehicle we were looking for had been at The Lamplighter Motel, 12208 North Florida Avenue, Tampa, Florida. The owner of the vehicle was known to MCNEAL as KEITH WHITE and he has been staying with the resident of unit #5. MCNEAL stated that the vehicle left the motel on Saturday, February 8th, and was unremarkable. It returned during the morning hours on Sunday, February 9th 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 8th, 2020 at 11:19 AM in good condition. The vehicle returns to The Lamplighter on Sunday, February 9th, 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 8th, 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 9th, 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



Circuit Court - Criminal Division
Pinellas County, Florida
SP2020-005678
NAF20-00554-C



AFFIANT

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; 1st

FILED
CRIMINAL COURT
CUSTOMER SERVICE
2020 FEB 14 AM 10:23
KEITH ERIC WHITE JR
SPN:
B/M
DOB: 04/16/1981

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 8th, 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 Helmer
JUDGE OF THE CIRCUIT COURT

SP2020-005678
NAF20-00554-C

RECEIVED THIS WARRANT

On the _____ day of FEBRUARY, 2020

And executed same on the

_____ by arresting the within

named KEITH ERIC WHITE JR

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

KEITH ERIC WHITE JR
WARRANT

Filed this 13 day of FEBRUARY, 2020

BOND SET IN THIS CASE IN THE
AMOUNT

\$ 100,000.⁰⁰

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:

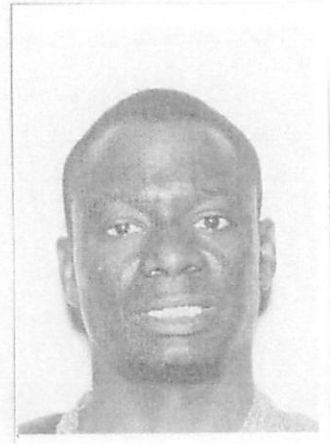
☐ SOPICS Docket #

☒ FL DL # DAVID Photo confirmed
accurate by: 1/1/2 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 JOCKERS

1

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
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 July 7, 2023.

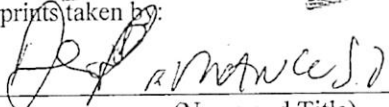


JUDGE

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:

**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.

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:

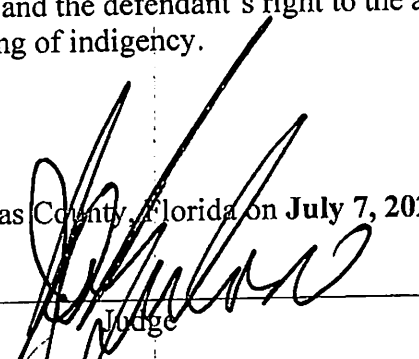
If applicable, you must make payment of any debt due and owing to the state under section 960.17 and 948.03(1)(h) Florida Statutes. The amount of such debt shall be determined by the Court at a later date upon final payment of the Crimes Compensation Trust Fund on behalf of the victim.

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

1. DATE OF SENTENCE 7/7/23	2. PREPARER'S NAME WADE - waid	3. COUNTY Pinellas	4. SENTENCING JUDGE ANDREWS Bulone
5. NAME (LAST, FIRST, M.I.) WHITE, JR., KEITH E.	6. DOB 8/16/1981	8. RACE BLACK	10. PRIMARY OFF. DATE 2/8/2020
	7. DC #	9. GENDER MALE	11. PRIMARY DOCKET # 20-01706CF
			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
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 nd 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	831.01	2		FORGERY/UTTERING	1	X 0.8	= 0.8000
5/MM	893.13(6)(B)	M		POSSES MARIJUANA-MISD	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. 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. _____

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

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.	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 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 1.5	<input type="checkbox"/> x 2.0

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

Years Months Days

5 yr w/ 4 yr m/m

- ☒ State Prison ☐ Life
☐ 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 _____

JUDGE'S SIGNATURE

*Lien Restit.
and Costs
Extradition*

