

IN THE CIRCUIT COURT OF THE 7TH JUDICIAL CIRCUIT FLAGLER COUNTY, FLORIDA		STAMP FOR RECORDING
Division: 50 - PERKINS, Case Number: <b>2016 CF 001034</b>	<b>JUDGMENT</b>	
PLAINTIFF <b>STATE OF FLORIDA</b> VS. DEFENDANT <b>VITALY TSABAK</b>		

- Probation Violator   
  Community Control Violator   
  Retrial   
  Resentence  
 The defendant, being personally before this court represented by AARON D DELGADO the attorney of record, and the state represented by MELISSA CLARK and having:

- (Check applicable provision)
1. Been tried and found GUILTY by jury/by court of the following crime(s).  
 2. Enter a plea of GUILTY to the following crime(s).  
 3. entered a plea of NOLO CONTENDERE to the following crime(s)

Count	Crime	Offense State Number(s)	Degree of Crime	Case Number	OBTS Number
I	BURGLARY OF A DWELLING	810.02(3a)	2F	2016 CF 001034	1801047740
II	GRAND THEFT OVER \$100,000	812.014(2a)	1F	2016 CF 001034	1801047740
IV	POSSESSION OF BURGLARY TOOLS	810.06	3F	2016 CF 001034	1801047740
V	DUI ALCOHOL OR DRUGS	316.193(1)	2M	2016 CF 001034	1801047740
VI	RESIST OFFICER-REFUSE TO ACCEPT SIGN CITATION OR POST BOND	318.14	2M	2016 CF 001034	1801047740

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.











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

FLAGLER COUNTY, FLORIDA

DEFENDANT: TSABAK, VITALY

CASE NUMBER: 2016 CF 001034

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:

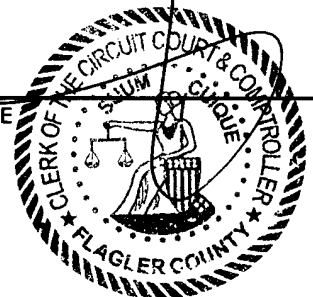
T. Jacob  
NAME

Deputy  
TITLE

I HEREBY CERTIFY that the above and foregoing are the finger prints of the defendant, VITALY TSABAK, 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 24th day of May, 2018.

[Signature]  
JUDGE



**SENTENCE**

**As to Count 1 - BURGLARY OF A DWELLING**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, AARON D DELGADO , 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 resentences 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 15.00 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 probabtion/community control set forth in a separate order entered herein.

DEFENDANT VITALY TSABAK OBTS NO 1801047740	<b>OTHER PROVISIONS</b>	CASE NUMBER 2016CF001034
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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 546 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 unfortified 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 unfortified gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute

Defendant VITALY TSABAK

Case Number 2016CF001034

**SPECIAL PROVISIONS**

(As to Count 1)

By appropriate notation, the following provisions apply to the sentence imposed in this count:

- Firearm \_\_\_\_\_ It is further ordered that the \_\_\_\_\_ minimum imprisonment provision of section 775.087, F.S., is hereby imposed for the sentence specified in this count.
- Drug Trafficking \_\_\_\_\_ It is further ordered that the \_\_\_\_\_ years mandatory minimum imprisonment provision of section 893.135(1), F.S., and fine in the amount of \$ \_\_\_\_\_ is hereby imposed in this count.
- Controlled Substance w/in 1,000' of School, Public Park, Comm.Center or Rec. Facility \_\_\_\_\_ It is further ordered that the 3-year minimum imprisonment provision pursuant to 893.13(1)(c), F.S., is hereby imposed for the sentence specified in this count.
- Habitual Felony Offender \_\_\_\_\_ The defendant is adjudicated a habitual felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084(4)(a), F.S.. The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Controlled Substance, Manufacture of Metham-Phetamine/Phencyclidine \_\_\_\_\_ It is further ordered that the \_\_\_\_\_ minimum mandatory provision of section 893.13(1)(g), F.S. is hereby imposed for the sentence specified in this count.
- Habitual Violent Felony Offender \_\_\_\_\_ The defendant is adjudicated a habitual violent felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084(4)(b), F.S.. A minimum term of \_\_\_\_\_ year(s) must be served prior to release. The requisite findings of the court are set forth in a separate order or stated on the record in open court.
- Prison Releasee Reoffender XXX \_\_\_\_\_ The defendant is adjudicated a prison releasee reoffender and has been sentenced to serve 100 percent of the court-imposed sentence in accordance with section 775.082(8)(b).
- Law Enforcement Protection Act \_\_\_\_\_ It is further ordered that the defendant shall serve a minimum of 3 years before release in accordance with section 775.0823, F.S..
- Capital Offense \_\_\_\_\_ It is further ordered that the defendant shall be ineligible for Parole in accordance with the provisions of section 775.082(1), F.S..
- Short-Barreled Rifle, Shotgun, Machine Gun \_\_\_\_\_ It is further ordered that the 5-year minimum provision of section 790.221(2), is hereby imposed for the sentence specified in this count.
- Continuing Criminal Enterprise \_\_\_\_\_ It is further ordered that the 25-year minimum sentence provision of section 893.20, F.S., is hereby imposed for the sentence specified in this count.

DEFENDANT: VITALY TSABAK

CASE NUMBER: 2016 CF 001034

OBTS NUMBER: 1801047740

**SENTENCE**

**As to Count 2 - GRAND THEFT OVER \$100,000**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, AARON D DELGADO, 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 resentences 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.

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.

For a term of 20.00 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 10 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 VITALY TSABAK OBTS NO 1801047740	<b>OTHER PROVISIONS</b>	CASE NUMBER 2016CF001034
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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 546 days 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 unfortified 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 unfortified gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute

**SENTENCE**

**As to Count 4 - POSSESSION OF BURGLARY TOOLS**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, AARON D DELGADO, 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 VITALY TSABAK OBTS NO 1801047740	<b>OTHER PROVISIONS</b>	CASE NUMBER 2016CF001034
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AS TO COUNTS (4)

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 546 days 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 unfortified 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 unfortified gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute

DEFENDANT: VITALY TSABAK

CASE NUMBER: 2016 CF 001034

OBTs NUMBER: 1801047740

**SENTENCE**

**As to Count 5 - DUI ALCOHOL OR DRUGS**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, AARON D DELGADO, 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 resentences 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.

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.

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 probabtion/community control set forth in a separate order entered herein.

DEFENDANT VITALY TSABAK OBTS NO 1801047740	<b>OTHER PROVISIONS</b>	CASE NUMBER 2016CF001034
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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 60 days 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 unfortified 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 unfortified gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute

**SENTENCE**

**As to Count 6 - RESIST OFFICER-REFUSE TO ACCEPT SIGN CITATION OR POST BOND**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, AARON D DELGADO, 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 resentences 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 probabtion/community control set forth in a separate order entered herein.

DEFENDANT VITALY TSABAK OBTS NO 1801047740	<b>OTHER PROVISIONS</b>	CASE NUMBER 2016CF001034
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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 60 days 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 unfortified 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 unfortified gain-time awarded during prior service on:

Pursuant to Section 944.276 Florida Statute

DEFENDANT: VITALY TSABAK

CASE NUMBER: 2016 CF 001034

OBTS NUMBER: 1801047740

**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.

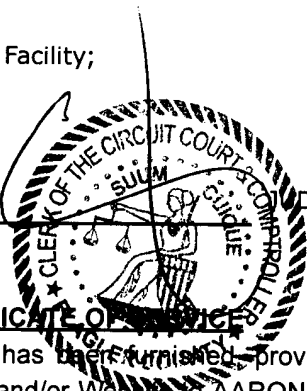
The defendant in open court was advised of the right to appeal from this sentence by filing notice of appeal within thirty days from this date with the Clerk of this Court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

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

DATE

05/24/2018

Judge DENNIS Craig

CERTIFICATE OF SERVICE

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 AARON D DELGADO on 6/7/18 per Rule 2.516(b)(1).

Deputy Clerk

