

Vs

Kelvin Martinez

OBTS: _____

BKG #: _____

ATTY: _____

BNA: _____

**IN THE COUNTY COURT
FLAGLER COUNTY, FLORIDA
JUDGMENT AND SENTENCE**

CASE No

16-895 Ct

Recording Use

This cause coming on to be heard this date, and the defendant having entered a plea or having been found guilty after trial, it is hereby ORDERED and ADJUDGED that the Defendant be and is hereby **ADJUDICATED and SENTENCED** as follows:

Amended To: 2nd w/in 5 yrs

<input checked="" type="checkbox"/> Guilty Plea	<input checked="" type="checkbox"/> Guilty
<input type="checkbox"/> No Contest Plea	<input type="checkbox"/> Withheld
<input type="checkbox"/> Found Guilty by Jury	
<input type="checkbox"/> Found Guilty by Court	

Amended To:

<input checked="" type="checkbox"/> Guilty Plea	<input checked="" type="checkbox"/> Guilty
<input type="checkbox"/> No Contest Plea	<input type="checkbox"/> Withheld
<input type="checkbox"/> Found Guilty by Jury	
<input type="checkbox"/> Found Guilty by Court	

Amended To:

<input type="checkbox"/> Guilty Plea	<input type="checkbox"/> Guilty
<input type="checkbox"/> No Contest Plea	<input type="checkbox"/> Withheld
<input type="checkbox"/> Found Guilty by Jury	
<input type="checkbox"/> Found Guilty by Court	

CHARGE:

ACTION:

CHARGE:

ACTION:

CHARGE:

ACTION:

<input checked="" type="checkbox"/>	1. Placed on <u>12</u> months probation, to be supervised by the County's probation provider. Comply with all standard conditions of probation outlined on the back, and further with all special conditions as indicated below. <u>conc</u>
<input type="checkbox"/>	2. Probation may be terminated early upon completing conditions and after months.
<input checked="" type="checkbox"/>	3. Pay fines and costs as outlined on page 2 of this Judgment and Sentence.
<input checked="" type="checkbox"/>	4. Serve <u>10</u> days in the Flagler County Branch Jail. Credit is given for <u>12</u> days. <u>Waiver (Sat-Sun) Rpt 4/17/17 By 8:00 a.m.</u>
<input type="checkbox"/>	5. Jail is suspended pending compliance with this Judgment and Sentence.
<input checked="" type="checkbox"/>	6. Perform <u>100</u> hours of community service work, completing <u>10</u> hours per month. <input type="checkbox"/> May convert Community Service to fine.
<input checked="" type="checkbox"/>	7. Do not drink alcoholic beverages or use illegal drugs. Must have valid prescription for all prescribed medications.
<input type="checkbox"/>	8. Obtain a mental health evaluation w/in _____ days and complete treatment, if recommended.
<input checked="" type="checkbox"/>	9. Obtain a substance/alcohol abuse evaluation w/in <u>90</u> days and complete treatment, if recommended.
<input checked="" type="checkbox"/>	10. Submit to random urinalysis at the direction of your probation officer.
<input checked="" type="checkbox"/>	11. Enroll in the appropriate Alcohol Safety Education Course w/in _____ days, and complete the program, and treatment, if recommended. <u>90 Level 2</u>
<input checked="" type="checkbox"/>	12. Complete a Victim Awareness Program w/in <u>90</u> days.
<input checked="" type="checkbox"/>	13. Driver's license is revoked/suspended for <u>5yr</u> days/months.
<input checked="" type="checkbox"/>	14. Comply with separate Order for Impoundment or Immobilization of a Vehicle and/or Order for Ignition Interlock Device on your vehicle(s).
<input type="checkbox"/>	15. Pay all outstanding tickets and obtain a valid driver's license within _____ days. Do not drive until a valid driver's license is obtained.
<input type="checkbox"/>	16. Enroll in a Certified Batterers Intervention Program w/in _____ days and complete its requirements.
<input type="checkbox"/>	17. Have _____ no contact _____ no violent contact with the victim.
<input type="checkbox"/>	18. Do not possess any firearms or weapons.
<input type="checkbox"/>	19. Enroll in program w/in _____ days and complete its requirements. <ul style="list-style-type: none"> <input type="checkbox"/> Petty Theft <input type="checkbox"/> Anger Management <input type="checkbox"/> Worthless Check <input type="checkbox"/> Driving Responsibility
<input type="checkbox"/>	20. Electronic Monitoring/GPS for _____ days, to begin on _____.
<input type="checkbox"/>	21. Obtain HIV/STD testing w/in _____ days.
<input type="checkbox"/>	22. Sentence is concurrent/consecutive to _____.
<input type="checkbox"/>	23. Pay restitution as ordered in separate Restitution Order. If no Restitution Order is entered simultaneously with this sentence, the court reserves jurisdiction to determine the amount owing and/or the method of payment.
<input type="checkbox"/>	OTHER: <input type="checkbox"/> Probation Revoked.

Defendant's Name: Kelvin Martinez

Case Number: 16-8954

FINES/COSTS/FEEs ARE ASSESSED PER CASE UNLESS SPECIFICALLY ORDERED OTHERWISE

	\$ 223.00	Misdemeanor	§ 775.083 (2), 938.01(1), 938.03, 938.05, 938.15, 939.185 (1) (a), 938.19 (2), 938.06
	\$ 256.00	Misd. (viol. of § 316)	§ 775.083(2), 938.01(1), 938.03, 938.05, 938.15, 939.185(1)(a), 938.19(2), 318.18(17), 318.18(13)(a), 938.06
	\$ 58.00	Ordinance Violation – Non Prevailing	§ 938.19 (2), 34.045 (1) (B & C)
	\$ 575.00	Misd. Assault, Battery & Stalking	§ 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.08, 938.085, 938.06
X	\$ 406.00	Misdemeanor DUI	§ 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.07, 318.18(17), 318.18(13)(a), 938.06
	\$ 374.00	Misdemeanor Crime Agst. Minor	§ 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.10(1), 938.06
	\$ 433.00	Misdemeanor BUI	§ 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.07, 327.35(9), 938.13, 938.06
	\$ 238.00	Misdemeanor Drugs & Alcohol	§ 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.13, 938.06
	\$ 326.00	Reckless Driving	§ 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 316.192, 318.18(17), 318.18(13), 318.18(20), 938.06
	\$ 261.00	Misd. LSA	§ 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 316.061, 318.18(17), 318.18(13), 938.06
	\$ 321.00	Misd. Racing Hwy.	§ 775.083(2), 938.01(1), 938.03, 938.05, 938.15, 939.185(1)(a), 938.19(2), 318.18(17), 318.18 (13)(a), 318.18 (20), 938.06
	\$ 500.00	BUI Refusal-Civil Penalty	§ 327.35215(1)
	\$ 5000.00	Prostitution- Additional Civil Penalty	§ 796.07(6)
X	\$ 50.00	Indigency Application Fee	§ 27.52 (2) (a)
X	\$ 50.00	Indigent Defense Cost/Fee (No less than \$50.00)	§ 938.29
X	\$ 50.00	Costs of Prosecution (No less than \$50.00)	§ 938.27
X	\$ 1050.00	Fine & 5% surcharge as to Ct(s)	§ 316.193, 327.35, 775.083(1), 938.04
	\$ 100.00	Drug Related – FDLE Operating Trust Fund	§ 938.25
	\$	Alcohol and Drug Abuse Additional Cost (up to amount of fine)	§ 938.21, 938.23
X	\$ 50.00	Costs of Investigation to: <u>FBPD</u>	§ 938.27
X	\$ 166.00	Other (explain) - <u>16-572 FTR</u>	

****IMPORTANT NOTICE****

Fines/Costs/Fees may be converted to a civil judgment against you, if not paid as ordered WITHOUT FURTHER HEARING OR NOTICE, which may operate as a lien placed on any non-homestead property owned by you. Failure to pay as ordered may result in the suspension of your Florida Driver's License. Fines/Costs/Fees will be automatically deducted from a cash bond posted unless ordered otherwise. (See reverse side of page for more information).

1. ☒ Fines/Costs to be paid within _____ days/months of release from custody on this case.
☒ Fines/Costs to be paid through probation within 11 days/months of the date of this Order. Equal monthly installments
2. Fines/Costs/Fees to be taken from Cash Bond. You are responsible for paying any remaining balance.
 Excess Cash Bond (if any) to be refunded to depositor. _____ Refund Cash Bond Amount
3. Fines/Costs converted to _____ hours of community service.
 Proof of community service must be filed with the Clerk of Court within _____.
4. If you cannot pay all Fines/Costs today, you must enter into a Payment Plan with the Clerk of Court. The Payment Plan includes a one-time \$25.00 fee.
5. Cost Waived/Suspended/Reduced.

I acknowledge receiving a copy of this order and understand that I must read thoroughly the front and back of this entire order. I further agree to successfully meet all terms of my sentence. I will review the information outlined on the back sides of the pages of this Judgment regarding my right to appeal, standard conditions of probation, payment information and Clerk's Office locations.

Defendant's Signature _____

Date 4-13-17

Gail Wadsworth, Clerk Of The Circuit Court
 Filed in Open Court this _____ day of _____

DONE and ORDERED in Flagler County, Florida

this _____ day of _____

Presiding Judge

Deputy Clerk In Attendance

Copy Distribution: Court File (original) – Defendant – (green) – Probation Agency/Jail (yellow) – State Attorney (pink)