

IN THE CIRCUIT COURT, OF THE
7TH JUDICIAL CIRCUIT, IN AND
FOR FLAGLER COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

CASE NO. 2015-CF-387

vs.

KIMBERLE WEEKS,
Defendant.

JUDGE HUDSON

MOTION TO MITIGATE

Comes now the Defendant by and through the undersigned counsel and respectfully requests this Honorable Court mitigate the sentence pursuant to Florida Rule of Criminal Procedure 3.800 and in support states as follows:

1. The Defendant was convicted on multiple counts of intercepting communications and adjudicated a felon on each count.
2. Pursuant to F.S. 893.03 (4)(b)2, the Defendant had no criminal history. Therefore, each offense should have been deemed a second degree misdemeanor.
3. Other grounds to be argued Ore Tenus.

Wherefore the Defendant respectfully requests this Honorable Court grant the Defendant's Motion to Mitigate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original was e-filed and a copy was delivered by e-service to the 7th Judicial Circuit, Flagler County, Florida; and a copy sent via email to ASA Jason Lewis on September 9, 2020.

/s/Kevin J. Kulik, P.A.

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