

Vs

Spencer Helder  
Sarmiento

OBJ'S: \_\_\_\_\_

BKG #: \_\_\_\_\_

ATTY: \_\_\_\_\_

BNA: \_\_\_\_\_

IN THE COUNTY COURT  
FLAGLER COUNTY, FLORIDA  
JUDGMENT AND SENTENCE

CASE No

Ho-32NM

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
1	Discharging Firearm
Amended To: _____	
PLEA / VERDICT	ADJUDICATION
<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	

COUNT	CHARGE
2	Principal to Crim Misch
Amended To: _____	
PLEA / VERDICT	ADJUDICATION
<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	

COUNT	CHARGE
Amended To: _____	
PLEA / VERDICT	ADJUDICATION
<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	

COMPANION CHARGE (S)
CHARGE:
ACTION:
CHARGE:
ACTION:
CHARGE:
ACTION:

CTS	SPECIAL CONDITIONS OF SENTENCE AND/OR PROBATION
<input checked="" type="checkbox"/>	1. Placed on <u>12</u> days/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 - no early term</u>
<input checked="" 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 _____ days in the Flagler County Branch Jail. Credit is given for days.
<input checked="" type="checkbox"/>	5. Jail is suspended pending compliance with this Judgment and Sentence.
<input checked="" type="checkbox"/>	6. Perform _____ hours of community service work, completing _____ 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 checked="" 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 _____ 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.
<input checked="" type="checkbox"/>	12. Complete a Victim Awareness Program w/in _____ days.
<input checked="" type="checkbox"/>	13. Driver's license is revoked/suspended for _____ 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 checked="" 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 checked="" type="checkbox"/>	16. Enroll in a Certified Batterers Intervention Program w/in _____ days and complete its requirements.
<input checked="" type="checkbox"/>	17. Have <input checked="" type="checkbox"/> no contact _____ no violent contact with the victim.
<input checked="" type="checkbox"/>	18. Do not possess any firearms or weapons.
<input checked="" type="checkbox"/>	19. Enroll in program w/in _____ days and complete its requirements. <ul style="list-style-type: none"> <li><input type="checkbox"/> Petty Theft</li> <li><input type="checkbox"/> Anger Management</li> <li><input type="checkbox"/> Worthless Check</li> <li><input checked="" type="checkbox"/> Driving Responsibility</li> </ul> <u>Forf. weapon</u>
<input checked="" type="checkbox"/>	20. Electronic Monitoring/GPS for _____ days, to begin on _____.
<input checked="" type="checkbox"/>	21. Obtain HIV/STD testing w/in _____ days.
<input checked="" type="checkbox"/>	22. Sentence is concurrent/consecutive to _____.
<input checked="" 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.
OTHER:	<input type="checkbox"/> Probation Revoked.

Spencer H. Carmen  
Defendant's Name

Case Number:

0 16-32mm

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

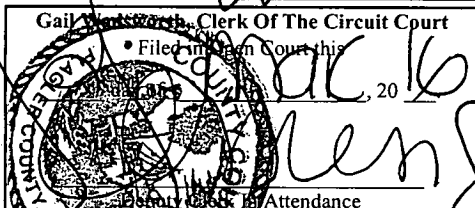
MANDATORY COSTS/SURCHARGES		
X	\$ 223.00	Misdemeanor § 775.083 (2), 938.01(1), 938.03, 938.05, 938.15, 939.185 (1) (a), 938.19 (2), 938.06
	\$ 256.00	Misd. (viol. of § 316) § 775.083(2), 938.01(1), 938.03, 938.05, 938.15, 939.185(1)(a), 938.19(2), 318.18(17), 318.18(13)(a), 938.06
	\$ 58.00	Ordinance 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
	\$ 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)
	\$ 50.00	Indigency Application Fee § 27.52 (2) (a)
	\$	Indigent Defense Cost/Fee (No less than \$50.00) § 938.29
X	\$ 50.00	Costs of Prosecution (No less than \$50.00) § 938.27
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 § 938.25
	\$	Alcohol and Drug Abuse Additional Cost (up to amount of fine) § 938.21, 938.23
X	\$ 500.00	Costs of Investigation to: <u>FCSD</u> § 938.27
	\$	Other (explain)
INFORMATION REGARDING PAYMENT OF FINES/COSTS/FEEs - SEE BACK FOR FURTHER INSTRUCTIONS		
<b>**IMPORTANT NOTICE**</b>		
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).		
X	Fines/Costs to be paid within _____ days/months of release from custody on this case. <u>Equal</u>	
1.	X	Fines/Costs to be paid through probation within <u>11</u> days/months of the date of this Order. <u>monthly</u>
	Fines/Costs/Fees to be taken from Cash Bond. You are responsible for paying any remaining balance. <u>installments</u>	
2.	Excess Cash Bond (if any) to be refunded to depositor. _____ Refund Cash Bond Amount	
	Fines/Costs converted to _____ hours of community service.	
3.	Proof of community service must be filed with the Clerk of Court within _____	
	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.		
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

3-2-16



Copy of this Court File (original) – Defendant (blue) – Defense Attorney (green) – Probation Agency/Jail (yellow) – State Attorney (pink)

JS-0428-1013

COURT FILE (ORIGINAL)