

IN THE CIRCUIT COURT OF THE  
SECOND JUDICIAL CIRCUIT IN  
AND FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO.: 2017 CF 476

vs.

TONY SHELDON,

Defendant.

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**JURY INSTRUCTIONS**

**INTRODUCTION TO FINAL INSTRUCTIONS**

Members of the jury, I thank you for your attention during this trial. Please pay attention to the instructions I am about to give you.

**STATEMENT OF CHARGE**

Tony Sheldon, the defendant in the case, has been accused of the crime of Traveling to Meet a Minor.

**TRAVELING TO MEET A MINOR**

To prove the crime of Traveling to Meet a Minor, the State must prove the following two elements beyond a reasonable doubt:

1. Tony Sheldon used a computer on-line service, Internet service, local bulletin board service, device capable of electronic data storage or transmission to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice a child to engage in lewd or lascivious molestation or other unlawful sexual conduct with a child. *or person believed by the defendant to be a child.*

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2. Tony Sheldon then traveled within this state for the purpose of lewd or lascivious molestation or other unlawful sexual conduct with a child or a person believed by the defendant to be a child.

The mere fact that an undercover operative or law enforcement officer was involved in the detection and investigation of this offense shall not constitute a defense from prosecution.

A "child" means any person, whose identity is known or unknown, less than 18 years of age.

"Sexual conduct" means actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse; actual lewd exhibition of the genitals; actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed. A mother's breastfeeding of her baby does not under any circumstance constitute "sexual conduct."

"Sexual battery" means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

"An object" includes a finger.

"Deviate sexual intercourse" means sexual conduct between persons not married to each other consisting of contact between the penis and the anus, the mouth and the penis, or the mouth and the vulva.

### **WHEN THERE ARE LESSER INCLUDED CRIMES OR ATTEMPTS**

In considering the evidence, you should consider the possibility that although the evidence may not convince you that the defendant committed the main crime of which he is accused, there may be evidence that he committed other acts that would constitute a lesser included crime. Therefore, if you decide that the main accusation has not been proved beyond a reasonable doubt, you will next need to decide if the defendant is guilty of any lesser included crime. The lesser crimes indicated in the definition of Traveling to Meet a Minor are Soliciting a Child or Person Believed by Defendant to be a Child for Unlawful Sexual Conduct