

**IN THE CIRCUIT COURT, SEVENTH  
JUDICIAL CIRCUIT, IN AND FOR FLAGLER  
COUNTY, FLORIDA**

**STATE OF FLORIDA**

**VS.**

**CASE NO.: 23-001067CFFA**

**ALAN PAUL AVELLAN, JR.**  
**Defendant.**

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**STIPULATED CONDITIONS OF SEX OFFENDER PROBATION 948.30**

The following conditions of sex offender probation have been explained to me by my attorney. I understand them and agree to the conditions. All of my questions about these conditions have been answered.

1. A mandatory curfew from 10 p.m. to 6 a.m. The court may designate another 8-hour period if the offender's employment precludes the above specified time, and the alternative is recommended by the Department of Corrections. If the court determines that imposing a curfew would endanger the victim, the court may consider alternative sanctions.
2. A prohibition on living within 1,000 feet of a school, daycare center, park, playground or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line and not by a pedestrian or automobile route.
3. Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the probationer's own expense. If a qualified practitioner is not available within a 50-mile radius of the probationer's residence, the offender shall participate in other appropriate therapy.
4. A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.
5. A prohibition on contact with a child under the age of 18 except as provided in this paragraph. The court may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program.
6. A prohibition on working for pay or as a volunteer at any place where children regularly congregate, including, but not limited to: schools, day care centers, parks, playgrounds, pet stores, libraries, zoos, theme parks and malls.
7. Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, accessing, owning or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including: telephone, electronic media, computer programs or computer services that are relevant to the offender's deviant behavior pattern.
8. A prohibition on accessing the internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the internet or other computer services.
9. A requirement that the probationer must submit a specimen of blood or other approved biological specimen to the Department of Law Enforcement to be registered with the DNA data bank.

10. Submission to a warrantless search by the community control or probation officer of the probationer's person, residence or vehicle.
11. As part of a treatment program, participation at least annually in polygraph examinations to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. A polygraph examination must be conducted by a polygrapher trained specifically in the use of the polygraph for the monitoring of sex offenders, where available, and shall be paid for by the sex offender. The results of the polygraph examination shall not be used as evidence in court to prove that a violation of community supervision has occurred.
12. Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.
13. A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.
14. Electronic monitoring when deemed necessary by the probation officer and his supervisor, and ordered by the court at the recommendation of the Department of Corrections.
15. A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. 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.

4/24/24 *[Handwritten Signature]*

Defendant's signature and date

*[Handwritten Signature]* 4/24/24

Defense Attorney's signature and date