

Book 8178 Pg 2310

____ Probation Violator
____ Community Control Violator
____ Retrial
____ Resentence

In the Circuit Court, Fourth Judicial Circuit,
in and for Duval County, Florida
Division *CR-C*

Case Number
94-9210-CF-A

FILED
SEP 15 1995
Henry W. Cook
CLERK CIRCUIT COURT

State of Florida
v
ROSALIO CHAVARRIA
Defendant

JUDGMENT

The defendant, *Rosalio Chavarria*, being personally before this court represented by *pd G. ANDUX*, the attorney of record, and the state represented by *J. GUY*, and having
____ been tried and found guilty by jury/by court of the following crime(s)
 entered a plea of guilty to the following crime(s)
____ entered a plea of nolo contendere to the following crime(s)

Count	Crime	Offense Statute Number(s)	Degree of Crime	Case Number	OBTS Number
<i>1</i>	<i>Custodial Sexual Activity, a lesser</i>	<i>794.041</i>	<i>1° Fel</i>		
<i>3</i>	<i>Lewd, Lascivious or Indecent act - Fondling.</i>	<i>800.04(1)</i>	<i>2° Fel</i>		

Bk: **8178**
Pg: **2310 - 2315**
Doc# **95184969**
Filed & Recorded
09/20/95
04:29:19 P.M.
HENRY W. COOK
CLERK CIRCUIT COURT
DUVAL COUNTY, FL
REC. 00

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 pursuant to section 943.325, Florida Statutes, having been convicted of attempts or offenses relating to sexual battery (ch. 794) or lewd and lascivious conduct (ch. 800) the defendant shall be required to submit blood specimens.
____ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD.



6

State of Florida
v.

ROSALIO CHAVARRIA

Case Number 94-9210-CF




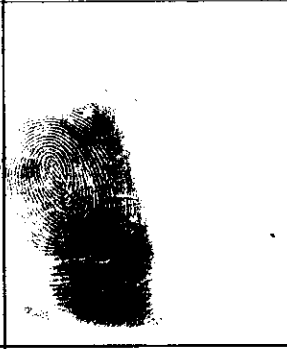
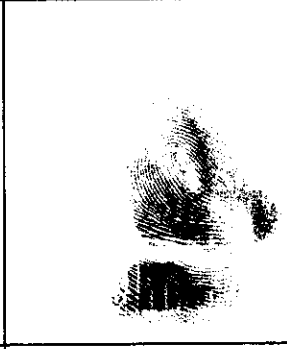
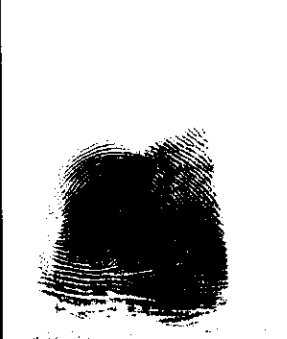



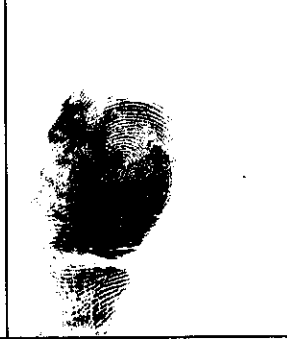
Defendant

Book 8178 Pg 2311

Imposition of Sentence _____
Stayed and Withheld
(Check if Applicable)

The Court hereby stays and withholds the imposition of sentence as to count(s) _____ and places the Defendant on probation/community control for a period of _____ under the supervision of the Department of Corrections (conditions of probation/community control set forth in separate order.)

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: Robert Kipatrak 9094 Court Bailiff
Name Title

I HEREBY CERTIFY that the above and foregoing are the fingerprints of the defendant, _____, and that they were placed thereon by the defendant in my presence in open court this date.

DONE AND ORDERED in open court in Jacksonville, Duval County, Florida, this Friday day of Sept., 1995.


Judge

THE REPRODUCING OF THIS DOCUMENT
WITHOUT PERMISSION IS PROHIBITED
DOC# 95184969



STATE OF FLORIDA

In the Circuit Court, Fourth Judicial Circuit,
in and for Duval County, Florida
Division CR-C
Case Number 94-9210-CF-A

v
ROSALIO CHAVARRIA
Defendant

Book 8178 Pg 2312

CHARGES/COSTS/FEEES

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

- \$50.00 pursuant to section 960.20, Florida Statutes (Crimes Compensation Trust Fund).
- \$3.00 as a court cost pursuant to section 943.25(3), Florida Statutes (Criminal Justice Trust Fund).
- \$2.00 as a court cost pursuant to section 943.25(13), Florida Statutes (Criminal Justice Education by Municipalities and Counties).
- A fine in the sum of \$ _____ pursuant to section 775.0835, Florida Statutes. (This provision refers to the optional fine for the Crimes Compensation Trust Fund and is not applicable unless checked and completed. Fines imposed as a part of a sentence to section 775.083, Florida Statutes are to be recorded on the sentence page(s).)
- \$20.00 pursuant to section 939.015, Florida Statutes (Handicapped and Elderly Security Assistance Trust Fund).
- A 10% surcharge in the sum of \$ _____ pursuant to section 775.0836, Florida Statutes (Handicapped and Elderly Security Assistance Trust Fund).
- A sum of \$ 200.00 pursuant to section 27.3455, Florida Statutes (Local Government Criminal Justice Trust Fund).
- A sum of \$ _____ pursuant to section 939.01, Florida Statutes (Prosecution/Investigative Costs).
- A sum of \$ _____ pursuant to section 27.56, Florida Statutes (Public Defender Fees).
- Restitution in accordance with attached order.
- Other _____

DONE AND ORDERED in open court in Jacksonville, Duval County, Florida, this 15th
day of Sept, 1995.

[Signature]
Judge



SENTENCE

(As to Count 1)

Book 8178 Pg 2313

The defendant, being personally before this court, accompanied by the defendant's attorney of record pd G. Anderson, 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.

(Check one if applicable.)

and the court having on _____ (date) deferred imposition of sentence until this date.

and the court having previously entered a judgment in this case on _____ (date) 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 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 Duval County, Florida.

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

To be Imprisoned (Check one; unmarked sections are inapplicable):

For a term of natural life.

For a term of 10 years.

Said SENTENCE SUSPENDED for a period of _____ subject to conditions set forth in this order.

If "split" sentence, complete the appropriate paragraph.

Followed by a period of _____ 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 _____ imprisonment in _____, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of _____ 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.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

OTHER PROVISIONS

Retention of Jurisdiction The court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).

Jail Credit It is further ordered that the defendant shall be allowed a total of 210 days as credit for time incarcerated before imposition of this sentence.

Prison Credit It is further ordered that the defendant be allowed credit for all time previously served on this count in the Department of Corrections prior to resentencing.

Consecutive/ Concurrent As To Other Counts It is further ordered that the sentence imposed for this count shall run (check one) _____ consecutive to _____ concurrent with the sentence set forth in count _____ of this case.



SENTENCE

(As to Count 3)

The defendant, being personally before this court, accompanied by the defendant's attorney of record pd. G. Andujar, 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.

(Check one if applicable.)

and the court having on _____ (date) deferred imposition of sentence until this date.

and the court having previously entered a judgment in this case on _____ (date) 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 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 Duval County, Florida.

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

To be Imprisoned (Check one; unmarked sections are inapplicable):

For a term of natural life.

For a term of 10 years.

Said SENTENCE SUSPENDED for a period of _____ subject to conditions set forth in this order.

If "split" sentence, complete the appropriate paragraph.

Followed by a period of _____ 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 _____ imprisonment in _____, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of _____ 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.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

OTHER PROVISIONS

Retention of Jurisdiction The court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).

Jail Credit It is further ordered that the defendant shall be allowed a total of 210 days as credit for time incarcerated before imposition of this sentence.

Prison Credit It is further ordered that the defendant be allowed credit for all time previously served on this count in the Department of Corrections prior to resentencing.

Consecutive/ Concurrent As To Other Counts It is further ordered that the sentence imposed for this count shall run (check one) consecutive to concurrent with the sentence set forth in count 1 of this case.



Defendant Rosalio CHAVARRIA Case Number 94-9210-CF

OTHER PROVISIONS

Book 8178 Pg 2315

Consecutive/
Concurrent
As To Other
Convictions

___ It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run
(check one) ___ consecutive to ___ concurrent
with the following:
(check one)
___ any active sentence being served.
___ specific sentences: _____

In the event the above sentence is to the Department of Corrections, the Sheriff of Duval 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 Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing notice of appeal within 30 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 _____

DONE AND ORDERED in open court at Jacksonville, Duval County, Florida, this 15th
day of Sept, 19 95.

J. Santora
Judge

