

STATE OF FLORIDA
UNIFORM COMMITMENT TO CUSTODY
OF DEPARTMENT OF CORRECTIONS

The Circuit Court of **FLAGLER** County in the SPRING term, 2015, in the case of

STATE OF FLORIDA

VS

ZAIRE T ROBERTS 15-806CFFA
Defendant

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA, TO THE SHERIFF OF THE ABOVE-REFERENCED COUNTY AND THE DEPARTMENT OF CORRECTIONS, GREETING:

The above-named defendant has been duly charged, convicted, adjudicated guilty, and sentenced for the offense(s) set forth in the attached certified copies of the Indictment(s)/Information(s), Original Judgment(s) Adjudicating Guilt, and Sentencing Order(s). In addition to the Original Judgment, if judicial supervision has been revoked subsequent to the entry of the judgment adjudicating guilt, a certified copy of the order revoking supervision (rather than a duplicative judgment adjudicating guilt) is also attached in support of this commitment.

Now therefore, this is to command you, the Sheriff, to take and keep and, within a reasonable time after receiving this commitment, deliver the defendant into the custody of the Department of Corrections: and this is to command you, the Secretary of the Department of Corrections, to keep and imprison the defendant for the term of the sentence. Herein fail not.

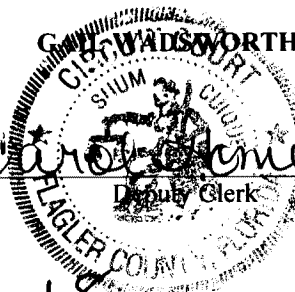
WITNESS THE HONORABLE MATTHEW FOXMAN
Judge of said court, and also the Clerk and the Seal thereof,
this the 24TH Day of

AUGUST, 2016

G. WADSWORTH, CLERK

By: _____

Carol Wadsworth
Deputy Clerk



Page 1 of 18 Pages

DC6-306(revised 5/3/11)

**7th. Judicial Circuit 707
Charging Affidavit - Flagler**

Arrest # _____

Bk # _____

Pg #1 of 4

ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/>		ADULT <input type="checkbox"/> JUVENILE <input checked="" type="checkbox"/>		Court Case Number: 2015 CJ 000186	
(ORI) FL: 1 8 0 0 0 0 0		Agency Name: FLAGLER COUNTY SHERIFF'S OFFICE		Agency Case Number: 2015-77159	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS#		UCR:	Date Arrested:
ADDRESS OF ARREST:				Arrested By:	ID Number:
DEFENDANT		Name (L,F,M): Roberts, Zaire, T		A.K.A.: Deuce	
DOB: 11/9/98		Age: 16		Sex: MALE	
Driver's Lic/ID No.:		State:		Year Expires:	
Height:		Weight:		Hair: black	
Eyes: brown		POB (City, St, Country):		Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Scars, Marks, Tattoos: unknown		Business & Occupation: unemployed		Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Address-Mailing/Permanent (STREET, APT. NUMBER): 46 Pine Hill Lane		(CITY) (STATE) ZIPCODE RESIDENCE PHONE: Palm Coast FL 32164 (386)847-5907	
Address-Local (STREET, APT. NUMBER):		(CITY) (STATE) ZIPCODE		RESIDENCE PHONE	
Address-Other(Employer/School) (STREET, APT. NUMBER):		(CITY) (STATE) ZIPCODE		BUS/SCHOOL PHONE	
CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/>		Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/> Total Charges: 1	
#1	Charge: Attempted Felony Murder	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: 782.004 N.M.	Citation No.:	Bond: NO BOND
#2	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:
#3	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:
CO-DEFENDANT		Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>		Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>	
#1 NAME(L,F,M):		Race:		Sex:	
#2 NAME(L,F,M):		DOB:		Age:	
NARRATIVE		<p>The undersigned certifies and swears that there is probable cause to believe the above named defendant, on the <u>28</u> day of <u>July</u>, 2015, at approximately 3:49 <input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m. at <u>11 Lewisdale Lane Palm Coast, FL</u> within <u>FLAGLER</u> County, violated the law and did then and there:</p> <p>On 7/28/15 at approximately 3:49pm the Flagler County Sheriff's Office responded to a shooting in the area of Lewisdale Lane and Lewis Drive Palm Coast, FL. When Deputies arrived in the area, they observed several individuals standing around an 18 year old black male victim identified as Phillip Haire. Phillip was laying in the roadway on his back on Lewisdale Lane with two apparent gunshot wounds to the left side of his abdomen. After Phillip was assessed by Medical personnel on scene, he was airlifted to Shands Hospital in Jacksonville due to the extent of his injuries. Deputies secured the scene, at which time two spent .40 caliber shell casings were located in the roadway. It was determined that there were five witnesses present when deputies arrived on scene. However, one of them left on a bicycle before being identified.</p> <p>Other Detectives and I arrived on scene and briefly spoke to the remaining four witnesses. They were all asked to come to the Flagler County Sheriff's Office Criminal Investigative Services to be interviewed. Before leaving the scene, I spoke with Phillip's sister, Zhariah who advised that Phillip has been having issues with a male by the name of Travis (unknown last name). She stated that Travis hangs out with a male by the name of Deuce and knows that Deuce had been sending Phillip messages on Twitter asking him to fight. She stated that she saw a Twitter post from earlier today of Lewisdale Lane telling Phillip to come and fight. Zhariah stated that was how she knew where to find Phillip. Zhariah also advised that Phillip was at a party a few nights ago in the "R" section of Palm Coast and was shot at by Deuce. Zhariah was also interviewed by Cpl. Koep. Zhariah stated that after she found out that Phillip was shot she called Travis Williams phone. Travis answered and stated that "I had just came to</p>			
NOTICE TO APPEAR		MANDATORY APPEARANCE <input type="checkbox"/>		YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	
I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.		FINE, AND COSTS AMOUNT:			
SIGNATURE OF DEFENDANT		DATE		RELATIONSHIP TO JUVENILE	
Sworn to and subscribed before me, the undersigned This <u>28</u> day of <u>August</u> , 2015.		I swear/affirm the above statements are correct and true.		Rt Thumb	
Name: <u>DET. MOY</u>		OFFICER'S/COMPLAINANT'S SIGNATURE			
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:		NAME(PRINTED) DET. MOY		ID NUMBER 409	
OFFICIAL USE ONLY		Inmate Number & facility:			

Witness/Victim/Evidence Form 707-A

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Pg # 2 of 4

Defendant Name: Roberts, Zaire, T		Agency Case Number: 2015-77159	
Name (L,F,M): Haire, Phillip, J. Jr.	Vic <input checked="" type="checkbox"/> Wit <input type="checkbox"/>	Race: Blk	Sex: M <input checked="" type="checkbox"/> F <input type="checkbox"/>
Address (#, Street, City, State): 11 London Drive Palm Coast, FL	Age: 18	DOB: 5/12/97	SSN: [REDACTED]
Bus./School Address:	Zip: 32137	Home Phone: 386-585-0882	Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:	Relative/Contact Address:	Bus. Phone:	Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (#, Street, City, State):	Age:	DOB:	SSN:
Bus./School Address:	Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:	Relative/Contact Address:	Bus. Phone:	Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (#, Street, City, State):	Age:	DOB:	SSN:
Bus./School Address:	Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:	Relative/Contact Address:	Bus. Phone:	Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (#, Street, City, State):	Age:	DOB:	SSN:
Bus./School Address:	Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:	Relative/Contact Address:	Bus. Phone:	Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (#, Street, City, State):	Age:	DOB:	SSN:
Bus./School Address:	Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:	Relative/Contact Address:	Bus. Phone:	Phone:
Name (L,F,M):	Vic <input type="checkbox"/> Wit <input type="checkbox"/>	Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>
Address (#, Street, City, State):	Age:	DOB:	SSN:
Bus./School Address:	Zip:	Home Phone:	Statement: Yes <input type="checkbox"/> No <input type="checkbox"/>
Relative/Contact Name:	Relative/Contact Address:	Bus. Phone:	Phone:

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner(Name) (Address) (Phone)			Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner(Name) (Address) (Phone)			Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount

I certify that the foregoing is a complete list of witnesses/victims & evidence known to me.


 Investigating Officer

409
 ID Number


 Agency

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Page # 3 of 4

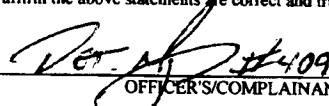
Defendant Name: Roberts, Zaire, T		Agency Case Number: 2015-77159	
CHARGES	DOMESTIC VIOLENCE? YES <input type="checkbox"/>	Attachments: Affidavit(s) <input checked="" type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>	Total Charges:
# 4	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:

fight your brother and he got shot" Zhariah showed a twitter message that was sent to her brother from the screen name @HoesloveDeuce. The message stated "Wya @PhilGates_600" with a picture of the street and area where Phillip was found shot. Wya is an acronym for where you at. That picture was posted at 325 PM.

Once all witnesses arrived at the Investigative Services Division, Detective Fuentes conducted an interview with witness#1. This witness advised that earlier in the day he was with witness#4 in her gold Chevrolet Monte Carlo and went to the Indian Trails Sports Complex to smoke marijuana. Once they were finished, they went to an unknown address in the "B" section of Palm Coast to pick up a male by the name of "Trav", who he previously knew. It should be noted that "Trav" was identified to be Travis Williams. Trav got into witness#4's vehicle and they drove to Lewisdale Lane. While they were there, an unknown person was communicating with Phillip in attempts to lure him out of his residence, which was around the corner to fight. Phillip arrived shortly after and began fighting with Trav. During this time, witness#1 stated that a black male who he knows as Zaire Roberts (also known as Deuce) came out of nowhere and shot Phillip. Deuce then got into witness#4's vehicle and fled the scene. Witness#1 advised that all other witnesses began to help Phillip and Trav fled the scene on a bicycle. Witness#1 was shown a photograph and was able to identify the person in the photograph as Zaire Roberts aka Deuce.

I interviewed witness#2, who advised that he was riding his bicycle on London Drive when he saw police cars pulling onto Lewis Drive. Witness#2 stated that he followed the police cars to Lewisdale Lane and observed Phillip lying in the roadway bleeding. He said that four other people were already on scene and trying to help Phillip while the Deputy was tending to Phillip's wounds. I asked witness#2 how he knew Phillip and he stated that he attended high school with him and also plays video games with him sometimes. Witness#2 said that while he was at the scene, a black male who he knows as Travis asked to use his bicycle so he could go and tell Phillip's mother what had happened but never returned. Witness#2 was shown a photo lineup by Detective Erlandson and was able to positively identify Travis Williams as the male that left the scene with his bicycle. Witness#2 did not have any further information at this time. Detective Kuleski interviewed witness#3 who advised that he also did not observe the incident, but arrived in the area and found Phillip lying in the road, and immediately took his shirt off and began to apply pressure to Phillip's wounds. He stated that he also called 911, and observed a silver passenger car speeding away from the scene, but could not advise of any further.

On 7/29/15 Detective Fuentes and I met with Phillip at Shands Hospital and conducted a recorded interview. During this interview Phillip confirmed that he went to Lewisdale Lane to fight Travis and Deuce. He stated that they both showed up in two separate vehicles, Travis in a black truck and Deuce in a gold Chevrolet Monte Carlo. Phillip said that he fought Deuce first and knocked him out, and that's when Travis jumped in. While he was fighting Travis, Deuce went back to the Monte Carlo and retrieved a gun and shot him. While we were speaking to Phillip, he showed us some Twitter post from @HoesloveDeuce that said "God saved you cause that bih jammed" along with emoji's of a crying face. I asked him what that meant, and he stated that post was from a few nights ago at a party in the "R" section in Palm Coast, FL. Phillip said that Travis sent Deuce to shoot him that night but he was unsuccessful. He also showed me another post from Deuce on 7/28/15 at 3:34pm telling Phillip to come outside. This was a few minutes prior to the shooting taking place. Phillip gave us consent to look through his Twitter account via his cellphone, and we were able to view Deuce's photos and gain confirmation that the person in these photos was the person that shot him yesterday on Lewisdale Lane.

Sworn to and subscribed before me, the undersigned this <u>28</u> day of <u>AUGUST</u> , 20 <u>15</u>	I swear/affirm the above statements are correct and true.		Right thumb
Name: <u>DET. V. J. ... #349</u>			
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE		
Type of Identification:	NAME (PRINTED) <u>DET. MOY</u>	ID NUMBER <u>409</u>	

Narrative 707-B Supplement

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

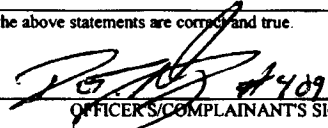
Court Case Number:

Page # 4 of 4

Defendant Name: Roberts, Zaire, T		Agency Case Number: 2015-77159	
CHARGES	DOMESTIC VIOLENCE? YES <input type="checkbox"/>	Attachments: Affidavit(s) <input checked="" type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/>	Total Charges:
# 4	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: Citation No: Bond:

On 8/14/15 I re-interviewed Phillip at Brooks Rehabilitation Hospital located at 3599 University Blvd, Jacksonville, FL. While I was interviewing him, he was able to clarify the information that he already provided to me during the first interview. Phillip stated that the fight was supposed to be between him and Deuce, because Deuce had called him out on Twitter due to an incident that occurred the pervious Saturday 7/25/15 at a party in the "R" section of Palm Coast. Phillip stated, at this party he and Travis supposedly settled some issues that they previously had with each other. However, it was told to him by a source that Phillip wishes to remain anonymous, that Travis sent Deuce to shoot him. Phillip stated that Deuce did in fact shoot at him while he was at the party, but he did not get injured and left the area after this took place. Phillip stated Deuce began messaging him on Twitter saying that he wanted to fight him and it was only going to be both of them. This is what led to Phillip being shot on Tuesday 7/28/15. Phillip advised that Deuce was sent a Twitter message with a picture of Lewisdale Lane and asked him where he was. Phillip said when he went to Lewisdale Lane he saw a black Dodge truck and Shanya's Chevrolet Monte Carlo. Phillip said that he started to fight Deuce and knocked him to the ground. He said that Deuce then stumbled to the passenger side of Shanya's vehicle and sat there while he and Travis got into a verbal argument, but never physically fought. Phillip said that Travis began taunting Deuce telling him to fight Phillip. Phillip said that he was standing in the middle of the street when Deuce got out of the passenger side of the vehicle and walked behind the vehicle and raised a silver and black handgun at him and shot him twice before fleeing the area.

On 8/20/15 I conducted an interview with Travis at the Flagler County Sheriff's Office Investigative Services Division. During this interview Travis stated that he was present during the incident and was able to identify Deuce as the person who shot Phillip. He was also able to provide more information that was beneficial to this case.

Sworn to and subscribed before me, the undersigned this <u>28</u> day of <u>AUGUST</u> , 2015	I swear/affirm the above statements are correct and true.	Right thumb
Name: <u>DET. J. P. #349</u>		
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE	
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>	NAME(PRINTED) <u>DET. MOY</u>	ID NUMBER <u>409</u>
Type of Identification:		

Arrest <input checked="" type="checkbox"/> Notice to Appear <input type="checkbox"/> Affidavit <input type="checkbox"/>		Arrest# <u>15-2017</u>	DJJ#	Court Case# <u>2015 CJ 066-186</u>	
(ORI) FL: 0 1 8 0 0 0 0		Agency Name: <u>Flagler County Sheriff's Office</u>		Agency Case Number: <u>15-95783</u>	
FCIC/NCIC Check? Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		OBTS#: <u>180494715</u>	UCR:	Date Arrested: <u>9/16/15</u>	Time of Arrest: <u>1920</u>
Address of Arrest: <u>4721 E Moody Blvd. Bunnell, FL.</u>			Arrested By: <u>Det. M. Moy</u>		I.D.#: <u>409</u>
Name: (L,F,M) <u>Roberts, Zaire, T</u>			A.K.A.: <u>Ducee</u>		Sex: <u>M</u> Race: <u>B</u>
DOB: <u>11/9/98</u>	Age: <u>17</u>	DL / ID#: <u>None</u>	State:	Year Expires:	Social Security #: <u>- - -</u>
Height: <u>6-0'</u>	Weight: <u>164</u>	Hair: <u>Blk</u>	Eyes: <u>Bro</u>	Place of Birth: (City, State, Country) <u>OH</u>	Statement: Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
Scars, Marks, Tattoos: <u>Left Shoulder</u>		School: <u>None</u>			Citizenship: Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
Probation: Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		Sexual Predator: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>		English: Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	Deaf/Mute: Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
Address- Mailing Permanent: <u>46 Pine Hill Ln.</u>		(Street, Apt, Number)	(City) <u>Palm Coast</u>	(State) <u>FL</u>	(Zip Code) <u>32137</u> (Residence Phone) <u>(386) 547-5907</u>
Address- Local: <u>1212 E. 114th Street</u>		(Street, Apt, Number)	(City) <u>OH</u>	(State) <u>OH</u>	(Zip Code) <u>44108</u> (Residence Phone) <u>() - ()</u>
Address- Other: (Employer, School)		(Street, Apt, Number)	(City)	(State)	(Zip Code) (Bus/School Phone) <u>() - ()</u>
CHARGES Domestic Violence? Y <input type="checkbox"/> N <input type="checkbox"/>		Attachments: Affidavit(s) <input checked="" type="checkbox"/> Statement(s) <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infractions(s) <input type="checkbox"/> DUI <input type="checkbox"/>			Total Charges: <u>1</u>
1	Charge: <u>Attempted 1st degree Murder</u>	Fel <input checked="" type="checkbox"/> Misd <input type="checkbox"/> Ord <input type="checkbox"/>	FS/ORD: <u>782.04</u>		Citation#:
2	Charge:	Fel <input type="checkbox"/> Misd <input type="checkbox"/> Ord <input type="checkbox"/>	FS/ORD:		Citation#:
CO CHILD CO ADULT		#1 Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd <input type="checkbox"/> Traf <input type="checkbox"/> Ord <input type="checkbox"/> NTA <input type="checkbox"/>		#2 Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd <input type="checkbox"/> Traf <input type="checkbox"/> Ord <input type="checkbox"/> NTA <input type="checkbox"/>	
1	Name: (L,F,M)	Race:	Sex:	DOB:	Juvenile: Y <input type="checkbox"/> N <input type="checkbox"/>
2	Name: (L,F,M)	Race:	Sex:	DOB:	Juvenile: Y <input type="checkbox"/> N <input type="checkbox"/>
NARRATIVE The undersigned certifies and swears that there is probable cause to believe the above named child, on the <u>16th</u> day of <u>September</u> , <u>2015</u> , at approximately <u>1920</u> A.M <input type="checkbox"/> P.M <input checked="" type="checkbox"/> at <u>4721 E Moody Blvd., Bunnell FL</u> within <u>Flagler</u> County, violated the law and did then and there:					
On <u>September 16, 2015</u> at approximately <u>1920</u> hours the defendant, <u>Zaire Roberts, B/M, DOB 11/09/1998</u> arrived at the Investigative Services Division office in reference to an active warrant. <u>Zaire Roberts</u> did in-fact have an order to take into custody, # <u>2015-CJ-30186</u> , out of <u>Flagler</u> County reference <u>Attempted First Degree Murder W/A Firearm, F.S.S. 782.04</u> . Order was signed by the Honorable Judge <u>Melissa Moore-Stens</u> on <u>August 8th 2015</u> , with no bond. <u>Zaire Roberts</u> was arrested and transported to the <u>Flagler County Detention Facility</u> without incident. <u>FCSO Communications employee ID #690</u> was asked to remove the listed person from <u>FCIC/NCIC</u> .					
Sworn to and subscribed before me, the undersigned, this <u>16th</u> day of <u>September</u> , <u>2015</u>			I swear / affirm the above narrative is correct and true		Right Thumb
Name: <u>Det. M. Moy 614</u>			Arresting Officer's / Complainant's Signature <u>[Signature]</u> Date		
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> Personally Known <input type="checkbox"/>			Name (Printed) <u>Det. M. Moy</u> I.D.# <u>409</u>		
Type of Identification:					
NOTICE TO APPEAR					
I am the (Parent/Adult Relative/Legal Guardian) _____ of (Child's Full Name) _____ and promise to ensure that the child appears on (Date) _____ at (Time) _____ in Juvenile Court located at _____. I also promise immediately to notify the State Attorney Juvenile Division at (Telephone) () - _____ and the Clerk of Court at (Telephone) () - _____ of any change in the child's address.					
Parent / Adult Relative / Legal Guardian's Signature		Address		Telephone () - _____	Date
I, (Child's Name) _____, understand that I have been charged with a law violation(s), as set forth, and that I am being released at this time to the custody of the above Parent/Adult Relative/Legal Guardian. I promise to appear in Juvenile Court on the date and time as set forth, and to appear as required for any additional conferences or appearances scheduled by Department of Juvenile Justice (DJJ), State Attorney's Office (SAO) or the court. I understand that my failure to appear shall result in a custody order being issued and that I will be picked up and taken to detention.					
Child's Signature		Date	Releasing Officer / DJJ Official (Printed)	DJJ Intake Telephone () - _____	Date: I.D.#:

JUVENILE 707 - COURT COPY

CLASSIFICATION: FELONY

STATE OF FLORIDA

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT, IN AND FOR FLAGLER COUNTY, FLORIDA, IN THE YEAR TWO THOUSAND FIFTEEN

VS.

CASE NO: 15-806 CFFA
AGENCY: FCSO/7715915

ZAIRE T ROBERTS
B/M; DOB: 11/09/1998 SS#

INFORMATION (DIRECT FILED)

CHARGE(S):

1) AGGRAVATED BATTERY FIREARM (DISCHARGE/GREAT BODILY HARM)

R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of the State of Florida and as such prosecuting attorney for this Court, in the name of and by the authority of the State of Florida charges that:

COUNT I: ZAIRE T ROBERTS on or about July 28, 2015, in the County of FLAGLER and State of Florida, did actually and intentionally touch or strike PHILLIP JOSEPH WILLIAM HAIRE against the will of PHILLIP JOSEPH WILLIAM HAIRE, and in doing so carried a firearm, discharged a firearm, and in the course of the discharge did cause great bodily harm to PHILLIP JOSEPH WILLIAM HAIRE, to wit: did shoot PHILLIP JOSEPH WILLIAM HAIRE with a firearm, contrary to Florida Statute 784.045(2) and 784.045(1)(a) and 775.087. (1 DEG FEL)

FOR THE STATE ATTORNEY

Christina Opsahl
CHRISTINA OPSAHL
ASSISTANT STATE ATTORNEY
SEVENTH JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA
BAR NUMBER: 17428

COUNTY OF FLAGLER

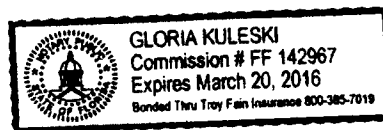
STATE OF FLORIDA

Personally appeared before me CHRISTINA OPSAHL, Assistant State Attorney, for the Seventh Judicial Circuit of the State of Florida, known to me to be the foregoing prosecuting officer, who being duly sworn, says that the allegations set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged. Subscribed in good faith. Said facts based on testimony of material witnesses.

SWORN to and subscribed before me this 1st day of October, 2015.

Submitted to the Clerk of the CIRCUIT Court, Seventh Judicial Circuit, in and For FLAGLER County, Florida, on the 1st day of October, 2015.

Gloria Kuleski
NOTARY PUBLIC AT LARGE
STATE OF FLORIDA



7th. Judicial Circuit 707
Charging Affidavit - Flagler

Arrest # _____

Bk # 15-2227

Pg #1 of 1

ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/>		ADULT <input type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number: 2015 CF 000806	
(ORI) FL: 0 1 8 0 0 0 0		Agency Name: Flagler County Sheriff's Office		Agency Case Number: 15-104517	
FCIC/NCIC Check? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		OBTS# 186104 20 4910		LICR: _____ Date Arrested: 10/12/15 Time of Arrest: 1619	
ADDRESS OF ARREST: 1002 JUSTICE LANE BUNNELL, FL 32110				Arrested By: DEP. FAIRCLOTH ID Number: 533	
Name (L,F,M): ROBERTS, ZAIRE TERAHN		A.K.A.: _____		Sex: MALE Race: BLK	
DOB: 11/09/1998 Age: 16		Driver's Lic/ID No: _____		State: _____ Year Expires: _____ S.S #: _____	
Height: 6-0 Weight: 164		Hair: BRO Eyes: BLK		POB (City, St, Country): OHIO	
Scars, Marks, Tattoos: _____		Business & Occupation: _____		Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Address-Residing/Permanent (STREET, APT. NUMBER): 46 PINE HILL LANE		(CITY): PALM COAST (STATE): FL ZIPCODE: 32164		RESIDENCE PHONE: 386-547-5907	
Address-Local (STREET, APT. NUMBER): _____		(CITY): _____ (STATE): _____ ZIPCODE: _____		RESIDENCE PHONE: _____	
Address-Other(Employer/School) (STREET, APT. NUMBER): _____		(CITY): _____ (STATE): _____ ZIPCODE: _____		BUS/SCHOOL PHONE: _____	
CHARGES		DOMESTIC VIOLENCE? YES <input type="checkbox"/>		Attachments: Affidavit(s) <input type="checkbox"/> Statement(s) <input type="checkbox"/> NTA Schedule <input type="checkbox"/> Report <input type="checkbox"/> Traffic Infraction(s) <input type="checkbox"/> DUI <input type="checkbox"/>	
#1	Charge: WARRANT SERVICE	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: 901.02 Citation No.: _____ Bond: 100,000.00	
#2	Charge: _____	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: _____ Citation No.: _____ Bond: _____	
#3	Charge: _____	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>		FS/ORD: _____ Citation No.: _____ Bond: _____	
CO-DEFENDANT		Co-Def #1 Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd <input type="checkbox"/> Traf <input type="checkbox"/> Ord <input type="checkbox"/> NTA <input type="checkbox"/>		Co-Def #2 Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel <input type="checkbox"/> Misd <input type="checkbox"/> Traf <input type="checkbox"/> Ord <input type="checkbox"/> NTA <input type="checkbox"/>	
#1 NAME(L,F,M): _____		Race: _____ Sex: _____ DOB: _____ Age: _____			
#2 NAME(L,F,M): _____		Race: _____ Sex: _____ DOB: _____ Age: _____			
<p>SWORN The undersigned certifies and swears that there is probable cause to believe the above named defendant, on the <u>12TH</u> day of <u>OCTOBER</u>, 2015, at approximately <u>1619</u> <input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m. at <u>1002 JUSTICE LANE</u>, within <u>FLAGLER</u> County, violated the law and did then and there: The subject has a open Flagler county Order to detain and/or arrest juvenile as adult REF: Aggravated battery with a firearm (discharge and great bodily harm). Signed on 10/01/15 by Judge Moore Stens. Warrant# 2015-806-CFFA. The subject was taken into custody at the above address. There is a bond of 100,000.00 on this warrant, nothing further to report.</p>					
SOURCE TO APPEAR		MANDATORY APPEARANCE <input type="checkbox"/>		YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	
I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.					
SIGNATURE OF DEFENDANT		DATE		RELATIONSHIP TO JUVENILE	
SIGNATURE OF JUVENILE/ PARENT OR CUSTODIAN		DATE		CITATION No.	
Sworn to and subscribed before me, the undersigned		This 12th day of OCTOBER, 2015.		I solemnly affirm the above statements are correct and true	
Name: <u>[Signature]</u>		<u>[Signature]</u>		Rt Thumb	
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/>		NAME (PRINTED) DEP. FAIRCLOTH		ID NUMBER 533	
Personally Known <input type="checkbox"/> Produced Identification <input type="checkbox"/>		Inmate Number & Facility:			

707 - COURT COPY

IN THE CIRCUIT COURT OF THE 7TH JUDICIAL CIRCUIT FLAGLER COUNTY, FLORIDA		STAMP FOR RECORDING
Division: 50 - FOXMAN, Case Number: 2015 CF 000806	JUDGMENT	
PLAINTIFF STATE OF FLORIDA	DEFENDANT VS. ZAIRE T ROBERTS	

Probation Violator
 Community Control Violator
 Retrial
 Resentence

The defendant, being personally before this court represented by KURT F TEIFKE the attorney of record, and the state represented by Christine Opsahl 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
1	AGGRAVATED BATTERY (FIREARM)	784.045(1a2)	2F	2015 CF 000806	1801044910

- (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: ROBERTS, ZAIRE T

CASE NUMBER: 2015 CF 000806

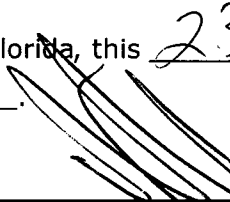
FINGERPRINTS OF DEFENDANT

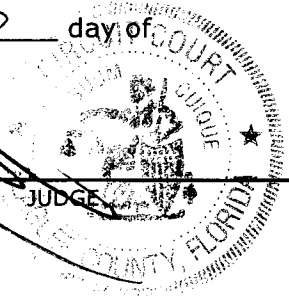
1. RIGHT THUMB	2. RIGHT INDEX	3. RIGHT MIDDLE	4. RIGHT RING	5. RIGHT LITTLE
				
6. LEFT THUMB	7. LEFT INDEX	8. LEFT MIDDLE	9. LEFT RING	10. LEFT LITTLE
				

Fingerprints taken by: D/S Puritis - 503 Deputy Sheriff
NAME TITLE

I HEREBY CERTIFY that the above and foregoing are the finger prints of the defendant, ZAIRE T ROBERTS, 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 23 day of Aug., 2016.



JUDGE


SENTENCE

As to Count 1 - AGGRAVATED BATTERY (FIREARM)

The defendant, being personally before this court, accompanied by the defendant's attorney of record, KURT F TEIFKE, 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 7.00 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
ZAIRE T ROBERTS
OBTS NO 1801044910

OTHER PROVISIONS

CASE NUMBER
2015CF000806

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 318 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 _____ 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

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.

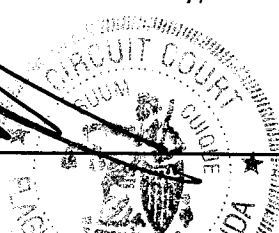
DONE AND ORDERED
FLAGLER COUNTY, FL

JUDGE

DATE

08/23/2016

Judge Matthew Foxman



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 KURT F TEIFKE on 8/24/16 per Rule 2.516(b)(1).

Carol Homer
Deputy Clerk

In The Circuit Court, Seventh Judicial Circuit,
In and For Flagler County, Florida

State of Florida

Case No. 2015CF000806

ZAIRE ROBERTS

Division:

Defendant Address:

Order/Final Judgment for Charges, Costs, & Fees

(Costs are assessed by case)

SS #

The above named defendant is hereby ordered to pay the following sums, if checked:

Mandatory Costs (Select one)

- \$ 418.00 Felony Standard § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.06
- \$ 770.00 Felony Assault & Battery § 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
- \$ 451.00 Felony Traffic § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 318.18(17), 318.18(13)(a), 938.06
- \$ 586.00 Felony 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
- \$ 569.00 Felony 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
- \$ 613.00 Felony 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), 938.06
- \$ 921.00 Felony Asslt/Battery-Minor § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.08, 938.085, 938.10(1), 938.06
- \$ 521.00 Felony Reckless Driv. § 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)(a), 318.18(20), 938.06
- \$ 569.00 Felony Standard & Rape Crisis § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.085, 938.06
- \$ 720.00 Felony Crime Agst.Minor & Rape Crisis § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.10(1), 938.085, 938.06

Additional Mandatory Costs (Select all that apply)

- \$ 50.00 Indigency Application Fee/Public Defender § 27.52(2)(a)
- \$ 5000.00 Prostitution- Additional Civil Penalty § 796.07(6)
- \$ 500.00 BUI Refusal-Civil Penalty § 327.35215(1)
- \$ 100 Indigent Defense Cost/Fee (No less than \$100.00) § 938.29
- \$ 100 State Attorney Cost of Prosecution (No less than \$100.00) § 938.27

Fines: (Select all that apply – Enter Amount)

- \$ Fine & 5% surcharge § 316.193, 327.35, 775.083(1), 893.13, 893.135, 938.04
- \$ Fine (Crime result death/injury-not exceed \$10,000) § 775.0835(1), 938.04
- \$ Fine & 5% surcharge – Other (explain)

Discretionary Costs: (Select all that apply – Enter Amount)

- \$ 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
- \$ 150 Investigation Costs to FCSO § 938.27
- \$ Other (explain)

Restitution (Select one)

- No restitution ordered.
- Restitution Ordered. To be paid in accordance with separate Restitution Order.
- Jurisdiction is reserved to determine restitution upon motion of the State.

Payment of charges, costs, and fees are due immediately and are payable to the Clerk of Court for Distribution unless otherwise noted :

- A condition of probation/community control, payable to FL DOC, Probation & Parole, pursuant to probation/community control order.
- Due within _____ days following release from jail/prison and is payable to the Clerk of Court for distribution.
- Due within _____ days and is payable to the Clerk of Court for distribution.

Unless payment is ordered as a condition of probation, it is further ordered that Judgment is hereby entered in favor of the State of Florida, and/or Clerk of Court, and victim(s) for the sum of the above amounts, together with interest at the lawful rate, for which let execution issue. (§ § 55.10, 960.295, Fla. Stat.) **This judgment shall supersede any previous judgment that may have been entered against the defendant in the above referenced case only. Fines/Costs/Fees which remain unpaid for 90 days or more may be turned over to a collection agency for further action. Failure to pay as ordered may result in the suspension of your Florida Driver's License.**

DONE AND ORDERED in Flagler County, Florida this 23 day of AUGUST

Filed in Open Court this _____ day of _____, 20____.

CC: State Attorney
Defense Counsel
Probation & Parole (if applicable)



Rule 3.992(a) Criminal Punishment Code Scoresheet

The Criminal Punishment Code Scoresheet Preparation Manual is available at: http://www.dc.state.fl.us/pub/sen_cpcm/index.html

1. DATE OF SENTENCE 8/23/16	2. PREPARER'S NAME OPSAHL	3. COUNTY FLAGLER	4. SENTENCING JUDGE FOXMAN
5. NAME (LAST, FIRST, M.I.) ROBERTS, ZAIRE	6. DOB 11/09/1998	8. RACE BLACK	10. PRIMARY OFF. DATE 07/28/2015
	7. DC #	9. GENDER Male	11. PRIMARY DOCKET # 15-806CF

12	PLEA <input checked="" type="checkbox"/>
13	TRIAL <input type="checkbox"/>

I. PRIMARY OFFENSE:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
<u>2</u>	<u>784.045</u>	<u>AGGRAVATED BATTERY FIREARM</u>	<u>7</u>	

(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony triples Primary Offense points

I. 56

II. ADDITIONAL OFFENSE(S): Supplemental page attached

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
----------	---------------	-------	---------------	------------------	--------	--------	-------

DESCRIPTION: _____

DESCRIPTION: _____

DESCRIPTION: _____

DESCRIPTION: _____

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony triples Additional Offense points

Supplemental page points 0

II. 0

III. VICTIM INJURY:

	Number	Total		Number	Total
2nd Degree Murder	240 X	= 0	Slight	4 X	= 0
Death	120 X	= 0	Sex Penetration	80 X	= 0
Severe	40 X	= 40	Sex Contact	40 X	= 0
Moderate	18 X	= 0			

III. 40

IV. PRIOR RECORD: Supplemental page attached

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
_____	_____	_____	_____	_____	X	_____	_____
_____	_____	_____	_____	_____	X	_____	_____
_____	_____	_____	_____	_____	X	_____	_____
_____	_____	_____	_____	_____	X	_____	_____
_____	_____	_____	_____	_____	X	_____	_____
_____	_____	_____	_____	_____	X	_____	_____
_____	_____	_____	_____	_____	X	_____	_____
_____	_____	_____	_____	_____	X	_____	_____
_____	_____	_____	_____	_____	X	_____	_____
_____	_____	_____	_____	_____	X	_____	_____

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points 0

IV. 0

Page 1 Subtotal: 96

NAME (LAST, FIRST, MI) ROBERTS, ZAIRE	DOCKET # 15-806CF
-------------------------------------------------	-----------------------------

Page 1 Subtotal: 96

V. Legal Status Violation = 4 Points
 Escape Fleeing Failure to Appear Supersedeas bond Incarceration Pretrial intervention or diversion program
 Court imposed post prison release community supervision resulting in a conviction V. _____

VI. Community Sanction violation before the court for sentencing VI. _____
 Probation Community Control Pretrial intervention or diversion
 6 points for any violation other than new felony conviction x _____ each successive violation OR
 New felony conviction = 12 points x _____ each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
 12 points x _____ each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR
 New felony conviction = 24 points x _____ each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the same time for violation of probation

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points VII. _____

VIII. Prior Serious Felony = 30 points VIII. _____

Subtotal Sentence Points 96

IX. Enhancements (only if the primary offense qualifies for enhancement)

Law Enf. Protect. <input type="checkbox"/> x 1.5 <input type="checkbox"/> x 2.0 <input type="checkbox"/> x 2.5	Drug Trafficker <input type="checkbox"/> x 1.5	Motor Vehicle Theft <input type="checkbox"/> x 1.5	Criminal Gang Offense <input type="checkbox"/> x 1.5	Domestic Violence in the Presence of Related Child (offenses committed on or after 03-12-07) <input type="checkbox"/> x 1.5	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14) <input type="checkbox"/> x 2.0
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Enhanced Subtotal Sentence Points IX. 0

TOTAL SENTENCE POINTS 96

SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non-state prison sanction.

If total sentence points are greater than 44:

$$\frac{96}{\text{total sentence points}} \text{ minus } 28 = 68 \times .75 = 51$$
 lowest permissible prison sentence in months

If total sentence points are 60 points or less than and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s.775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

15
maximum sentence in years

TOTAL SENTENCE IMPOSED

<input checked="" type="checkbox"/> State Prison	<input type="checkbox"/> Life	Years	Months	Days
<input type="checkbox"/> County Jail	<input type="checkbox"/> Time Served	<u>7</u>	_____	_____
<input type="checkbox"/> Community Control		_____	_____	_____
<input type="checkbox"/> Probation	<input type="checkbox"/> Modified	_____	_____	_____

Please check if sentenced as habitual offender, habitual violent offender, violent career offender, prison releasee reoffender, or a mandatory minimum applies.

Mitigated Departure Plea Bargain Prison Diversion Program
 Other Reason _____



JUDGE'S SIGNATURE

[Handwritten signature]

Rule 3.992(b) Supplemental Criminal Punishment Code Scoresheet

NAME (LAST, FIRST, MI) ROBERTS, ZAIRE	DOCKET # 15-806CF	Date of Sentence
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II. ADDITIONAL OFFENSE(S):

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY	COUNTS	POINTS	TOTAL
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DESCRIPTION: _____

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

IV. PRIOR RECORD:

II. 0

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
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X _____ = _____

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. 0

Reasons for Departure - Mitigating Circumstances
(reasons may be checked here or written on the scoresheet)

- Legitimate, uncoerced plea bargain.
- The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- The need for payment of restitution to the victim outweighs the need for a prison sentence.
- The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- The defendant acted under extreme duress or under the domination of another person.
- Before the identity of the defendant was determined, the victim was substantially compensated.
- The defendant cooperated with the State to resolve the current offense or any other offense.
- The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- The defendant is to be sentenced as a youthful offender.
- The defendant is amenable to the services of a postadjudicatory treatment-based drug court program and is otherwise qualified to participate in the program.
- The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence, except for the provisions of s.921.0026(2)(m).

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

I, GAIL WADSWORTH, AS CLERK OF THE CIRCUIT COURT IN AND FOR SAID
COUNTY AND STATE, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE
AND CORRECT COPY OF 707S, INFORMATION, JUDGMENT, SENTENCE, COST SHEET, AND
SCORESHEET

IN THE CASE OF **STATE OF FLORIDA**

VS

ZAIRE T ROBERTS

AS THE SAME APPEARS IN FLAGLER COUNTY RECORDS.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY
OFFICIAL SEAL ON THIS 24TH Day of AUGUST, A.D. 2016.

GAIL WADSWORTH
CLERK OF COURT
FLAGLER COUNTY, FLORIDA

BY:

Carol Stoker

