

Filing # 73710769 E-Filed 06/18/2018 02:43:20 PM

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

STATE OF FLORIDA,

vs.

Case No.: 2018 CF 001902 A

DIV: K

SPIRO COLAITIS,
DEFENDANT

ORDER OF JUDGMENT AND SENTENCE

This cause, coming on this day to be heard before the Court, and the Defendant being now present with Counsel, having entered a Plea(s) as follows:

Guilty as to Count(s): _____

Not Guilty as to Count(s): _____

No Contest as to Count(s): 1

The State Attorney announced Nolle Prosequi as to Count(s): _____

A Jury of your peers having found you: _____.

The Court hereby:

Adjudicates Defendant Guilty as to Count(s): _____

Withholds Adjudication as to Count(s): 1

Finds Defendant Not Guilty as to Count(s): _____

Finds as to Count(s): _____

| Count | Statute | Statute Description | Level | Degree |
|-------|---------|---|-------|--------|
| 1 | 104.18 | FRAUD-CAST MORE THAN ONE BALLOT AT ANY ELECTION | F | T |

Under Authority granted to the Court by Florida law, it is ORDERED and ADJUDGED that:

The following Provisions apply as to Count(s): _____

- Habitual Felony Offender (F.S. 775.084(4)(a))
- Habitual Violent Felony Offender:
_____ Mandatory minimum imprisonment (F.S. 775.084(4)(b))
- Three-time Habitual Violent Felony Offender:
_____ Mandatory minimum imprisonment (F.S. 775.084(4)(c))
- Violent Career Criminal:
_____ Mandatory minimum imprisonment (F.S. 775.084(4)(d))
- Dangerous Sexual Felony Offender
_____ Mandatory minimum imprisonment (F.S. 794.0115(2))
- Prison Release Reoffender (F.S. 775.082(9))
- Firearm:
 - 3** Year Minimum (F.S. 775.087(2))
 - Possession: **10** Year Minimum (F.S. 775.087(2)(a)1)
 - Discharge: **20** Year Minimum (F.S. 775.087(2)(a)2)
 - Death or Great Bodily Harm: **25** Year Minimum (F.S. 775.087(2)(a)3)
- Drug Trafficking:
_____ Mandatory minimum imprisonment (F.S. 893.13(1)(c)1)
- Controlled Substance within 1,000 Feet of a School: **3** Year Minimum (F.S. 893.13(1)(c)1)
- Assault or Battery on Person 65 years of age or older: **3** Year Minimum (F.S. 748.08(1))
- DUI / Manslaughter: **3** Year Minimum (F.S. 319.193(3))
- Sexual Predator (F.S. 775.21)
- Must register as a Sexual Offender (F.S. 943.0435)
- Criminal Gang Activity
- Youthful Offender Program (F.S. Ch. 958)
- _____

As to COUNT 1, the Defendant is sentenced as follows:

PRISON / JAIL:

- Serve ____ Years, ____ Months, ____ Days in State Prison County Jail
- Credit for time served: ____ Days
- Time to be Consecutive Concurrent with **Count** ____
- ____ days Suspended
- Work Release **Court Ordered**
- Report to Court on ____, at ____ to begin your sentence
- Remanded to Custody
- To be followed by Community Control Probation

COMMUNITY CONTROL / PROBATION:

- Serve ____ Year, ____ Month(s) Community Control to be followed by Probation
- Serve **24 months** Probation
- Time to be Consecutive Concurrent with **Count** ____
- Pay **\$52.00** monthly for Cost of Supervision to Community Corrections Waived
- Standard conditions of supervision imposed
- Possible early termination after ____ months
- State **does** oppose early termination of supervision
- Report to Probation **upon release from custody**

COMMUNITY SERVICE:

- You shall complete ____ hours of Community Service Work
- Complete ____ hours of Community Service Work per month
- Complete all hours within the first ____ of Supervision
- Begin Community Service Work within ____ of starting Supervision
- You may buy out ____ hours of Community Service Work at the rate of \$ ____ per hour
- You qualify to perform Community Service Work hours in lieu of paying court ordered court costs and fines at the rate of \$ ____ per hour

FINES:

- \$ ____ Fine

The Defendant shall pay the following Court Costs:

- \$518** Mandatory Felony Court Costs
(F.S. 938.01, 938.03, 938.05, 938.06, 938.15, 938.19, 938.27, 939.185, 775.083(2),
Escambia County Ord 34-7 and 34-9)
- \$273** Mandatory Misdemeanor Court Costs
(F.S. 938.01, 938.03, 938.05, 938.06, 938.15, 938.19, 938.27, 939.185, 775.083(2),
Escambia County Ord 34-7 and 34-9)
- \$686** Felony DUI Court Costs
(F.S. 938.01, 938.03, 938.05, 938.06, 938.07, 938.13, 938.15, 938.19, 938.27, 939.185,
775.083(2), 318.18(17), 318.18(18), Escambia County Ord 34-7 and 34-9)
- \$653** Felony BUI Court Costs
(F.S. 938.01, 938.03, 938.05, 938.06, 938.07, 938.13, 938.15, 938.19, 938.27, 939.185,
775.083(2), Escambia County Ord 34-7 and 34-9)
- \$201** Domestic Violence Trust Fund (F.S. 938.08)
- \$151** Rape Crisis Trust Fund (F.S. 938.085)
- \$151** Crimes against Minors (F.S. 938.10)
- \$15** Misdemeanor Crimes Involving Drugs/Alcohol (F.S. 938.13)
- \$5,000** Prostitution (F.S. 796.07(6))
- \$65** Reckless Driving / Racing on Highway (F.S. 318.18(20))
- \$ _____ County Drug Abuse Trust Fund (F.S. 938.21)
- \$ _____ Additional Costs of Prosecution (F.S. 938.27)
- \$50** Public Defender Application (F.S. 27.52)
- \$ _____ for legal assistance (F.S. 938.29)
- \$100** FDLE (F.S. 938.055)
- \$30** State Facility Surcharge (F.S. 318.18)
- \$5** EMS Trust Fund (F.S. 316.192/316.061)
- \$3** State Radio (F.S. 318.18(17))
- \$ _____ Surcharge on all fines (F.S. 938.04)
- \$ _____ Cost of Investigation to _____ (F.S. 938.27)
- \$ _____

Court Costs and Fines shall be paid as follows:

- Enter into a Payment Plan with the Clerk of Court within _____ days of
 Sentencing Release from custody
- Pay _____ by _____, pay another _____ by _____, pay balance by _____
- You must pay all Court Costs and Fines or enter into a Payment Plan with the Clerk of Court
within 3 business days of the day of sentencing; if you fail to do so you must appear in court
on _____ at _____.
- All financial obligations to be paid in equal monthly installments to begin within _____

The Defendant shall comply with the following Special Conditions:

- Evaluation: Must obtain a/an **Alcohol** evaluation _____
- Counseling: Complete **Alcohol** counseling
- Treatment: Must begin any treatment deemed necessary by **alcohol** evaluation _____
- Attend all Counseling sessions
- Must successfully complete all recommended Counseling including aftercare

- Complete Shoplifter's Alternative class
- DVIP: Complete a Domestic Violence Intervention Program
- May not **consume** alcohol or drugs to include spice, bath salts, inhalants or any controlled substances not suitable for human consumption without a prescription
- Provide Probation Officer with prescriptions within _____ days and within _____ days of any new prescription thereafter
- Take prescriptions in prescribed dosages
- Alcohol/Drug Testing: Conduct testing **randomly** at your expense
- Do not test positive for **alcohol** after _____ Days.
- No Contact: Have no contact with _____
- Stay away from _____
- Restitution: \$_____ to be paid to _____
- Restitution: State Attorney has _____ days to file and defense has _____ days to object
 - If defense fails to object, the amount stands
 - The Court reserves jurisdiction to determine restitution
- Restitution **may** be paid into the court registry
- Restitution to be paid joint and severally with co-defendants
- Seek** full time employment or school
- Perform _____ job searches per week if working less than _____ hours per week;
 - begin within _____ days of starting Supervision;
 - must continue until hired
- Your Driver's License is Suspended Revoked for _____
- DUI School: Must complete 1st Offender Multiple Offender DUI School
- Interlock _____ months with Business Purposes License
- Impact Panel: Must attend _____ Drunk Driving Impact Panel(s)
- Your vehicle will be impounded for _____ days
- You may not operate a motor vehicle
- Show proof of a Valid Clear driver's license
- Pay all Court Costs and Fines during Probation
- Attend two (2) Community Support Group Meetings per week. Obtain written verification of attendance, signed by the leader of the meeting. Provide proof of attendance to Probation Officer in court after 1st 2 weeks.
- Obtain a Home Group within _____ days and maintain
- Obtain a Sponsor within _____ and maintain
- Abide by terms of _____

Other Provisions: **(1) Monetary obligations to be paid by the end of the 18th month of term of Probation (2) May transfer to NY with approval**

- It is determined that you are unable to pay the amounts due and your monetary obligations, consisting of Court Costs and Fees, are reduced to a Civil Judgment, which shall bear interest at the maximum rate allowed by law. (F.S. 55.03)
 - Any remaining balance due on your civil judgment after **90** days from the date of this order will be referred to a collections agency.
 - Your driver's license will be suspended.

If you fail to complete the terms of this order, including payment of all costs, fees and fines, as required, you may be subject to Contempt of Court proceedings.

If a bail bond is currently in effect as to this case and has not been forfeited, that bond is hereby cancelled and the surety is discharged from liability on that bond. A cash bond may be applied towards outstanding financial obligations as allowed per F.S. 903.286.

Any active warrants, capias or summons in this case against this Defendant are hereby quashed.

The Defendant has **30** days from the date of this Order and Judgment in which to file an appeal of the findings and sentence in this matter by filing a Notice of Appeal with the Clerk of Court.

DONE AND ORDERED.

NUNC PRO TUNC to 06/06/2018.

W. Joel Boles
eSigned by CIRCUIT COURT JUDGE W. JOEL BOLES
on 06/18/2018 10:31:23 e3HD5KV8

Circuit Court Judge

I hereby certify that a true and correct copy of this document was sent via electronic mail to the State Attorney and Defense Counsel of Record or Defendant by US Mail if there is no Defense Counsel of Record.

PAM CHILDERS, CLERK OF THE CIRCUIT COURT

By: *Kim Jacobs*
Deputy Clerk

