

FILED

OCT 3 1990

☐ PROBATION VIOLATOR
(Check if Applicable)

KARLEEN F. O'BRIEN
CLERK CIRCUIT COURT
Karen Bennett Deputy Clerk

IN THE CIRCUIT COURT,
SIXTH JUDICIAL CIRCUIT,
IN AND FOR PINELLAS COUNTY, FLORIDA
DIVISION: FELONY

STATE OF FLORIDA

CASE NUMBER CRC 89-11425 CFANO-8

-vs-
Kevin Richard Herrick
Defendant 362912

JUDGMENT

The Defendant, Kevin Richard Herrick, being personally before this
Court represented by Ed Leinater, his attorney of record, and having:

- (Check Applicable Provision)
- ☒ Been tried and found guilty 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
<u>I</u>	<u>Burglary - PBL</u>	<u>810.02</u>	<u>1st</u>	<u>89-11425</u>
<u>II</u>	<u>Sexual Battery</u>	<u>794.011(3)</u>	<u>Life</u>	<u>89-11425</u>
<u>III</u>	<u>Aggravated Battery</u>	<u>784.045</u>	<u>2nd</u>	<u>89-11425</u>

and no cause having been shown why the Defendant should not be adjudicated guilty, IT IS ORDERED THAT the Defendant is hereby ADJUDICATED GUILTY of the above crime(s).

The Defendant is hereby ordered to pay the sum of twenty dollars (\$20.00) pursuant to F.S. 900.20 (Crimes Compensation Trust Fund). The Defendant is further ordered to pay the sum of three dollars (\$3.00) as a court cost pursuant to F.S. 943.25(4).

(Check if Applicable)

- ☐ The Defendant is ordered to pay an additional sum of three dollars (\$3.00) pursuant to F.S. 943.25(8). (This provision is optional; not applicable unless checked).
- ☐ The Defendant is further ordered to pay a fine in the sum of _____ pursuant to F.S. 775.0835. (This provision refers to the optional fine for the Crimes Compensation Trust Fund, and is not applicable unless checked and completed. Fines imposed as part of a sentence pursuant to F.S. 775.083 are to be recorded on the Sentence page(s)).
- ☒ The Court hereby imposes total court costs in the sum of \$ _____

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Defendant Kevin Richard Harvick
Case Number 89-11425Cfano-B

[Signature]

SENTENCE

(As to Count one)

The Defendant, being personally before this Court, accompanied by his attorney, Ed Lester, 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 he should not be sentenced as provided by law, and no cause being shown.

☒ and the Court having on 10/3/90 deferred imposition of sentence until this date.

(Check either provision if applicable)

☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

- ☐ The Defendant pay a fine of \$ 100.00 as the 5% surcharge required by F. S. 960.25.
☒ 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 _____ County, Florida.
(Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

- ☐ For a term of Natural life
☒ For a term of Life
☐ For an indeterminate period of 6 months to _____ years.

If "split" sentence complete either of these two paragraphs

- ☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.
☐ However, after serving a period of _____ imprisonment in _____ the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to their terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

Firearm — 3 year mandatory minimum

Drug Trafficking mandatory minimum

Retention of Jurisdiction

Habitual Offender

Jail Credit

Consecutive/Concurrent

- ☐ It is further ordered that the 3 year minimum provisions of FS.775.087 (2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm
☐ It is further ordered that the _____ year minimum provisions of F. S.893.135 (1)() are hereby imposed for the sentence specified in this count.
☐ The Court pursuant to F. S. 947.16 (3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.
☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F. S. 775.084 (4) (a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.
☒ It is further ordered that the Defendant shall be allowed a total of 539 days credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):
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 _____ above

Page _____ of _____

Defendant Kevin Richard Heister
Case Number 89-11425 C-1-B

SENTENCE

(As to Count Two)

The Defendant, being personally before this Court, accompanied by his attorney, Ed. Linsley, 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 he should not be sentenced as provided by law, and no cause being shown.

(Check either provision
if applicable)

☒ and the Court having on 10/30/90 deferred imposition of sentence until this date.

☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

- ☐ The Defendant pay a fine of \$ 1000 as the 5% surcharge required by F. S. 950.25.
- ☒ 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 _____ County, Florida
(Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

- ☐ For a term of Natural life
- ☒ For a term of Life
- ☐ For an indeterminate period of 6 months to _____ years.

If "split" sentence
complete either of
these two paragraphs

- ☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.
- ☐ However, after serving a period of _____ imprisonment in _____ the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to their terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

Firearm — 3 year
mandatory minimum

- ☐ It is further ordered that the 3 year minimum provisions of F.S. 775.087 (2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm

Drug Trafficking
mandatory minimum

- ☐ It is further ordered that the _____ year minimum provisions of F. S. 893.135 (1) () () are hereby imposed for the sentence specified in this count.

Retention of
Jurisdiction

- ☐ The Court pursuant to F. S. 947.16 (3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

Habitual Offender

- ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F. S. 775.084 (4) (a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

Jail Credit

- ☒ It is further ordered that the Defendant shall be allowed a total of 539 days credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

Consecutive/Concurrent

- 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 one above.

Page _____ of _____

Defendant Kevin Richard Henrich
 Case Number 89-11425 Cano-B

SENTENCE

(As to Count Three)

The Defendant, being personally before this Court, accompanied by his attorney, Ed Leinster, 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 he should not be sentenced as provided by law, and no cause being shown.

☒ and the Court having on 10/3/90 deferred imposition of sentence (Date) until this date.

(Check either provision if applicable)

☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

- ☐ The Defendant pay a fine of \$ 1055 as the 5% surcharge required by F. S. 960.25.
☒ 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 _____ County, Florida
 (Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

- ☐ For a term of Natural life
☒ For a term of 15 yrs
☐ For an indeterminate period of 6 months to _____ years.

If "split" sentence complete either of these two paragraphs

- ☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.
☐ However, after serving a period of _____ imprisonment in _____ the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

Firearm — 3 year mandatory minimum

- ☐ It is further ordered that the 3 year minimum provisions of F.S. 775.087 (2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm

Drug Trafficking mandatory minimum

- ☐ It is further ordered that the _____ year minimum provisions of F. S. 893.135 (1) () () are hereby imposed for the sentence specified in this count.

Retention of Jurisdiction

- ☐ The Court pursuant to F. S. 947.16 (3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

Habitual Offender

- ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F. S. 775.084 (4) (a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

Jail Credit

- ☒ It is further ordered that the Defendant shall be allowed a total of 539 days credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

Consecutive/Concurrent

- 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 one above

Page _____ of _____