

STATE OF FLORIDA
 Vs
 GARED WAYNE CANALES

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

54 SEASIDE DR
 ORMOND BEACH, FL 32176
 SPN: 601398
 ATTY: KIP MILLER
 BNA: _____

Case No.: 2020 313621 MMDB
 10/18/2021 Criminal Hearing
 JUDGE JUDITH D CAMPBELL
 OREC

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:

COUNT	CHARGE	CTS	SPECIAL CONDITIONS OF SENTENCE AND/OR PROBATION
1	VIOL.INJUNCTION FOR (INFO) PROTECT.DOMESTIC VIOLENCE	X	1. Placed on probation for 12 <input type="checkbox"/> days/ <input checked="" type="checkbox"/> months; to be supervised by the County's probation provider. Comply with all standard conditions of probation listed elsewhere in this order and all special conditions indicated below.
Amended To:			2. Probation may be terminated early.
PLEA/VERDICT			3. Electronic monitoring/GPS for _____ days beginning _____.
<input type="checkbox"/> Guilty Plea		X	4. Pay all monetary penalties listed elsewhere in the Judgment and Sentence.
<input checked="" type="checkbox"/> No Contest Plea	<input checked="" type="checkbox"/> Guilty	X	5. Serve 30 days in the Flagler County Jail. Credit is given for 13 days served.
<input type="checkbox"/> Found Guilty by Jury			6. Jail is suspended pending compliance with this Judgment and Sentence.
<input type="checkbox"/> Found Guilty by Court	<input type="checkbox"/> Withheld		7. Perform _____ hours of community service work. <input type="checkbox"/> May convert C.S. to Fine. _____
Amended To:			8. Obtain a substance abuse evaluation within _____ days. Complete treatment, if recommended.
PLEA/VERDICT			9. Refrain from <input checked="" type="checkbox"/> drinking alcohol/ <input checked="" type="checkbox"/> using drugs without a valid prescription. Submit to random urinalysis/drug screening at the direction of your probation officer.
<input type="checkbox"/> Guilty Plea			10. Enroll in the appropriate Alcohol Safety Education course within _____ days and complete its requirements.
<input type="checkbox"/> No Contest Plea	<input type="checkbox"/> Guilty		11. Attend a Victim Awareness program within _____ days.
<input type="checkbox"/> Found Guilty by Jury			12. 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"/> Found Guilty by Court	<input type="checkbox"/> Withheld		13. Driver's license is <input type="checkbox"/> suspended/ <input type="checkbox"/> revoked for _____ <input type="checkbox"/> days/ <input type="checkbox"/> months.
Amended To:			14. Comply with separate Order for Impoundment or Immobilization of a Vehicle and/or Order for Ignition Interlock Device on your vehicle(s).
PLEA/VERDICT			15. Have <input checked="" type="checkbox"/> no contact/ <input type="checkbox"/> no violent contact with the victim(s) in this case.
<input type="checkbox"/> Guilty Plea			16. Obtain HIV/STD testing w/in _____ days.
<input type="checkbox"/> No Contest Plea	<input type="checkbox"/> Guilty		17. Submit blood or other biological specimen for DNA analysis.
<input type="checkbox"/> Found Guilty by Jury			18. Do not possess any firearms or other weapons.
<input type="checkbox"/> Found Guilty by Court	<input type="checkbox"/> Withheld	X	19. Enroll in program(s) noted below within 90 days and complete its requirements: <input checked="" type="checkbox"/> Certified Batters Intervention (BIP) <input type="checkbox"/> Anger Management _____ <input type="checkbox"/> Moral Reconciliation Therapy (MRT) <input type="checkbox"/> Anti-Theft <input type="checkbox"/> Worthless Check <input type="checkbox"/> Driver Improvement _____ <input type="checkbox"/> Other (specify) _____ <input type="checkbox"/> Veterans Court; probation supervised by Court program staff; Cost of Supervision Waived <input type="checkbox"/> DUI Court; probation supervised by Court program staff; Cost of Supervision Waived
Amended To:			20. 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.
PLEA/VERDICT			21. Sentence is <input type="checkbox"/> concurrent/ <input type="checkbox"/> consecutive to _____.
<input type="checkbox"/> Guilty Plea		X	22. Other (specify) <u>MENTAL HEALTH EVAL 90 DAYS</u> <u>PROBATION SERVED CONCURRENT WITH FLAGLER COUNTY CASE-</u> <u>PROBATION NOT AT JCS</u> <u>NO FINES & COST FLAGLER COST ONLY</u>
<input type="checkbox"/> No Contest Plea	<input type="checkbox"/> Guilty		
<input type="checkbox"/> Found Guilty by Jury			
<input type="checkbox"/> Found Guilty by Court	<input type="checkbox"/> Withheld		
Amended To:			<input type="checkbox"/> Probation Revoked.
PLEA/VERDICT			
<input type="checkbox"/> Guilty Plea			
<input type="checkbox"/> No Contest Plea	<input type="checkbox"/> Guilty		
<input type="checkbox"/> Found Guilty by Jury			
<input type="checkbox"/> Found Guilty by Court	<input type="checkbox"/> Withheld		

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

MANDATORY COSTS/SURCHARGES		
\$	223.00	Misdemeanor §§ 775.083(2), 938.01(1), 938.03, 938.05, 938.06, 938.15, 938.19(2), 939.185(1)(a)
\$	256.00	Misd. (viol. of § 316) § § 318.18(13)(a), 318.18(17), 775.083(2), 938.01(1), 938.03, 938.05, 938.06, 938.15, 938.19(2), 939.185(1)(a)
\$	58.00	Ordinance Violation – Non Prevailing §§ 34.045 (1)(b & c), 938.19(2)
\$	575.00	Misd. Assault, Battery & Stalking § § 775.083(2), 938.01(1), 938.03, 938.05, 938.06, 938.08, 938.085, 938.15, 938.19(2), 939.185(1)(a)
\$	406.00	Misdemeanor DUI § § 318.18(13)(a), 318.18(17), 775.083(2), 938.01(1), 938.03, 938.05, 938.06, 938.07, 938.15, 938.19(2), 939.185(1)(a)
\$	374.00	Misdemeanor Crime Agst.Minor § § 775.083(2), 938.01(1), 938.03, 938.05, 938.06, 938.10(1), 938.15, 938.19(2), 939.185(1)(a)
\$	433.00	Misdemeanor BUI § § 327.35(9), 775.083(2), 938.01(1), 938.03, 938.05, 938.06, 938.07, 938.13, 938.15, 938.19(2), 939.185(1)(a)
\$	238.00	Misdemeanor Drugs & Alcohol § § 775.083(2), 938.01(1), 938.03, 938.05, 938.06, 938.13, 938.15, 938.19(2), 939.185(1)(a)
\$	326.00	Reckless Dr § § 316.192, 318.18(13), 318.18(17), 318.18(20), 775.083(2), 938.01(1), 938.03, 938.05, 938.06, 938.15, 938.19(2), 939.185(1)(a)
\$	261.00	Misd. LSA § § 316.061, 318.18(13)(a), 318.18(17), 775.083(2), 938.01(1), 938.03, 938.05, 938.06, 938.15, 938.19(2), 939.185(1)(a)
\$	321.00	Misd. Racing Hwy. § § 318.18 (13)(a), 318.18(17), 318.18 (20), 775.083(2), 938.01(1), 938.03, 938.05, 938.06, 938.15, 938.19(2), 939.185(1)(a)
\$	500.00	BUI Refusal-Civil Penalty §327.35215(1)
\$	5000.00	Prostitution- Additional Civil Penalty 796.07(6)
\$	50.00	Indigency Application Fee _____ §27.52(2)(a)
\$		Indigent Defense Cost/Fee (No less than \$50.00) § 938.29
\$		Costs of Prosecution (No less than \$50.00) § 938.27
\$		Mandatory Costs/Surcharges-Not Primary Offense § § 938.08, and/or 938.085, and/or 938.10(1)
MANDATORY FINES		
\$		Fine & 5% surcharge as to Ct(s) _____ § § 316.193, 327.35, 775.083(1), 938.04
DISCRETIONARY COSTS/FEEs		
\$	100.00	Drug Related – FDLE Operating Trust Fund § 938.055
\$		Alcohol and Drug Abuse Additional Cost (up to amount of fine) § § 938.21, 938.23
\$		Costs of Investigation to: _____ § 938.27
\$		Other (explain) _____
INFORMATION REGARDING PAYMENT OF FINES/COSTS/FEEs - SEE BACK FOR FURTHER INSTRUCTIONS		
IMPORTANT NOTICE		
Fines/Costs/Fees may be converted to a civil judgment against you in favor of the State of Florida, and/or Clerk of Court, 101 North Alabama Avenue, DeLand, FL 32724, 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. Fine/Costs/Fees will be automatically deducted from a cash bond posted unless ordered otherwise. (See reverse side of page for more information).		
<input type="checkbox"/>	_____ Fines/Costs to be paid within _____ of release from custody of this case.	
	1. _____ Fines/Costs to be paid through probation within _____ of the date of this Order.	
<input type="checkbox"/>	Fines/Costs/Fees to be taken from Cash Bond. You are responsible for paying any remaining balance.	
	2. Excess Cash Bond (if any) to be refunded to depositor. _____Refund Cash Bond Amount	
<input type="checkbox"/>	Fines/Costs converted to _____ hours of community service.	
	3. Proof of community service must be filed with the Clerk of Court within _____.	
<input type="checkbox"/>	If you cannot pay all Fines/Costs today, you <u>must</u> enter into a Payment Plan with the Clerk of Court. The Payment Plan includes a one-time \$25.00 fee.	
	4.	
<input type="checkbox"/>	5. Cost <input type="checkbox"/> Waived <input type="checkbox"/> Suspended <input type="checkbox"/> Reduced to Civil Judgment _____.	

Important: It is your right to appeal this Judgment and Sentence within thirty (30) days from the date of this order.

If you are indigent, the Court will appoint a lawyer to assist you.

**DONE and ORDERED in Volusia County, Florida
this 18 day of October, 2021**

10/18/2021 12:31 PM

Judith D Campbell

e-Signed 10/18/2021 12:31 PM

Presiding Judge