

IN THE CIRCUIT COURT OF THE 7TH JUDICIAL CIRCUIT FLAGLER COUNTY, FLORIDA				STAMP FOR RECORDING	
Division: 50 - PERKINS, Case Number: <b>2017 CF 001004</b>		<b>JUDGMENT</b>			
PLAINTIFF <b>STATE OF FLORIDA</b>		DEFENDANT VS. <b>MATTHEW SCOTT NESBITT</b>			
<div><input type="checkbox"/> Probation Violator    <input type="checkbox"/> Community Control Violator    <input type="checkbox"/> Retrial    <input type="checkbox"/> Resentence</div> <div><input checked="" type="checkbox"/> The defendant, being personally before this court represented by REGINA NUNNALLY the attorney of record, and the state represented by <u>MIKE STOVER</u> and having:</div> <div>(Check applicable provision) <input checked="" type="checkbox"/> 1. Been tried and found GUILTY by jury/by court of the following crime(s). <input type="checkbox"/> 2. Enter a plea of GUILTY to the following crime(s). <input type="checkbox"/> 3. entered a plea of NOLO CONTENDERE to the following crime(s)</div>					
Count	Crime	Offense State Number(s)	Degree of Crime	Case Number	OBTS Number
I	AGGRAV ASSAULT ON LAW ENFORCEMENT OFFICER	784.07(2c)	2F	2017 CF 001004	1801050304
II	GRAND THEFT (MOTOR VEHICLE)	812.014(2c6)	3F	2017 CF 001004	1801050304
III	FLEEING OR ATTEMPTING TO ELUDE LEO	316.1935(1)	3F	2017 CF 001004	1801050304
V	AGGRAV ASSAULT ON LAW ENFORCEMENT OFFICER	784.07(2c)	2F	2017 CF 001004	1801050304
VI	AGGRAV ASSAULT ON LAW ENFORCEMENT OFFICER	784.07(2c)	2F	2017 CF 001004	1801050304
VII	OFFENSE AGAINST POLICE DOG	843.19(4)	2M	2017 CF 001004	1801050304
VIII	RESIST ARREST WITH VIOLENCE	843.01	3F	2017 CF 001004	DIRECT

- (Check if Applicable)
- ☒ and no cause being shown why the Defendant should not be adjudicated guilty, IT IS ORDERED that the Defendant is hereby ADJUDICATED GUILTY of the above crime(s).
- ☐ and having been convicted or found guilty of, or having entered a plea of NOLO CONTENDERE or GUILTY, regardless of adjudication, to attempts or offenses relating to sexual battery (Ch. 794) or lewd or lascivious conduct (Ch. 800), or murder (§782.04), aggravated battery (§784.045), car jacking (§812.133), or home invasion robbery (§812.135), or any other offense specified in section 943.325, the defendant shall be required to submit blood specimens.
- ☐ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD.











IN THE CIRCUIT COURT OF THE 7th JUDICIAL CIRCUIT  
FLAGLER COUNTY, FLORIDA

FLAGLER COUNTY, FLORIDA

DEFENDANT: NESBITT, MATTHEW SCOTT

CASE NUMBER: 2017 CF 001004

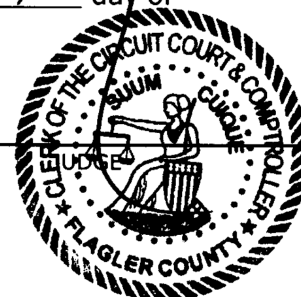
## FINGERPRINTS OF DEFENDANT

1. RIGHT THUMB	2. RIGHT INDEX	3. RIGHT MIDDLE	4. RIGHT RING	5. RIGHT LITTLE
				
6. LEFT THUMB	7. LEFT INDEX	8. LEFT MIDDLE	9. LEFT RING	10. LEFT LITTLE
				

Fingerprints taken by:

  
NAMEDeputy  
TITLE

I HEREBY CERTIFY that the above and foregoing are the finger prints of the defendant, MATTHEW SCOTT NESBITT, and that they were placed thereon by the defendant in my presence in open court this date.

DONE AND ORDERED in open court in Flagler County, Florida, this 4th day ofSeptember, 2018

DEFENDANT: MATTHEW SCOTT NESBITT

CASE NUMBER: 2017 CF 001004

OBTS NUMBER: 1801050304

**SENTENCE**

**As to Count 1 - AGGRAV ASSAULT ON LAW ENFORCEMENT OFFICER**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, REGINA NUNNALLY, and having been adjudicated guilty herein, 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.

\_\_\_\_\_ and the Court having on \_\_\_\_\_ deferred imposition of sentence until \_\_\_\_\_.

\_\_\_\_\_ and the Court having previously entered a judgment in this case on \_\_\_\_\_ now resentsences the defendant.

\_\_\_\_\_ and the Court having placed the defendant on probation / community control and having subsequently revoked the defendant's probation / community control

IT IS THE SENTENCE OF THE COURT THAT:

\_\_\_\_\_ The defendant pay a fine of \$\_\_\_\_\_, pursuant to section 775.083, Florida Statutes, plus \$\_\_\_\_\_ As the 5% surcharge required by section 960.25 Florida Statutes.

X \_\_\_\_\_ The defendant is hereby committed to the custody of the Department of Corrections.

\_\_\_\_\_ The defendant is hereby committed to the custody of the Sheriff of Flagler County, Florida.

\_\_\_\_\_ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

TO BE IMPRISONED (MARK ONE, UNMARKED SECTIONS ARE INAPPLICABLE):

\_\_\_\_\_ For a term of natural life.

X \_\_\_\_\_ For a term of 3.00 Years \_\_\_\_\_ Months \_\_\_\_\_ Days.

\_\_\_\_\_ Said SENTENCE SUSPENDED for a period \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days Subject to conditions set forth in this order.

IF "SPLIT" SENTENCE, COMPLETE THE APPROPRIATE PARAGRAPH

\_\_\_\_\_ Followed by a period of \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days On probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

\_\_\_\_\_ However, after serving a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Imprisonment in \_\_\_\_\_, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

DEFENDANT  
MATTHEW NESBITT  
OBTS NO 1801050304

**OTHER PROVISIONS**

CASE NUMBER  
2017CF001004

AS TO COUNTS (1)

☐ RETENTION OF  
JURISDICTION

The Court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).

☒ ORIGINAL  
JAIL CREDIT

It is further ordered that the defendant shall be allowed a total of 313 as credit for time incarcerated before imposition of this sentence.

☐ Consecutive/  
Concurrent  
AS TO OTHER  
COUNTS

It is further ordered that the sentence imposed for this count shall run ☐ consecutive to ☐ concurrent with (check one) the sentence set forth in Count \_\_\_\_\_ of this case above.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
CASES

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ☐ consecutive ☒ concurrent with ☒ any active sentence being served ☐ specific sentences:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CREDIT FOR  
TIME SERVED  
(To be used for  
Resentencing and  
After VOP and  
VOCC.)

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and the gain time awarded pursuant to Section 944.275 Florida Statutes (Pre October 1, 1989).

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and unforfeited gain time awarded during prior service of incarceration of the split sentence pursuant to Section 948.06 (6) Florida Statutes. (Post October 1, 1989).

☐ Defendant is allowed credit for \_\_\_\_\_ days credit county jail served between date of arrest as a violator and date of resentencing. The Department of Corrections shall apply original jail credit awarded and shall compute and apply credit for actual time served in prison and any earned and unforfeited gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute

DEFENDANT: MATTHEW SCOTT NESBITT

CASE NUMBER: 2017 CF 001004

OBTS NUMBER: 1801050304

**SENTENCE****As to Count 2 - GRAND THEFT (MOTOR VEHICLE)**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, REGINA NUNNALLY, and having been adjudicated guilty herein, 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.

\_\_\_\_\_ and the Court having on \_\_\_\_\_ deferred imposition of sentence until \_\_\_\_\_.

\_\_\_\_\_ and the Court having previously entered a judgment in this case on \_\_\_\_\_ now resentsences the defendant.

\_\_\_\_\_ and the Court having placed the defendant on probation / community control and having subsequently revoked the defendant's probation / community control

## IT IS THE SENTENCE OF THE COURT THAT:

\_\_\_\_\_ The defendant pay a fine of \$\_\_\_\_\_, pursuant to section 775.083, Florida Statutes, plus \$\_\_\_\_\_. As the 5% surcharge required by section 960.25 Florida Statutes.

\_\_\_\_\_ The defendant is hereby committed to the custody of the Department of Corrections.

X\_\_\_\_\_ The defendant is hereby committed to the custody of the Sheriff of Flagler County, Florida.

\_\_\_\_\_ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

## TO BE IMPRISONED (MARK ONE, UNMARKED SECTIONS ARE INAPPLICABLE):

\_\_\_\_\_ For a term of natural life.

X\_\_\_\_\_ For a term of \_\_\_\_\_ Years 10.00 Months 13.00 Days.

\_\_\_\_\_ Said SENTENCE SUSPENDED for a period \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days Subject to conditions set forth in this order.

## IF "SPLIT" SENTENCE, COMPLETE THE APPROPRIATE PARAGRAPH

\_\_\_\_\_ Followed by a period of \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days On probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

\_\_\_\_\_ However, after serving a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Imprisonment in \_\_\_\_\_, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

DEFENDANT  
MATTHEW NESBITT  
OBTS NO 1801050304

OTHER PROVISIONS

CASE NUMBER  
2017CF001004

AS TO COUNTS (2)

☐ RETENTION OF  
JURISDICTION

The Court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).

☒ ORIGINAL  
JAIL CREDIT

It is further ordered that the defendant shall be allowed a total of 313 as credit for time incarcerated before imposition of this sentence.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
COUNTS

It is further ordered that the sentence imposed for this count shall run ☐ consecutive to ☒ concurrent with (check one) the sentence set forth in Count 1 of this case above.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
CASES

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ☐ consecutive ☒ concurrent with ☒ any active sentence being served ☐ specific sentences:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CREDIT FOR  
TIME SERVED  
(To be used for  
Resentencing and  
After VOP and  
VOCC.)

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and the gain time awarded pursuant to Section 944.275 Florida Statutes (Pre October 1, 1989).

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and unforfeited gain time awarded during prior service of incarceration of the split sentence pursuant to Section 948.06 (6) Florida Statutes. (Post October 1, 1989).

☐ Defendant is allowed credit for \_\_\_\_\_ days credit county jail served between date of arrest as a violator and date of resentencing. The Department of Corrections shall apply original jail credit awarded and shall compute and apply credit for actual time served in prison and any earned and unforfeited gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute

DEFENDANT: MATTHEW SCOTT NESBITT

CASE NUMBER: 2017 CF 001004

OBTS NUMBER: 1801050304

**SENTENCE****As to Count 3 - FLEEING OR ATTEMPTING TO ELUDE LEO**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, REGINA NUNNALLY, and having been adjudicated guilty herein, 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.

\_\_\_\_\_ and the Court having on \_\_\_\_\_ deferred imposition of sentence until \_\_\_\_\_.

\_\_\_\_\_ and the Court having previously entered a judgment in this case on \_\_\_\_\_ now resentsences the defendant.

\_\_\_\_\_ and the Court having placed the defendant on probation / community control and having subsequently revoked the defendant's probation / community control

## IT IS THE SENTENCE OF THE COURT THAT:

\_\_\_\_\_ The defendant pay a fine of \$\_\_\_\_\_, pursuant to section 775.083, Florida Statutes, plus \$\_\_\_\_\_. As the 5% surcharge required by section 960.25 Florida Statutes.

X  The defendant is hereby committed to the custody of the Department of Corrections.

\_\_\_\_\_ The defendant is hereby committed to the custody of the Sheriff of Flagler County, Florida.

\_\_\_\_\_ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

## TO BE IMPRISONED (MARK ONE, UNMARKED SECTIONS ARE INAPPLICABLE):

\_\_\_\_\_ For a term of natural life.

X  For a term of  3.00  Years \_\_\_\_\_ Months \_\_\_\_\_ Days.

\_\_\_\_\_ Said SENTENCE SUSPENDED for a period \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days Subject to conditions set forth in this order.

## IF "SPLIT" SENTENCE, COMPLETE THE APPROPRIATE PARAGRAPH

\_\_\_\_\_ Followed by a period of \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days On probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

\_\_\_\_\_ However, after serving a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Imprisonment in \_\_\_\_\_, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

DEFENDANT MATTHEW NESBITT OBTS NO 1801050304	OTHER PROVISIONS	CASE NUMBER 2017CF001004
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AS TO COUNTS (3)

☐ RETENTION OF  
JURISDICTION

The Court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).

☒ ORIGINAL  
JAIL CREDIT

It is further ordered that the defendant shall be allowed a total of 313 as credit for time incarcerated before imposition of this sentence.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
COUNTS

It is further ordered that the sentence imposed for this count shall run ☐ consecutive to ☒ concurrent with (check one) the sentence set forth in Count 1 of this case above.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
CASES

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ☐ consecutive ☒ concurrent with ☒ any active sentence being served ☐ specific sentences:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CREDIT FOR  
TIME SERVED  
(To be used for  
Resentencing and  
After VOP and  
VOCC.)

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and the gain time awarded pursuant to Section 944.275 Florida Statutes (Pre October 1, 1989).

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and unforfeited gain time awarded during prior service of incarceration of the split sentence pursuant to Section 948.06 (6) Florida Statutes. (Post October 1, 1989).

☐ Defendant is allowed credit for \_\_\_\_\_ days credit county jail served between date of arrest as a violator and date of resentencing. The Department of Corrections shall apply original jail credit awarded and shall compute and apply credit for actual time served in prison and any earned and unforfeited gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute



DEFENDANT: MATTHEW SCOTT NESBITT

CASE NUMBER: 2017 CF 001004

OBTS NUMBER: 1801050304

**SENTENCE****As to Count 5 - AGGRAV ASSAULT ON LAW ENFORCEMENT OFFICER**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, REGINA NUNNALLY, and having been adjudicated guilty herein, 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.

\_\_\_\_\_ and the Court having on \_\_\_\_\_ deferred imposition of sentence until \_\_\_\_\_.

\_\_\_\_\_ and the Court having previously entered a judgment in this case on \_\_\_\_\_ now resentsences the defendant.

\_\_\_\_\_ and the Court having placed the defendant on probation / community control and having subsequently revoked the defendant's probation / community control

## IT IS THE SENTENCE OF THE COURT THAT:

\_\_\_\_\_ The defendant pay a fine of \$\_\_\_\_\_, pursuant to section 775.083, Florida Statutes, plus \$\_\_\_\_\_. As the 5% surcharge required by section 960.25 Florida Statutes.

X The defendant is hereby committed to the custody of the Department of Corrections.

\_\_\_\_\_ The defendant is hereby committed to the custody of the Sheriff of Flagler County, Florida.

\_\_\_\_\_ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

## TO BE IMPRISONED (MARK ONE, UNMARKED SECTIONS ARE INAPPLICABLE):

\_\_\_\_\_ For a term of natural life.

X For a term of 5.00 Years \_\_\_\_\_ Months \_\_\_\_\_ Days.

\_\_\_\_\_ Said SENTENCE SUSPENDED for a period \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days Subject to conditions set forth in this order.

## IF "SPLIT" SENTENCE, COMPLETE THE APPROPRIATE PARAGRAPH

\_\_\_\_\_ Followed by a period of \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days On probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

\_\_\_\_\_ However, after serving a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Imprisonment in \_\_\_\_\_, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

DEFENDANT MATTHEW NESBITT OBTS NO 1801050304	OTHER PROVISIONS	CASE NUMBER 2017CF001004
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AS TO COUNTS (5)

☐ RETENTION OF  
JURISDICTION

The Court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).

☒ ORIGINAL  
JAIL CREDIT

It is further ordered that the defendant shall be allowed a total of 0 as credit for time incarcerated before imposition of this sentence.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
COUNTS

It is further ordered that the sentence imposed for this count shall run ☒ consecutive to ☐ concurrent with (check one) the sentence set forth in Count 1 of this case above.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
CASES

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ☐ consecutive ☒ concurrent with ☒ any active sentence being served ☐ specific sentences:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CREDIT FOR  
TIME SERVED  
(To be used for  
Resentencing and  
After VOP and  
VOCC.)

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and the gain time awarded pursuant to Section 944.275 Florida Statutes (Pre October 1, 1989).

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and unforfeited gain time awarded during prior service of incarceration of the split sentence pursuant to Section 948.06 (6) Florida Statutes. (Post October 1, 1989).

☐ Defendant is allowed credit for \_\_\_\_\_ days credit county jail served between date of arrest as a violator and date of resentencing. The Department of Corrections shall apply original jail credit awarded and shall compute and apply credit for actual time served in prison and any earned and unforfeited gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute

DEFENDANT: MATTHEW SCOTT NESBITT

CASE NUMBER: 2017 CF 001004

OBTS NUMBER: 1801050304

**SENTENCE****As to Count 6 - AGGRAV ASSAULT ON LAW ENFORCEMENT OFFICER**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, REGINA NUNNALLY, and having been adjudicated guilty herein, 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.

\_\_\_\_\_ and the Court having on \_\_\_\_\_ deferred imposition of sentence until \_\_\_\_\_.

\_\_\_\_\_ and the Court having previously entered a judgment in this case on \_\_\_\_\_ now resentsences the defendant.

\_\_\_\_\_ and the Court having placed the defendant on probation / community control and having subsequently revoked the defendant's probation / community control

**IT IS THE SENTENCE OF THE COURT THAT:**

\_\_\_\_\_ The defendant pay a fine of \$\_\_\_\_\_, pursuant to section 775.083, Florida Statutes, plus \$\_\_\_\_\_ As the 5% surcharge required by section 960.25 Florida Statutes.

X The defendant is hereby committed to the custody of the Department of Corrections.

\_\_\_\_\_ The defendant is hereby committed to the custody of the Sheriff of Flagler County, Florida.

\_\_\_\_\_ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

**TO BE IMPRISONED (MARK ONE, UNMARKED SECTIONS ARE INAPPLICABLE):**

\_\_\_\_\_ For a term of natural life.

X For a term of 5.00 Years \_\_\_\_\_ Months \_\_\_\_\_ Days.

\_\_\_\_\_ Said SENTENCE SUSPENDED for a period \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days Subject to conditions set forth in this order.

**IF "SPLIT" SENTENCE, COMPLETE THE APPROPRIATE PARAGRAPH**

\_\_\_\_\_ Followed by a period of \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days On probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

\_\_\_\_\_ However, after serving a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Imprisonment in \_\_\_\_\_, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

DEFENDANT MATTHEW NESBITT OBTS NO 1801050304	OTHER PROVISIONS	CASE NUMBER 2017CF001004
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AS TO COUNTS (6)

☐ RETENTION OF  
JURISDICTION

The Court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).

☒ ORIGINAL  
JAIL CREDIT

It is further ordered that the defendant shall be allowed a total of 0 as credit for time incarcerated before imposition of this sentence.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
COUNTS

It is further ordered that the sentence imposed for this count shall run ☒ consecutive to ☐ concurrent with (check one) the sentence set forth in Count 5 of this case above.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
CASES

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ☐ consecutive ☒ concurrent with ☒ any active sentence being served ☐ specific sentences:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CREDIT FOR  
TIME SERVED  
(To be used for  
Resentencing and  
After VOP and  
VOCC.)

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and the gain time awarded pursuant to Section 944.275 Florida Statutes (Pre October 1, 1989).

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and unforfeited gain time awarded during prior service of incarceration of the split sentence pursuant to Section 948.06 (6) Florida Statutes. (Post October 1, 1989).

☐ Defendant is allowed credit for \_\_\_\_\_ days credit county jail served between date of arrest as a violator and date of resentencing. The Department of Corrections shall apply original jail credit awarded and shall compute and apply credit for actual time served in prison and any earned and unforfeited gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute

DEFENDANT: MATTHEW SCOTT NESBITT

CASE NUMBER: 2017 CF 001004

OBTS NUMBER: 1801050304

**SENTENCE****As to Count 7 - OFFENSE AGAINST POLICE DOG**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, REGINA NUNNALLY, and having been adjudicated guilty herein, 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.

\_\_\_\_\_ and the Court having on \_\_\_\_\_ deferred imposition of sentence until \_\_\_\_\_.

\_\_\_\_\_ and the Court having previously entered a judgment in this case on \_\_\_\_\_ now resentsences the defendant.

\_\_\_\_\_ and the Court having placed the defendant on probation / community control and having subsequently revoked the defendant's probation / community control

## IT IS THE SENTENCE OF THE COURT THAT:

\_\_\_\_\_ The defendant pay a fine of \$\_\_\_\_\_, pursuant to section 775.083, Florida Statutes, plus \$\_\_\_\_\_ As the 5% surcharge required by section 960.25 Florida Statutes.

\_\_\_\_\_ The defendant is hereby committed to the custody of the Department of Corrections.

X \_\_\_\_\_ The defendant is hereby committed to the custody of the Sheriff of Flagler County, Florida.

\_\_\_\_\_ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

## TO BE IMPRISONED (MARK ONE, UNMARKED SECTIONS ARE INAPPLICABLE):

\_\_\_\_\_ For a term of natural life.

X \_\_\_\_\_ For a term of \_\_\_\_\_ Years 2.00 Months \_\_\_\_\_ Days.

\_\_\_\_\_ Said SENTENCE SUSPENDED for a period \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days Subject to conditions set forth in this order.

## IF "SPLIT" SENTENCE, COMPLETE THE APPROPRIATE PARAGRAPH

\_\_\_\_\_ Followed by a period of \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days On probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

\_\_\_\_\_ However, after serving a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Imprisonment in \_\_\_\_\_, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

DEFENDANT MATTHEW NESBITT OBTS NO 1801050304	OTHER PROVISIONS	CASE NUMBER 2017CF001004
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AS TO COUNTS (7)

☐ RETENTION OF  
JURISDICTION

The Court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).

☒ ORIGINAL  
JAIL CREDIT

It is further ordered that the defendant shall be allowed a total of 60 as credit for time incarcerated before imposition of this sentence.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
COUNTS

It is further ordered that the sentence imposed for this count shall run ☐ consecutive to ☒ concurrent with (check one) the sentence set forth in Count 6 of this case above.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
CASES

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ☐ consecutive ☒ concurrent with ☒ any active sentence being served ☐ specific sentences:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CREDIT FOR  
TIME SERVED  
(To be used for  
Resentencing and  
After VOP and  
VOCC.)

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and the gain time awarded pursuant to Section 944.275 Florida Statutes (Pre October 1, 1989).

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and unforfeited gain time awarded during prior service of incarceration of the split sentence pursuant to Section 948.06 (6) Florida Statutes. (Post October 1, 1989).

☐ Defendant is allowed credit for \_\_\_\_\_ days credit county jail served between date of arrest as a violator and date of resentencing. The Department of Corrections shall apply original jail credit awarded and shall compute and apply credit for actual time served in prison and any earned and unforfeited gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute

DEFENDANT: MATTHEW SCOTT NESBITT

CASE NUMBER: 2017 CF 001004

OBTS NUMBER: DIRECT

**SENTENCE****As to Count 8 - RESIST ARREST WITH VIOLENCE**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, REGINA NUNNALLY, and having been adjudicated guilty herein, 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.

\_\_\_\_\_ and the Court having on \_\_\_\_\_ deferred imposition of sentence until \_\_\_\_\_.

\_\_\_\_\_ and the Court having previously entered a judgment in this case on \_\_\_\_\_ now resentsences the defendant.

\_\_\_\_\_ and the Court having placed the defendant on probation / community control and having subsequently revoked the defendant's probation / community control

## IT IS THE SENTENCE OF THE COURT THAT:

\_\_\_\_\_ The defendant pay a fine of \$\_\_\_\_\_, pursuant to section 775.083, Florida Statutes, plus \$\_\_\_\_\_. As the 5% surcharge required by section 960.25 Florida Statutes.

X The defendant is hereby committed to the custody of the Department of Corrections.

\_\_\_\_\_ The defendant is hereby committed to the custody of the Sheriff of Flagler County, Florida.

\_\_\_\_\_ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

## TO BE IMPRISONED (MARK ONE, UNMARKED SECTIONS ARE INAPPLICABLE):

\_\_\_\_\_ For a term of natural life.

X For a term of 5.00 Years \_\_\_\_\_ Months \_\_\_\_\_ Days.

\_\_\_\_\_ Said SENTENCE SUSPENDED for a period \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days Subject to conditions set forth in this order.

## IF "SPLIT" SENTENCE, COMPLETE THE APPROPRIATE PARAGRAPH

\_\_\_\_\_ Followed by a period of \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days On probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

\_\_\_\_\_ However, after serving a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Imprisonment in \_\_\_\_\_, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days Under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

DEFENDANT  
MATTHEW NESBITT  
OBTS NO 1801050304

## OTHER PROVISIONS

CASE NUMBER  
2017CF001004

## AS TO COUNTS (8)

☐ RETENTION OF  
JURISDICTION

The Court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).

☒ ORIGINAL  
JAIL CREDIT

It is further ordered that the defendant shall be allowed a total of 0 as credit for time incarcerated before imposition of this sentence.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
COUNTS

It is further ordered that the sentence imposed for this count shall run ☐ consecutive to ☒ concurrent with (check one) the sentence set forth in Count 6 of this case above.

☒ Consecutive/  
Concurrent  
AS TO OTHER  
CASES

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ☐ consecutive ☒ concurrent with ☒ any active sentence being served ☐ specific sentences:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CREDIT FOR  
TIME SERVED  
(To be used for  
Resentencing and  
After VOP and  
VOCC.)

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and the gain time awarded pursuant to Section 944.275 Florida Statutes (Pre October 1, 1989).

☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and unforfeited gain time awarded during prior service of incarceration of the split sentence pursuant to Section 948.06 (6) Florida Statutes. (Post October 1, 1989).

☐ Defendant is allowed credit for \_\_\_\_\_ days credit county jail served between date of arrest as a violator and date of resentencing. The Department of Corrections shall apply original jail credit awarded and shall compute and apply credit for actual time served in prison and any earned and unforfeited gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute



DEFENDANT: MATTHEW SCOTT NESBITT

CASE NUMBER: 2017 CF 001004

OBTS NUMBER: 1801050304

**SENTENCE**

In the event the above sentence is to the Department of Corrections, the Sheriff of FLAGLER 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 Statutes.

The defendant in open court was advised of the right to appeal from this sentence by filing notice of appeal within thirty days from this date with the Clerk of this 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 the above sentence, the court further recommends:

THE COURT HEREBY ORDERS THE DEFENDANT:

- ☒ Remanded to the FLAGLER COUNTY Detention Facility to be committed to the Department of Corrections;
- ☐ Released on Probation;
- ☐ Released on Community Control;
- ☐ Remanded to the FLAGLER COUNTY Detention Facility;
- ☐ Discharged/released.

DONE AND ORDERED  
FLAGLER COUNTY, FL

*Judge Terence Perkins*

**CERTIFICATE OF SERVICE**

JUDGE

DATE

09/14/2018

I HEREBY CERTIFY that a copy of the foregoing has been furnished, provided electronically via a link, or made available on the Clerk's Case Management System and/or Website to REGINA NUNNALLY on 9/24/18 per Rule 2.516(b)(1).

