Supreme Court of Florida

No. 67,703

THE FLORIDA BAR RE: RULES OF CRIMINAL PROCEDURE (Sentencing Guidelines, 3.701, 3.988)

[December 19, 1985]

PER CURIAM.

The Sentencing Guidelines Commission has petitioned the Court to adopt the following amendments to Florida Rules of Criminal Procedure 3.701 and 3.988:

- (1) The Sentencing Guidelines Commission has readopted and does recommend those changes presented to this Court prior to the 1985 legislative session. [These changes are set out in The Florida Bar: Amendment to Rules of Criminal Procedure, 468 So.2d 220 (Fla. 1985).]
- (2) Eliminate the last sentence of the committee note to (d)(3). This revision is in line with the redefinition of "primary offense" previously approved and is intended to conform the committee note to the text of revised 3.701(d)(3).
- (3) Replace the forms that now appear at 3.988(a)-(i) with those forms promulgated by the office of the state courts administrator and utilized in all circuit courts in the State of Florida. (Attached are copies of all offense category scoresheets.)
- (4) Revise the first sentence of 3.701(d)(l) to replace the word "prepared" with the word "utilized." This change will clarify the apparent inconsistency between the wording appearing at 3.701(d)(l) and (d)(3) as it applies to the procedure for determination of primary offense.
- (5) Revise the form appearing at 3.988(a) to incorporate a point value for inclusion in the prior record factor to be utilized in the determination of recommended sentence by scoring each prior conviction under section 316 193, Florida Statutes (Supp. 1984), or section 316.1931, Florida Statutes (Supp. 1984), or section 327.351, Florida Statutes (Supp. 1984), at a value of thirty-two (32) points. This point value will be applied only where the offender is convicted of a violation of section 316.1931 or section 327.351, where the operation of a motor vehicle or vessel by the offender while intoxicated as defined in section 316.1931(1) or section 327.351(1), results

in the death of any human being and the scoresheet utilized in sentencing is the form appearing at 3.988(a). For purposes of determining a prior conviction for violation of the above-enumerated statutes, a prior conviction for violation of section 316.1931 or section 316.193 or former section 860.01 or former section 316.028, or a previous conviction for any substantially similar alcohol-related or drug-related traffic offense outside this state, shall also be considered as a prior conviction.

- (6) Expand the committee note to (d)(4) by the addition of the following wording: "In the event of multiple counts of the same distinct offense and degree of felony being scored as primary offense, they shall be scored as additional counts of the primary offense. All other offenses for which the defendant is convicted and are pending before the court for sentencing shall be scored as additional offenses." This revision is intended to eliminate confusion concerning the scoring of multiple counts of primary offense and represents no change in the intent of the commission concerning the point valuation for primary offense.
- (7) Expand the wording appearing at 3.701(d) (4) to read: "Additional offenses at conviction: All other offenses for which the offender is convicted and which are pending before the court for sentencing at the same time shall be scored as additional offenses based upon their degree and the number of counts of each."
- Expand the committee note to (d)(5) to add: "For any offense where sentence was previously suspended pursuant to the imposition of probation and such offense is now before the court for sentencing, upon a revocation of that probation based upon a subsequent criminal offense (which subsequent offense is also before the court for sentencing at the same time), the earlier offense shall be scored as 'record' and not as 'additional offense'." The commission took this action to clarify its intent concerning the application for scoring purposes of the offense which results in the imposition of probation where the offender commits an offense subsequent to the date probation is imposed and where both offenses are before the court for sentencing and the subsequent offense is scored as "primary offense.
- (9) Expand the committee note to (d)(13) by adding the following sentence: "Community control is not an alternative sanction from the recommended range of any nonstate prison sanction unless the provisions of Florida Rule of Criminal Procedure 3.701(d)(11) are applied." This revision is intended to clarify the intent of the commission that community control is not to be considered as a nonstate prison sanction under the guidelines.
- (10) Expand 3.701(d)(14) by adding language to the second sentence so that the paragraph reads as follows: "Sentences imposed after revocation of probation or community control must be in accordance with the guidelines. The sentence imposed after revocation of probation or community control may be included within the original cell (guidelines range) or may be increased to the next higher cell

(guidelines range) without requiring a reason for departure."

- (11) Revise 3.701(d)(13) by eliminating certain language. The revised first sentence of (d)(13) will now read: "Community control is a form of intensive supervised custody in the community involving restriction of the freedom of the offender." The second sentence of that portion of the rule will remain unaltered.
- (12) Expand the committee note to (d)(13) by adding a second sentence to read: "It is appropriate to impose a sentence of community control to be followed by a term of probation. The total sanction (community control and probation) shall not exceed the term provided by general law."
- (13) Expand the committee note to (d)(l1) by the addition of the following sentence: "Where deemed appropriate, the sentencing courts may include the following language in the written statement articulating the reasons for departures: If one or more or the foregoing reasons for departure are determined, upon appellate review, to be impermissible, it would still be the decision of this court to depart from the guidelines recommended sentence, upon the basis of the remaining permissible reason or reasons, and to impose the same sentence herein announced."

After studying these proposed changes, we approve them except for the amendment to paragraph (d)(ll) of the committee note as set out above in paragraph (l3).* The committee notes adopted herein are part of the rules.

The rules, as amended, are set out following this opinion. Subject to approval by the legislature, these changes will be effective at 12:01 a.m., July 1, 1986.

It is so ordered.

BOYD, C.J., and ADKINS, OVERTON, McDONALD, EHRLICH, SHAW and BARKETT, JJ., Concur

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED. THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE EFFECTIVE DATE OF THESE RULES.

There is too great a temptation to include this phraseology in all departure sentences and we do not believe it appropriate to approve boiler plate language. The trial judge must conscientiously weigh relevant factors in imposing sentences; in most instances an improper inclusion of an erroneous factor affects an objective determination of an appropriate sentence.

RULE 3.701. SENTENCING GUIDELINES

a. This rule is to be used in conjunction with forms 3.988(a)-(i).

b. Statement of Purpose

The purpose of sentencing guidelines is to establish a uniform set of standards to guide the sentencing judge in the sentence decision-making process. The guidelines represent a synthesis of current sentencing theory and historic sentencing practices throughout the state. Sentencing guidelines are intended to eliminate unwarranted variation in the sentencing process by reducing the subjectivity in interpreting specific offense-related and offender-related criteria and in defining their relative importance in the sentencing decision.

The sentencing guidelines embody the following principles:

- Sentencing should be neutral with respect to race, gender, and social and economic status.
- 2. The primary purpose of sentencing is to punish the offender. Rehabilitation and other traditional considerations continue to be desired goals of the criminal justice system but must assume a subordinate role.
- 3. The penalty imposed should be commensurate with the severity of the convicted offense and the circumstances surrounding the offense.
- 4. The severity of the sanction should increase with the length and nature of the offender's criminal history.
- 5. The sentence imposed by the sentencing judge should reflect the length of time to be served, shortened only by the application of gain time.
- 6. While the sentencing guidelines are designed to aid the judge in the sentencing decision and are not intended to usurp judicial discretion, departures from the presumptive sentences established in the guidelines shall be articulated in writing and made only for clear and convincing reasons.
- 7. Because the capacities of state and local correctional facilities are finite, use of incarcerative sanctions should be limited to those persons convicted of more serious offenses or those who have longer criminal histories. To ensure such usage of finite resources, sanctions used in sentencing convicted felons should be the least restrictive necessary to achieve the purposes of the sentence.

c. Offense Categories

Offenses have been grouped into nine (9) offense categories encompassing the following statutes:

- Category 1: Murder, manslaughter: Chapter 782 [except subsection 782.04(1)(a)], and subsection 316.1931(2), and section 327.351(2)
- Category 2: Sexual offenses: Chapters 794 and 800 and section 826.04
- Category 3: Robbery: Section 812.13
- Category 4: Violent personal crimes: Chapters 784 and 836 and section 843.01

Category 5: Burglary: Chapter 810 and subsection 806.13(3)

Category 6: Thefts, forgery, fraud: Chapters 322, 409, 443, 509, 812 (except section 812.13), 815, 817, 831, and 832

Category 7: Drugs: Chapter 893

Category 8: Weapons: Chapter 790 and section 944.40

Category 9: All other felony offenses

d. General Rules and Definitions

- One guideline scoresheet shall be prepared utilized for each defendant covering all offenses pending before the court for sentencing. The state attorney's office will prepare the scoresheets and present them to defense counsel for review as to accuracy in all cases unless the judge directs otherwise. The sentencing judge shall approve all scoresheets.
- 2. "Conviction" means a determination of guilt resulting from plea or trial, regardless of whether adjudication was withheld or whether imposition of sentence was suspended.
- 3. "Primary offense" is defined as the most serious offense at conviction. "Primary offense" is defined as that offense at conviction which, when scored on the guidelines scoresheet, recommends the most severe sanction. In the case of multiple offenses, the primary offense is determined in the following manner:
 - a) A separate guidelines scoresheet shall be prepared scoring each offense at conviction as the "primary offense at conviction" with the other offenses at conviction scored as "additional offenses at conviction."
 - b) The guidelines scoresheet which recommends the most severe sentence range shall be the scoresheet to be utilized by the sentencing judge pursuant to these guidelines.
- 4. Additional offenses at conviction: All other offenses for which the offender is convicted and which are pending before the court for sentencing at the same time shall be scored as additional offenses based upon their degree and the number of counts.
- 5. a) "Prior record" refers to any past criminal conduct on the part of the offender, resulting in conviction, disposed-of prior to the commission of the primary offense. Prior record includes all prior Florida, federal, out-of-state, military, and foreign convictions.
 - Entries in criminal histories which show no disposition, disposition unknown, arrest only, or other nonconviction disposition shall not be scored.
 - When scoring federal, foreign, military, or out-of-state convictions, assign the score for the analogous or parallel Florida Statute.
 - 3) When unable to determine whether an offense at conviction is a felony or a misdemeanor, the offense should be scored as a misdemeanor. Where the degree

of the felony is ambiguous or impossible to determine, score the offense as a third-degree felony.

- 4) Prior record shall include criminal traffic offenses, which shall be scored as misdemeanors.
- 5) Convictions which do not constitute violations of a parallel or analogous state criminal statute shall not be scored.
- b) Adult record: An offender's prior record shall not be scored if the offender has maintained a conviction-free record for a period of ten (10) consecutive years from the most recent date of release from confinement, supervision or sanction, whichever is later, to the date of the instant offense. primary offense.
- c) Juvenile record: All prior juvenile dispositions which are the equivalent of convictions as defined in section (d) (2), occurring within three (3) years of the commission of the instant-offense primary offense and which would have been criminal if committed by an adult, shall be included in prior record.
- 6. Legal status at time of offense is defined as follows:
 Offenders on parole, probation, or community control; in custody serving a sentence; escapes, escapes; fugitives who have fled to avoid prosecution or who have failed to appear for a criminal judicial proceeding or who have violated conditions of a supersedeas bond; and offenders in pretrial intervention or diversion programs.
- 7. Victim injury shall be scored if it is an element of any offenses at conviction.
- 8. Guidelines ranges: The presumptive sentences provided in the guideline grids are assumed to be appropriate for the composite score of the offender. However, a sentence range is provided in order to permit some discretion without the requirement of a written explanation for departing from the presumptive sentence.
- 9. Mandatory sentences: For those offenses having a mandatory penalty, a scoresheet should be completed and the guideline sentence calculated. If the recommended sentence is less than the mandatory penalty, the mandatory sentence takes precedence. If the guideline sentence exceeds the mandatory sentence, the guideline sentence should be imposed.
- 10. Sentences exceeding statutory maximums: If the composite score for a defendant charged with a single offense indicates a guideline sentence that exceeds the maximum sentence provided by statute for that offense, the statutory maximum sentence should be imposed.
- 11. Departures from the guideline sentence: Departures from the guideline range should be avoided unless there are clear and convincing reasons to warrant aggravating or mitigating the sentence. Any sentence outside of the guidelines must be accompanied by a written statement delineating the reasons for the departure. Reasons for deviating from the guidelines shall not include factors relating to prior arrests without conviction. Reasons for deviating from the guidelines shall not include factors relating to the instant offenses for which convictions have not been obtained.

- 12. Sentencing for separate offenses: A sentence must be imposed for each offense. However, the total sentence cannot exceed the total guideline sentence unless a written reason is given.
- 13. Community control <u>is</u> a form of intensive supervised custody in the community involving restriction of the freedom of the offender. <u>is a sanction which the court may impose upon a finding that probation is an unsuitable disposition</u>. When community control is imposed, it shall not exceed the term provided by general law.
- 14. Sentences imposed after revocation of probation or community control must be in accordance with the guidelines. The sentence imposed after revocation of probation or community control may be included within the original cell (guidelines range) or may be increased to the next higher cell (guidelines range) without requiring a reason for departure.
- 15. Categories 3, 5, and 6 contain an additional factor to be scored under the heading of Prior Record: Prior convictions for similar offenses. Prior convictions scored under this factor should be calculated in addition to the general prior record score. Scoring is limited to prior felony convictions included within the category.

COMMITTEE NOTE: (a) The operation of this rule is not intended to change the law or requirements of proof as regards sentencing.

- (b) These principles are binding on the sentencing court.
- (c) Only one category is proper in any particular case. Category 9, "All Other Felony Offenses," should be used only when the primary offense at conviction is not included in another, more specific category. The guidelines do not apply to capital felonies.

Inchoate offenses are included within the category of the offense attempted, solicited, or conspired to, as modified by ch. 777.

The form appearing at Florida Rule of Criminal Procedure 3.988 (a) has been revised to incorporate a point value for inclusion in the prior record factor utilized in the determination of recommenced sentence by scoring each prior conviction under section 316.193, Florida Statutes (Supp. 1984), or section 316.1931, Florida Statutes (Supp. 1984), or section 327.351, Florida Statutes (Supp. 1984), at a value of thirty-two (32) points. This point value will be applied only where the offender is convicted for a violation of section 316.1931, Florida Statutes (Supp. 1984), or section 327.351, Florida Statutes (Supp. 1984), or section 327.351, Florida Statutes (Supp. 1984), where the operation of a motor vehicle or vessel by the offender while intoxicated as defined in section 316.1931(1), Florida Statutes (Supp. 1984), or section 327.351(1), Florida Statutes (Supp. 1984), results in the death of any human being and the scoresheet utilized in sentencing is the form appearing at Florida Rule of Criminal Procedure 3.988(a). For purposes of determining a prior conviction for a violation of the above enumerated statute, a prior conviction for violation of section 316.1931 or section 316.193 or former section 860.01 or former section 316.028, or a previous conviction for any substantially similar alcohol-related or drug-related traffic offense outside this state, shall also be considered a prior conviction.

(d) (1) Ultimate responsibility for assuring that scoresheets are accurately prepared rests with the sentencing court. Due to

ethical considerations, defense counsel may not be compelled to submit a scoresheet. Probation and parole officers may be directed to compile guidelines scoresheets only when a presentence investigation has been ordered. The forms for calculating the guidelines are forms 3.988(a)-(i).

- (d) (2) This definition applies to both instant offense and prior record scoring.
- (d) (3) The proper offense category is identified upon determination of the primary offense. When the defendant is convicted of violations of more than one unique statute, the offenses are to be sorted by statutory degree. In the event of multiple offenses of the same statutory degree, the primary offense is identified by the corresponding offense category with the lowest numerical designation.
- (d) (4) No points shall be scored for lesser and included offenses. In the event of multiple counts of the same distinct offense and degree of felony being scored as primary offense, it shall be scored as additional counts of the primary offense. All other offenses for which the defendant is convicted and are pending before the court for sentencing shall be scored as additional offenses.
- (d) (5) Each separate prior felony and misdemeanor conviction in an offender's prior record which amounts to a violation of Florida law shall be scored, unless discharged by the passage of time. Any uncertainty in the scoring of the defendant's prior record shall be resolved in favor of the defendant, and disagreement as to the propriety of scoring specific entries in the prior record should be resolved by the trial judge.

Prior record includes all offenses for which the defendant has been found guilty, regardless of whether adjudication was withheld or the record has been expunged.

Juvenile dispositions, with the exclusion of status offenses, are included and considered along with adult convictions by operation of this provision. However, each separate adjudication is discharged from consideration if three (3) years have passed between the date of disposition and the commission of the instant offense.

For any offense where sentence was previously suspended pursuant to the imposition of probation and such offense is now before the court for sentencing, upon a revocation of that probation based upon a subsequent criminal offense (which subsequent offense is also before the court for sentencing at the same time), the earlier offense shall be scored as "prior record" and not as "additional offense."

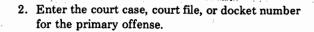
- (d) (7) This provision implements the intention of the commission that points for victim injury be added only when the defendant is convicted of an offense (scored as either primary or additional offense) which includes physical impact or contact. Victim injury is to be scored for each victim for whom the defendant is convicted of injuring and is limited to physical trauma. Victim injury shall be scored for each count in which victim injury is an element of the offense, whether there are one or more victims.
- (d) (8) The first guideline cell in each category (any nonstate prison sanction) allows the court the flexibility to impose any lawful term of probation with or without a period of incarceration as a condition of probation, a county jail term alone or any nonincarcerative disposition. The presumptive sentences in the succeeding grids refer to commitments to state prison. Any presumptive sentence may include the requirement

Rule 3.988(a)

Category 1: Murder, Manslaughter Chapter 782 [except subsection 782.04(1)(a)] and subsection 316.1931(2)

1. DOCKET NO. (PRIMARY OFFENS	E)	3. COUNT	Y Y			4. JUDGE			5. DATE O	FSENTEN	CE
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2. DOCKET NO. (ADDITIONAL CASE	ES)	6. NAME						7. DATE OF BIRTH	. :::	8. SEX	
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2nd	77	93	106	121			l	(Please prin	t or type)	
3rd	45	55	65	75	. ——						
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II. Additional offense	at conv	iction								en trans	
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Degree	1	2	3	4		-				,	
Life 1st pbl	61 45	73 54	79 58	85 63						*	
1st	29	35	38	41				FOR OFFICE	use on	ILY	
2nd	16	19	21	22							
3rd MM	10	12	13	14			Offense (Code			
Additional offense count					<u> </u>		TS				
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III. Prior record							S.P				
							Prob				
_				victions	Points						
Degree Life	50	110	3 180	270			C.C				
1st pbl	40	88	138	216			C.J	-			
1st 2nd	30	66	96	162							
3rd	15 5	33 11	48 18	81 27						**	-
MM	1	2	4	6							
Prior convictions in exces	ss of fo	ur (fron	n back)					-			
Prior DUI conv	ictic	ns _	x	32 =		.	*		Sen	tencing	Judge
IV. Legal status at time		ense								от	g-
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V. Victim injury (physi	ical)	٠,٠						4.5			
None				0							
Slight				7				Defe	ndant/De	efense C	ounsel
Moderate Death or seve	ere			14 21							
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leasons for departure:				Total		I			Scores	sheet Pr	eparer
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-10-



- 3. Enter the docket numbers for the additional cases presently before the court for sentencing.
- 4. Enter the name of the county where the sentence is imposed
- . 5. Enter the name of the sentencing judge.
- 6. Enter the date sentence was imposed.
- 7. Enter the defendant's full name.
- 8. Enter the defendant's date of birth.
- 9. Enter the defendant's sex.
- Enter the date of the primary offense. If there are multiple counts of the primary offense, occurring on different dates, enter the earliest date.
- 11. Enter the common title of the primary offense at conviction with sufficient specificity to distinguish it from other offenses within the same chapter.
- 12. Enter the statutory felony degree of the primary offense. The following abbreviations may be used:
 - L Life felony

1pbl first-degree felony punishable by life

- 1 first-degree felony
- 2 second-degree felony
- 3 third-degree felony
- Check the appropriate box if the sentence is imposed for a violation of probation or community control.
- 14. Indicate whether adjudication was obtained by plea or trial. If convictions were obtained by trial for some offenses and by plea on other counts, check the trial box.
- Indicate whether the guideline sentence has been imposed or whether the sentence represents a guideline departure.

Category 1 Murder, Manslaughter

Points	Recommended Range - mins							
66	any nonstate prison sanction							
67-92	Community Control or 12-30 mos. incarceration							
93-135	5 yrs. incarceration (3-7)							
136–164	10 (7-12) ************************************							
165-225	15 (12–17) (12–17) (15–16)							
226-285	20 (17-22)							
286-345	25 (22–27)							
346-381	30 (27-40)							
382+	Life							

HI. Prior recent

lst pbl

The following factors shall be used when counts of primary offense, additional offenses or prior record exceed four. These tables are used only for those counts in excess of four. The point total for the counts in excess of four should then be entered on the face of the scoresheet.

I. Number Primary Offense Counts Above 4

Degree		
Life	 \times 60 =	
1st pbl	 \times 60 =	
lst	 \times 60 =	
2nd	 \times 15 =	
3rd	 \times 10 =	

II. Number of Additional Offense Counts Above 4 ...

 Degree

 Life
 × 6 =

 1st pbl
 × 5 =

 1st
 × 3 =

 2nd
 × 1 =

 3rd
 × 1 =

 MM
 × 1 =

III. Number of Prior Convictions Above 4

Rule 3.988(b) Category 2: Sexual Offenses Chapter 794 and 800 and section 826.04

	SE)	3. COUNT	Y		4. JUDGE	5. DATE OF SENTENCE
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I. Primary offense at co	onvictio	n				Guideline Sentence:
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Degree	1	2	3	4		
Life 1st	262	314	340	366		
2nd	216 158	259 190	281	302 222		
3rd	149	179	193	209		Sentence imposed, indicating length and type
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Degree	1	amber o	of Coun	4	Points	
Life	44	53	69	97		
1st pbl	40	48	62	88	 .	
lst	36	43	56	78		FOR OFFICE USE ONLY
2nd	26	31	40	56		
3rd	25	30	39	55		Offense Code
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III. Prior record				victions	Points	Prob.
	Numbe	er of Pr	ior Con		Points	
III. Prior record Degree	Numbe	er of Pr	ior Con 3	4	Points	Prob.
Degree Life 1st pbl 1st	Number 1 264 211 158	er of Pr 2 530 424 318	ior Con 3 810 648 486	4 1100 880 660	Points	Prob
Degree Life 1st pbl 1st 2nd	Number 1 264 211 158 80	er of Pr 2 530 424 318 159	3 810 648 486 243	4 1100 880 660 330	Points	Prob
Degree Life 1st pbl 1st 2nd 3rd	Number 1 264 211 158 80 26	er of Pr 2 530 424 318 159 53	ior Con 3 810 648 486 243 81	4 1100 880 660 330 110	Points	Prob
Degree Life 1st pbl 1st 2nd 3rd MM	Numbe 1 264 211 158 80 26 5	er of Pr 2 530 424 318 159 53	ior Con 3 810 648 486 243 81 15	4 1100 880 660 330 110 20	Points	Prob
Degree Life 1st pbl 1st 2nd 3rd MM	Numbe 1 264 211 158 80 26 5	er of Pr 2 530 424 318 159 53	ior Con 3 810 648 486 243 81 15	4 1100 880 660 330 110 20	Points	Prob
Degree Life 1st pbl 1st 2nd 3rd MM	Numbe 1 264 211 158 80 26 5	er of Pr 2 530 424 318 159 53	ior Con 3 810 648 486 243 81 15	4 1100 880 660 330 110 20	Points	Prob. C.C. C.J.
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in exce	Number 1 264 211 158 80 26 5 ss of for	530 424 318 159 53 10	ior Con 3 810 648 486 243 81 15	4 1100 880 660 330 110 20	Points	Prob. C.C. C.J.
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Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in exce IV. Legal status at time Under no res Under legal of V. Victim injury (phys No contact	Number 1 264 211 158 80 26 5 ss of for errictions constraints sical)	er of Pr. 2 530 424 318 159 53 10 ar (from	ior Con 3 810 648 486 243 81 15	4 1100 880 660 330 110 20	Points	C.C. Sentencing Judg State Attorne
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in exce IV. Legal status at time Under no res Under legal of V. Victim injury (phys No contact Contact but	Number 1 264 211 158 80 26 5 ss of for extrictions constraint sical)	er of Pr. 2 530 424 318 159 53 10 ar (from	ior Con 3 810 648 486 243 81 15	4 1100 880 660 330 110 20	Points	Prob. C.C. Sentencing Judg State Attorne
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in exce IV. Legal status at time Under no res Under legal of V. Victim injury (phys) No contact Contact but the	Number 1 264 211 158 80 26 5 ss of for extrictions constraint sical)	er of Pr 2 530 424 318 159 53 10 ar (from	ior Con 3 810 648 486 243 81 15	4 1100 880 660 330 110 20 0 30	Points	C.C. Sentencing Judg State Attorne
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in exce IV. Legal status at time Under no res Under legal of V. Victim injury (phys) No contact Contact but in	Number 1 264 211 158 80 26 5 ss of for extrictions constraint sical)	er of Pr 2 530 424 318 159 53 10 ar (from	ior Con 3 810 648 486 243 81 15	4 1100 880 660 330 110 20	Points	Prob. C.C. C.J. Sentencing Judg State Attorne
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in exce IV. Legal status at time Under no res Under legal of V. Victim injury (phys) No contact Contact but in Penetration of Death or seri	Number 1 264 211 158 80 26 5 ss of for extrictions constraint sical)	er of Pr 2 530 424 318 159 53 10 ar (from	ior Con 3 810 648 486 243 81 15	4 1100 880 660 330 110 20 0 30		Prob. C.C. Sentencing Judg State Attorne Defendant/Defense Couns
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in exce IV. Legal status at time Under no res Under legal of V. Victim injury (phys) No contact Contact but the	Number 1 264 211 158 80 26 5 ss of for extrictions constraint sical)	er of Pr 2 530 424 318 159 53 10 ar (from	ior Con 3 810 648 486 243 81 15	4 1100 880 660 330 110 20 0 30		C.C. Sentencing Jud State Attorne

Canary......State Attorney
Pink......Defendant/Defense Counsel
Goldenrod....Scoresheet Preparer

1."



- 1. Please print or type the information entered upon the scoresheet and use sufficient pressure to assure that all copies will be legible.
- 2. Enter the court case, court file, or docket number for the primary offense.
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- 5. Enter the name of the sentencing judge.
- 6. Enter the date sentence was imposed.
- 2. Enter the defendant's full name,
- 8. Enter the defendant's date of birth.
- 9. Enter the defendant's sex.
- Enter the date of the primary offense. If there are multiple counts of the primary offense, occurring on different dates, enter the earliest date.

1.12

- 11. Enter the common title of the primary offense at conviction with sufficient specificity to distinguish it from other offenses within the same chapter.
- 12. Enter the statutory felony degree of the primary offense. The following abbreviations may be used:
 - L Life felony
 - Ipbl first-degree felony punishable by life
 - 1 first-degree felony
 - second-degree felony
 - 3 third-degree felony
- 13. Check the appropriate box if the sentence is imposed for a violation of probation or community control.
- 14. Indicate whether adjudication was obtained by plea or trial. If convictions were obtained by trial for some offenses and by plea on other counts, check the trial box.
- Indicate whether the guideline sentence has been imposed or whether the sentence represents a guideline departure.

Category 2 Sexual Offenses

Points	Recommended Range						
149-169							
170-185	Community Control or 12-30 mos. incarceration						
186-207	3 yrs. incarceration (2½-3½)						
208-229	4 years (3½-4½)	1					
230-250	(41/2-51/2)						
251-278	.6 (5½-7)						
279-312	8 17_9) ਜ਼ਿਲ੍ਹੀ ਜ਼ਿਲ੍ਹੀ ਜ਼ਿਲ੍ਹੀ ਜ਼ਿਲ੍ਹੀ	1000					
313-354	10 (9-12)						
355-422	15 (12-17)	1					
423-486	20 (17-22)						
487-546	25 (22-27)						
547-582	30 (27-40)						
583 +	Life						

The following factors shall be used when counts of primary offense, additional offenses or prior record exceed four. These tables are used only for those counts in excess of four. The point total for the counts in excess of four should then be entered on the face of the scoresheet.

I. Number Primary Offense Counts Above 4

II. Number of Additional Offense Counts Above 4

Degree			
Life		2	× 28 =
1st pbl			× 26 =
lst			× 22 =
2nd			× 16 =
3rd	. ,		× 16 =
MM			× 3 =
			the state of the s

III. Number of Prior Convictions Above 4

 Life
 × 290 =

 1st pbl
 × 232 =

 1st
 × 174 =

 2nd
 × 87 =

 3rd
 × 29 =

 MM
 × 5 =

Rule 3.988(c) Category 3: Robbery section 812.13

	<u> </u>	<u> </u>	1.1			in the Color	
1. DOCKET NO. (PRIMARY OFFENSE)	3. COUNT	Y.		4. JUDGE	E	5. DATE OF SENTENCE
	: '					4.1443	
	21	2 24 24 2	<u> </u>			* * * * * *	
2. DOCKET NO. (ADDITIONAL CASE	3)	6. NAME			el neta establica la la cesa. Si sulta de la colonia de la cesa		7. DATE OF BIRTH 8. SEX
	(1.) yez	a driffig (The first of the second of the
	1.45	9. DATE (OFOFFEN	SE	10. PRIMARY OFFENSE AT	TCONVICT	ION 11 DEGREE
		A 12.			IV. PRIMARI OTI ENGLI		[인 전한번 협환경[편기 중요한 1866] (2011] 11 기계 12 전 2013년
							हो अन्यक्ति नुसे के विस्तान भारति कृति । । । । । । । । । । । । । । । । । । ।
		12.			13.		14.
	- 1:5-	1.1		VIOLAT	3 42	LEA	C GUIDELINE SENTENCE IMPOSED
The shipper rolling	av Fjor		DMMUNIT	YCONTRO	OL VIOLATION TI	RIAL	D DEPARTURE FROM GUIDELINE
			وماديا أو		Part of the Control	٠	
I. Primary offense at con	rvictio	n				_ . C	Guideline Sentence:
Same of Salah Salah Salah Salah							The state of the s
	N	umber (of Coun	ts	Points		
Degree	1	2	3	4		7	
Life	102	122	.133	148			요하는 얼마나 그 이 사는 것 같아 없다.
1st punishable	82	98	107	119			randa kin jera i se jejesti ki niji je
by life							entence imposed, indicating length and type
1st	70	84	91	101		~	(Please print or type)
2nd	50	60	65	75			
3rd	34	41	44	54	·		
Primary offense counts in		s of fou	r (from	back)			
	بالمراز ويوا	ر بر از					
II. Additional offense a	t convi	iction					
11. Productional Officials a	CONV						The state of the s
	N	umber (of Coun	ts	Points		
Degree	1	2	3	4			and the second
Life	20	24	26	28		· · ·	
1st pbl	17	20	22	24			FOR OFFICE USE ONLY
1st	14	17	18	19			TON OF FICE USE OND
2nd	10	12	13	14			
3rd 199 54 799 81 3, 1.69	7	8	. 9	10			Offense Code
MM	1	2	3	. 4			
Additional offense counts	in exc	ess of f	our (fro	m back)		T.S
	والمناج والمناج	, X (,		عني بالله			
III. A. Prior record	1, 9-56			1.11			S.P
A. Frior record	4 7						
	Numb	or of D-	ior Corr	victions	Points		Prob.
Degree	1 dumb	2	3	4	romts		00
Life	100	210	330	460	er i Marijanji		C.C
1st pbl	80	168	264	368			n.i
1st por	60	126	198	276	 :		C.J
2nd	- 30	63	99	138			
3rd	10	21	33	46			and the second s
MM	2	5	8	12		n .	
Prior convictions in exces							
			٠.	,	. 		
B. Prior convictions for C	ategor	y 3 offe	enses	7.			Sentencing Judge
Number prior convictions		_ × 25	= '				convenient o uage
IV. Legal status at time	of off	ense					The second secon
No restriction	ıs	1,111	1.4	0			State Attorney
Legal constra	int			17			the second of the second of the second
				eger i i i i Tiri			
V. Victim injury (physic	cal)					_	<u> </u>
None				0			Defendant/Defense Counsel
Slight				. 7			
Moderate				14			
Death or seve	ere			21		-	
						II	Scoresheet Preparer
	,			Tota	l,		
And the second							
en la filologia de la companya de l			* . *		and the second	No. 1 to 1	e Jewa e e e e e e e e e e e e
Reasons for departure:							

DISTRIBUTION: -14White.......Court File
Green......Sentencing Guidelines Commission

Canary.......State Attorney
Pink.......Defendant/Defense Couns
Goldenrod...Scoresheet Preparer

- Please print or type the information entered upon the scoresheet and use sufficient pressure to assure that all copies will be legible.
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- 6. Enter the date sentence was imposed.
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 - 3 -- third-degree felony
- 13. Check the appropriate box if the sentence is imposed for a violation of probation or community control.
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- Indicate whether the guideline sentence has been imposed or whether the sentence represents a guideline departure.

Category 3 Robbery

Points	Recommended Range
34-53	any nonstate prison sanction
54-65	Community Control or 12-30 mos. incarceration
66-81	3 yrs. incarceration (2½-3½)
82-101	4 years (3½-4½)
102-121	5 (4½-5½)
122-151	(5½-7)
152-183	(7-9)
184-229	10 (9-12)
230-295	15 (12–17)
296-357	20 (17-22)
358-417 . Tie	25 25 25 25 25 25 25 25 25 25 25 25 25 2
418-453	30 (27-40)
454+	Life Winder or 201

The following factors shall be used when counts of primary offense, additional offenses or prior record exceed four. These tables are used only for those counts in excess of four. The point total for the counts in excess of four should then be entered on the face of the scoresheet.

I. Number Primary Offense Counts Above 4

Degree	The second carrier of		
Life		\times 15 =	
1st pbl		\times 12 =	
1st		\times 10 =	
2nd		\times 10 =	
3rd		\times 10 =	

II. Number of Additional Offense Counts Above 4

Degree	<i>y</i> .	2 18 L L	
Life		× 2.=	
1st pbl		× 2 =	
lst		× 1 =	
2nd		× 1 =	
3rd		× 1 =	
MM		× 1 =	

FIII. Number of Prior Convictions Above 4

Degree		
Life	 × 130 =	
1st pbl	 \times 104 =	
1st	 × 78 =	
2nd	 × 39 =	
3rd	 × 13 =	
MM	 × 4 =	

12110

Rule 3.988(d) Category 4: Violent Personal Crimes Chapters 784 and 836 and section 843.01

		T				1				T	
1. DOCKET NO. (PRIMARY OFFENSE)		3. COUNT	ГΥ			4. JUDGE				5 DATE O	FSENTENCE ,
										3	
2. DOCKET NO. (ADDITIONAL CASES	<u> </u>	0.14.145		<u> </u>	<u> </u>	•			7. DATE OF BIRTH		8. SEX
2. DOCKET NO (ADDITIONAL CASES	,	6. NAME				:	,		. DATE OF BIRTH		6. SEA
	4.5%	1 to 1									ом ог
		9 DATE	OFOFFEN	166	IO DRIMARY	OFFENSE AT C	CONVICTIO)N			11. DEGREE
		9. DATE	OF OFFE	· SE	IO. PRIMARI C	JEFENSE AT C	ONVICTIO		The Mark of Sales		THE DEGREE
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	٦.	10				13.		14			<u> </u>
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		□c	OMMUNI	TY CONTRO	OL VIOLATION	☐ TRI	AL .	ם	DEPARTURE FROM	GUIDELINE	
							age of the state of	-2000 F		-	
I. Primary offense at cor	victio	n		· · ·	1.5		G	uideline	Sentence:		
		. T		: :			Y	uidenne.	Sentence.	May 15	
			-£ O		Deimte			5 9 9 9 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
D	1	umber 2	_	T	Points		╢╷┕─				
Degree 1st	147		191	906	 						. :
2nd	105	176 126	136	206							
3rd	73	88	95	146	 		} ┌──	_			
					J	, •	Se	entence	imposed, indic		
Primary offense counts in	exces	s of for	ır (from	back)					(Please prin	t or type) [] [
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II. Additional offense a		iction					-				
11. Additional offense a	CONV	iction		-) I	-	1 1 1 1 1 1 1		
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Domes	<u>N</u>	umber 2	3	4	Points		ſĿ				
Degree 1st	29	35		41							
			38					***************************************			
2nd	21	25	27	29	l ——				FOR OFFICE	use on	ily
3rd	15	18	20	21							
MM	3	4	5	6	<u></u>	,					
Additional offense counts	in exc	cess of	four (fr	om back)		0	Hienee (7ede		
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		2.00				1.0					
TIT Date and a second		: .					S	.P			
III. Prior record	٠										
							P	rob			
				victions	Points						
Degree	1	2	3	4			C	:.C			
Life	50	110	160	270							
1st pbl	40	88	128	216		1.00	C	:J			······
1st	30	66	96	162							
2nd	15	33	48	81							
3rd	5	11	18	27							
MM	1	2	4	6			, .				
Prior convictions in excess	s of fo	ur (fro	n back)				,				
		,-30.									
1000							-			Sen	tencing Judge
IV. Legal status at time	of off	ense									
No restriction	s			0)					·_	
Legal constra				36					2-		
									33.	S	State Attorney
										1	
V. Victim injury (physic	cal)	.′-							æ.÷	9.1	
None				. 0						40°	
Slight				12		ľ	j —		Defe	ndant/Da	efense Counsel
Moderate				24		J			Dele		
Death or seve	re			36							
Death of seve				30							
				_			-			Saara	sheet Preparer
Reasons for departure:				Tota	ıl	II.	•			Score	sneet Freparer
					*	•					
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1pbl first-degree felony punishable by life

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- Indicate whether the guideline sentence has been imposed or whether the sentence represents a guideline departure.

Category 4 Violent Personal Crimes

Points	Recommended Range
73-112	any nonstate prison sanction
113-154	Community Control or 12-30 mos. incarceration
155-176	3 yrs. incarceration (2½-3½)
177-192	4 years (3½-4½)
193-206	5 (4½-5½)
207-228	6 (5½-7)
229-254	ερε τε ν προτό. 8 - Το τέορι τωθές (7-9)
255-292	10 (9-12)
293-352	15 (12–17)
353-412	20 20 20 20 20 20 20 20 20 20 20 20 20 20 2
413-472	25 (22-27)
473-508	30 (27-40)

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The following factors shall be used when counts of primary offense, additional offenses or prior record exceed four. These tables are used only for those counts in excess of four. The point total for the counts in excess of four should then be entered on the face of the scoresheet.

I. Number Primary Offense Counts Above 4

Degre				
* ************************************	er og til se statistisk statistisk skriver og skriver skriver skriver skriver skriver skriver skriver skriver 	t5	المواجهة ال المواجهة المواجهة ال	make the control of t
2nd	×	10	=	
3rd	×	7	=	

II. Number of Additional Offense Counts Above 4

Degree		
lst	 × 3 =	
2nd	 × 2 =	
3rd	× 1 =	
MM	 × 1 = ·	

III. Number of Prior Convictions Above 4

Degree	and the second second second second second	Euimar	Jersey and the second	
Lite	make the settle of the solution of the public settle	×	90 =	
1st pbl		×	88 =	
1st		×	66 =	
2nd		×	33 =	
3rd		×	9 =	
MM		¥	2 =	

Rule 3.988(e) Category 5: Burglary Chapter 810 and subsection 806.13(3)

· · · · · · · · · · · · · · · · · · ·	<u> </u>	•	. haceb		Tropics - 20 Hours
. DOCKET NO. (PRIMARY OFFENSE)	3. COUNTY		4. JUDGE	Compared the Compared	5. DATE OF SENTENCE
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DOOREM NO (4 DENTE)			DESCRIPTION OF STATE OF BIRTH		
2. DOCKET NO. (ADDITIONAL CASES)	6. NAME		er i de la companya d	7: DATE OF BIR	TH 8. SEX
A ST	emso .	5	es total contracts	de objekt strike	Parks of DM oF
TT 45	9. DATE OF OFFENSE	:			11. DEGREE
		10. PRIMARY OF	FENSE AT CONVICT	ION	II. DEGREE
	e terre a securitario de la compania	i :		ली स्था अंदर र १ ११७३ अर्थ र	Lamer English I
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	12. PROBATION VIOLATION	5	13. □ PLEA		NTENCE IMPOSED
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I. Primary offense at conviction	on .			Guideline Sentence:	
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N	Jumber of Counts	Points			
Degree 1	2 3 4	I OHIOS	-		
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by life 70	84 91 98		· II · —	Sontonce imposed:	
1st 60	72 78 84	-	기 세 로펜스	Sentence imposed:	*
2nd 40					: · · · · · · · · · · · · · · · · · · ·
3rd 20	24 26 28				The state of the s
		· · · · ·	44 A 144 A	,	ej grander (n. 1802). Geografia
Primary offense counts in exce	ss of four (from back)	· 			
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II. Additional offense at conv	viction				
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	Jumber of Counts	Points			
Degree 1	2 3 4	,	*		
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1st pbl 14	16 18 20	. — . ;		DAN APP	iod lice one v
1st 12	14 16 17	-		run uff	ICE USE ONLY
2nd 6	7 8 9	: .			
3rd 4				Offense Code	
MM 1				Ollense Code	
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Additional offense counts in ex	cess or rour (irom back)		.	T.S	
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III. A. Prior record					
	tion in the second section of the second sec			Prob	
Numl	oer of Prior Convictions	Points	, I 🚓 . 🔛		
Degree 1	2 3 4			c.c	
Life 60	130 210 307				
1st pbl 48	104 168 246			C.J	
1st 36	78 126 184				
2nd ' 18	39 63 90	· : ·	.∦	same i Territadesira la sa	Many Control of the Control
3rd 6	13 21 30		the	a to the capture the con-	en grand to entre
MM 1	2 3 4	 ;		e grander de la companya de la comp	en to street in the
Prior convictions in excess of fe	our (from back)			• • • • • • • • • • • • • • • • • • •	
B. Prior convictions for Catego		er, gag sag sa	, , <u></u>		· · · · · · · · · · · · · · · · · · ·
					Sentencing Judg
Number prior convictions	_× 40 =			5 July 1997	5 j. j. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
, .	and the second second				
IV. Legal status at time of of	fense				
No restrictions	, . 0			and and the second of the second The second of the second of the second	State Attorne
Legal constraint	10		l l		
	•		\$ 1.7 °	er en	
V. Victim injury (physical)	x - x		_		
None	.0				Defendant/Defense Counse
Slight	5				
Moderate	. 10	*			
Death or severe	15			-	
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Reasons for departure:

CHEST STORY

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Z. DOUGSTAGATURAL SAL

- 1. Enter the court case, court file, or docket make number for the primary offense.
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 occurring on different dates, enter the earliest
 date.
- 10. Enter the common title of the primary offense at conviction with sufficient specificity to distinguish it from other offenses within the same chapter.
- 11. Enter the statutory felony degree of the primary offense. The following abbreviations may be used:
 - L Life felony 1 6 30 7
 - 1 first-degree felony
 - 2 second-degree felony 12 charges
 - 3 third-degree felony
- 12. Check the appropriate box if the sentence is __imposed for a violation of probation or community control.
- 13. Indicate whether adjudication was obtained by plea or trial. If convictions were obtained by trial for some offenses and by plea on other counts, check the trial box.
- Indicate whether the guideline sentence has been imposed or whether the sentence represents a guideline departure.

Category 5 Burglary

Points	Recommended Range
20-46	any nonstate prison sanction
17~71	Community Control or 12–30 mos. incarceration
72-90	3 yrs. incarceration
01-106	4 years coaletain (3½-4½)
107-120	5 (4½-5½)
121-143	(5½-7)
144-164	frequence 8 (7-9) (36 for 10.55)
165-205	10 To 10 (9-12)
206-265	15 (12-17)
266-325	20 (17–22)
326–385	25 (22-27) Familia ostas
386-445	30 (27-40) v 397 to 115. A
145,+ 	and hardened Life

The following factors shall be used when counts of primary offense, additional offenses or prior record exceed four. These tables are used only for those counts in excess of four. The point total for the counts in excess of four should then be entered on the face of the scoresheet.

I. Number Primary Offense Counts Above 4

Degree		
Life	 × 8 =	
1st pbl	 × 7 =	
1st	 × 6 =	
2nd	 × 3 =	
3rd	 × 2 =	
· .		

II. Number of Additional Offense Counts Above 4

Degree		1/	
Life		× 2 =	
1st pbl		× 2 =	
1st	·	× 1 =	
2nd		× 1 =	
3rd		× 1 =	
MM		× 1 =	
	1		

' III. Number of Prior Convictions Above 4

Degree		
Life	 × 97 =	
1st pbl	 × 78 =	
1st	 \times 58 =	
2nd	 \times 27 =	
3rd	 × 9 =	
MM	 × 1 =	



Rule 3.988(f) Category 6: Thefts, Forgery, Fraud

O						443, 812 (ex 817, 831 an		
1 DOCKETNO (DRIMARY OFFENCE	2)	3. COUNT	rv			4. JUDGE		5. DATE OF SENTENCE
1. DOCKET NO. (PRIMARY OFFENSE	2)	J. COUNT				4. JODGE		U. DATE OF SERVICIONE
2. DOCKET NO. (ADDITIONAL CASE	S)	6. NAME					7. DATE OF B	IRTH 8. SEX
	_,							
								OM OF
		9. DATE	OF OFFE	NSE	10. PRIMARY C	FFENSE AT CONV	ICTION	11. DEGREE
							14.	
		12. □ P1	ROBATIO	N VIOLATI	ION	13. □ PLEA	GUIDELINES	SENTENCE IMPOSED
		, □ C	OMMUNI'	ry contro	OL VIOLATION	□ TRIAL	□ DEPARTURE	FROM GUIDELINE
I. Primary offense at co	nvictio	n	_				Guideline Sentence:	
	N	umber	of Cour	nts	Points		·,	
Degree	1	2	3	4				
Life	86	103	112	120		ļ.		
1st	70	84	91	98				
2nd	35	42	46	49			Sentence imposed:	
3rd	13	16	17	18			,	
Primary offense counts in	n exces	s of fou	ır (from	back)				
							*	
								<u> </u>
II. Additional offense a	t conv	iction						
₩.		:				ĺ		
_		umber (Points			_
Degree	1	2	3	4				
Life 1st ph	17	20	22	24				
1st pbl 1st	16	18	20 18	19			FOR OF	FICE USE ONLY
2nd	7	8	9	10				
3rd	3	4	5	6			Offense Code	
MM	1	2	3_	4		ľ	Offense Code	
Additional offense counts	in exc	ess of f	our (fro	m back			T.S.	
***************************************			,		, <u> </u>			
***							S.P	
III. A. Prior record								
	Mh	of D	ion Com	victions	Points		Prob.	
Degree	1	2	3	4	romics		an a	
Life	50	110	180	270			U.U.	
1st pbl	40	88	138	216			C.J.	
1st	-30	66	96	162				
2nd	15	33	48	81				
3rd	5	11	18	27				
MM	1	2	4	6				
Prior convictions in exces	s of fo	ur (fron	n back)					
B. Prior convictions for C	ategor	y 6 offe	enses					Southern de la Tarden
Number prior convictions								Sentencing Judge
Number prior convictions	·	_ ^ 3 -	_				· · ·	5
IV. Legal status at time	e of off	ense					2.1	·
No restriction				0				State Attorney
Legal constra				6			*.*	
2								-
V. Victim injury (physi	cal)	1						
None				0				Defendant/Defense Counse
Slight				3				
Moderate		i		6				
D 41				^		li li		

Reasons for departure:

Scoresheet Preparer

Total =

- Enter the court case, court file, or docket number for the primary offense.
- 2. Enter the docket numbers for the additional cases presently before the court for sentencing.
- 3. Enter the name of the county where the sentence is imposed.
- 4. Enter the name of the sentencing judge.
- 5. Enter the date sentence was imposed.
- 6. Enter the defendant's full name.
- 7. Enter the defendant's date of birth.
- 8. Enter the defendant's sex.
- Enter the date of the primary offense. If there
 are multiple counts of the primary offense,
 occurring on different dates, enter the earliest
 date.
- 10. Enter the common title of the primary offense at conviction with sufficient specificity to distinguish it from other offenses within the same chapter.
- 11. Enter the statutory felony degree of the primary offense. The following abbreviations may be used:
 - L Life felony
 - 1pbl first-degree felony punishable by life
 - 1 first-degree felony
 - 2 second-degree felony
 - 3 third-degree felony
- Check the appropriate box if the sentence is imposed for a violation of probation or community control.
- 13. Indicate whether adjudication was obtained by plea or trial. If convictions were obtained by trial for some offenses and by plea on other counts, check the trial box.
- 14. Indicate whether the guideline sentence has been imposed or whether the sentence represents a guideline departure.

Category 6 Thefts, Forgery, Fraud

Points	Recommended Range
13-36	any nonstate prison sanction
37-56	Community Control or 12-30 mos. incarceration
57-74	3 yrs. incarceration (2½-3½)
75-90	4 years (3½-4½)
91-104	5 (4½-5½)
105-122	6 (5½-7)
123-146	8 (7-9)
147-180	10 ⁻ (9-12)
181-240	15 (12-17)
241-300	20 (17-22)
301-360	25 (22-27)
361-420	30 (27-40)
421 +	Life

The following factors shall be used when counts of primary offense, additional offenses or prior record exceed four. These tables are used only for those counts in excess of four. The point total for the counts in excess of four should then be entered on the face of the scoresheet.

I. Number Primary Offense Counts Above 4

Degree		
Life	 × 8 =	
1st	 × 7 =	
2nd	 × 3 =	
3rd	 × 1 =	

II. Number of Additional Offense Counts Above 4

Degree	, -		
Life		× 2 =	
1st pbl		\times 2 =	
1st		× 1 =	
2nd		× 1 =	
3rd		× 1 =	
MM		× 1 =	

- III. Number of Prior Convictions Above 4

Degree	 	,
Life	 \times 90 =	
1st pbl	 \times 78 =	
1st	 \times 66 =	
2nd	 \times 33 =	
3rd	 × 9 =	·
MM	 × 2 =	

Rule 3.988(g) Category 7: Drugs Chapter 893

1. DOCKET NO. (PRIMARY OFFENSE)	3. COUNT	'Y			4. JUDGE			5. DATE O	FSENTEN	CE
2. DOCKET NO. (ADDITIONAL CASES	5)	6. NAME						7. DATE OF BIRTH		8. SEX	
		ŀ						·		□ M	OF
		9. DATE (DEOREE	Jee	Lee providence			·		11. DEGR	rr.
				VOE.	10. PRIMARY U	FFENSE AT CONVIC	TION			II. DEGR.	EE
	,										
		12. □ PI	ROBATIO	N VIOLAT	ION	13. 🗆 PLEA	14.	GUIDELINE SENTEN	CE IMPOSE	D	
	1 1		OMMUNI'	ry contro	OL VIOLATION	□ TRIAL	See Making	DEPARTURE FROM	GUIDELINE	•	
	_										
I. Primary offense at cor		n	•				Guideline	Sentence:			
Contraction of the second		* }			5		-				
Degree	N 1	umber e	of Cour	nts 4	Points						
Life	151	181	196	211							
1st	137	164	178	192				•			
2nd	65	78	84	91		1 г	Sentence	imposed:			
3rd	42	50	55	59			Sentence	imposcu.			
Primary offense counts in	exces	s of fou	r (from	back)	' <u> </u>			·.			
			- (,							
		:							•		
A 11 A control of the same		1						4			
II. Additional offense a	t conv	iction	•								
** .	0 0022 0										
	N	umber e	of Cour	nts	Points				•		
Degree	1	2	3	4		-					
Life	30	36	39	42		_					
1st pbl	28	34	37	40				FOR OFFICE	USE ON	LY	
1st	27	32	35	38							
2nd	13	16	17	18							
3rd MM	8	3	11 4	12			Offense	Code			
				-	<u> </u>		5 10				
Additional offense counts	ın exc	ess of I	our (Ire	om back	' ——		T.S				
		:			*		SP				
III. Prior record				•							
	-		e, e				Prob				
					Points						
Degree Life	60	120	3 210	300			C.C				
1st pbl	48	130 104	168	240		.					
1st	36	78	126	180			U.J				
2nd	18	39	63	90							
3rd	6	13	21	30							
MM	1	2	3	4							
Prior convictions in exces	s of fo	ur (fron	n back)								
		:				∥ `_					
IV. Legal status at time	of off	mec							Sen	tencing	Judg
_		-119C		_				· ·	¥		
No restriction Legal constra				14		.		\$ 10 m			
Legai constra	IIIL			14		· -				tate At	torne
		, .						₹.1			
V. Victim injury (physic	cal)								÷.		
None				0		_					
Slight				5				Defe	ndant/De	fense C	ounse
Moderate				10							
Death or seve	re			15	•						•
						_					
					l	ll ll			_	sheet Pr	

- 1. Enter the court case, court file, or docket number for the primary offense.
- 2. Enter the docket numbers for the additional cases presently before the court for sentencing.
- 3. Enter the name of the county where the sentence is imposed.
- 4. Enter the name of the sentencing judge.
- 5. Enter the date sentence was imposed.
- 6. Enter the defendant's full name.
- 7. Enter the defendant's date of birth.
- 8. Enter the defendant's sex.
- Enter the date of the primary offense. If there
 are multiple counts of the primary offense,
 occurring on different dates, enter the earliest
 date.
- Enter the common title of the primary offense at conviction with sufficient specificity to distinguish it from other offenses within the same chapter.
- 11. Enter the statutory felony degree of the primary offense. The following abbreviations may be used:

L Life felony

1pbl first-degree felony punishable by life

- 1 first-degree felony
- 2 second-degree felony
- 3 third-degree felony
- 12. Check the appropriate box if the sentence is imposed for a violation of probation or community control.
- 13. Indicate whether adjudication was obtained by plea or trial. If convictions were obtained by trial for some offenses and by plea on other counts, check the trial box.
- Indicate whether the guideline sentence has been imposed or whether the sentence represents a guideline departure.

Category 7 Drugs

Points	Recommended Range
42-75	any nonstate prison sanction
76-113	Community Control or 12-30 mos. incarceration
114-133	3 yrs. incarceration (30-3½)
134-147	4 years (3½-4½)
148-162	5 (4½-5½)
163-184	6 (5½-7)
185-208	(7-9)
209-244	10 (9-12)
245-304	15 (12-17)
305-364	20 (17–22)
365-424	25 (22-27)
425-483	30 (27-40)
484+	Life

The following factors shall be used when counts of primary offense, additional offenses or prior record exceed four. These tables are used only for those counts in excess of four. The point total for the counts in excess of four should then be entered on the face of the scoresheet.

I. Number Primary Offense Counts Above 4

Degree		
Life	 \times 15 =	
1st	 \times 14 =	
2nd	 × 7 =	
3rd	 × 4 =	

II. Number of Additional Offense Counts Above 4

Degree	2	_	
Life		× 3 =	
1st pbl		\times 3 =	
1st		× 3 =	
2nd		× 1 =	
3rd		× 1 =	
MM		× 1 =	

III. Number of Prior Convictions Above 4

Degree		
Life	 \times 90 =	
1st pbl	 \times 72 =	
lst	 \times 54 =	
2nd	 \times 27 =	
3rd	 × 9 =	
MM	 × 1 =	

Rule 3.988(h) Category 8: Weapons Chapter 790

1. DOCKET NO. (PRIMARY OFFENSE					<u> </u>		
		3. COUN	TY			4. JUDGE	5. DATE OF SENTENCE
2. DOCKET NO. (ADDITIONAL CASES	S)	6. NAME	:		1,4	1	7. DATE OF BIRTH 8. SEX
							DM. C
		9. DATE	OF OFFE!	NSE	10. PRIMARY O	PFENSE AT CON	NVICTION 11. DEGREE
					in the state of th		
	- 5	10				13.	
			•	N VIOLAT		UPLEA	GUIDELINE SENTENCE IMPOSED
		00	OMMUNI	TY CONTRO	OL VIOLATION	☐ TRIAL	DEPARTURE FROM GUIDELINE
I. Primary offense at con	victio	n .	A 14.				Guideline Sentence:
onenge ut con							Guidenne Sentence.
	N	umber	of Cour	nts	Points		
Degree	. 1	2	3	4			
1st 2nd	70 45	84 54	91 58	98		.	
3rd	15	18	20	21	 : .		Sentence imposed, indicating length and ty
Primary offense counts in	excess	s of for	ır (from	back)	' <u> </u>		(Please print or type)
			-				
					and the first of the second se		
77 4 3 3 3 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4							
II. Additional offense at	convi	ction					
	Nι	umber (of Cour	nts	Points		
Degree	1	2	3	4	<u> </u>		
2nd	9	17	18	19 13	 .		
3rd	3	4	5	6			FOR OFFICE USE ONLY
MM	1	2	3	4	- <u> </u>	18 0 0 1 18 2 1 1	
Additional offense counts	in exce	ess of f	four (fro	m back)	1 4	Offense Code
	-						
수 있다. 1985년 - 1985년 - 1985년 1985년 - 1985년		• . •					T.S.
		,		i ne sa ni			S.P
III. Prior record						1.	·
	Numbo	e of De	ior Con	victions	Points		Prob.
	Numbe	er of Pr	ior Con	victions	Points		Prob.
Degree Life	1 10	20	3 40	60	Points		
Degree Life 1st pbl	1 10 8	2 20 16	3 40 32	60 48	Points		Prob.
Degree Life	1 10 8 6	20	3 40 32 24	60 48 36	Points		Prob.
Degree Life 1st pbl 1st 2nd 3rd	1 10 8	2 20 16 12	3 40 32	60 48	Points		Prob.
Degree Life 1st pbl 1st 2nd	1 10 8 6 3	2 20 16 12 6	3 40 32 24 12	4 60 48 36 18	Points		Prob.
Degree Life 1st pbl 1st 2nd 3rd	1 10 8 6 3 1	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6	Points		Prob.
Degree Life 1st pbl 1st 2nd 3rd MM	1 10 8 6 3 1	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6	Points		Prob. C.C.
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess	1 10 8 6 3 1 1	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6	Points		Prob.
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess IV. Legal status at time of No restrictions	1 10 8 6 3 1 1 1 s of four	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6 4			Prob. C.C.
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess	1 10 8 6 3 1 1 1 s of four	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6 4			Prob. C.C. C.J. Sentencing Jud
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess IV. Legal status at time of No restrictions Legal constrain	1 10 8 6 3 1 1 1 s of four of offers s nt	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6 4			Prob. C.C.
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess IV. Legal status at time of No restrictions Legal constrain V. Victim injury (physical	1 10 8 6 3 1 1 1 s of four of offers s nt	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6 4			Prob. C.C. C.J. Sentencing Jud
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess IV. Legal status at time of No restrictions Legal constrain V. Victim injury (physical None	1 10 8 6 3 1 1 1 s of four of offers s nt	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6 4			Prob. C.C. C.J. Sentencing Jud State Attorn
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess IV. Legal status at time of No restrictions Legal constrain V. Victim injury (physical None Slight	1 10 8 6 3 1 1 1 s of four of offers s nt	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6 4			Prob. C.C. C.J. Sentencing Jud
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess IV. Legal status at time of No restrictions Legal constrain V. Victim injury (physical None	1 10 8 6 3 1 1 1 s of four	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6 4			Prob. C.C. C.J. Sentencing Jud State Attorn
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess IV. Legal status at time of No restrictions Legal constrain V. Victim injury (physical None Slight Moderate	1 10 8 6 3 1 1 1 s of four	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6 4			Prob. C.C. Sentencing Jud State Attorn Defendant/Defense Coun
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess IV. Legal status at time of No restrictions Legal constrain V. Victim injury (physical None Slight Moderate Death or severe	1 10 8 6 3 1 1 1 s of four	2 20 16 12 6 2 2	3 40 32 24 12 4	4 60 48 36 18 6 4			Prob. C.C. C.J. Sentencing Jud State Attorn
Degree Life 1st pbl 1st 2nd 3rd MM Prior convictions in excess IV. Legal status at time of No restrictions Legal constrain V. Victim injury (physical None Slight Moderate	1 10 8 6 3 1 1 1 s of four	2 20 16 12 6 2 2	3 40 32 24 12 4	0 12 0 4 8 12			Prob. C.C. Sentencing Jud State Attorn Defendant/Defense Coun

-24-

 Please print or type the information entered upon the scoresheet and use sufficient pressure to assure that all copies will be legible. 12100 F. March

- 2. Enter the court case, court file, or docket number for the primary offense.
- 3. Enter the docket numbers for the additional cases presently before the court for sentencing.
- 4. Enter the name of the county where the sentence is imposed
- 5. Enter the name of the sentencing judge.
- 6. Enter the date sentence was imposed.
- 7. Enter the defendant's full name.
- 8. Enter the defendant's date of birth.
- 9. Enter the defendant's sex.
- 10. Enter the date of the primary offense. If there are multiple counts of the primary offense, occurring on different dates, enter the earliest date.
- 11. Enter the common title of the primary offense at conviction with sufficient specificity to distinguish it from other offenses within the same chapter.
- 12. Enter the statutory felony degree of the primary offense. The following abbreviations may be used:
 - L Life felony
 - 1pbl first-degree felony punishable by life
 - 1 first-degree felony
 - 2 second-degree felony
 - 3 third-degree felony
- 13. Check the appropriate box if the sentence is imposed for a violation of probation or community control.
- 14. Indicate whether adjudication was obtained by plea or trial. If convictions were obtained by trial for some offenses and by plea on other counts, check the trial box.
- 115. Indicate whether the guideline sentence has been imposed or whether the sentence represents a guideline departure.

Category 8 Weapons

Points	Recommended Range
15-49	any nonstate prison sanction
50-75	Community Control or 12-30 mos. incarceration
7691	3 yrs. incarceration (2½-3½)
92-105	4 years (3½-4½)
106-115	5 (4½-5½)
116-133	6 (5½-7)
134-157	(7-9)
158-193	10 * (9-12)
194-253	15 (12-17)
254-313 subt. (herst)	20 · · · · · · (17–22)
314-373	25 (22–27)
374+	30 (27-40)

The following factors shall be used when counts of primary offense, additional offenses or prior record exceed four. These tables are used only for those counts in excess of four. The point total for the counts in excess of four should then be entered on the face of the scoresheet.

I. Number Primary Offense Counts Above 4

Degree		- 200
1st	 × 7 =	
2nd	 × 5 =	
3rd	 × 1 =	

II. Number of Additional Offense Counts Above 4

WIII. Number of Prior Convictions Above 4

Degree		
Life	 × 20 =	
1st pbl	\times 16 =	
lst	\times 12 =	
2nd	 × 6 =	
3rd	 × 2 =	
MM	 × 1 =	

A STATE OF THE PARTY OF THE PER

A STATE OF THE STA Rule 3.988(i) Category 9: All Other Felony Offenses

		•	· · · · · ·					
2F)	3 COLING	· ·			4 HIDGE	· · ·	<u> </u>	5. DATE OF SENTENCE
SE)	3. COON				4. JUDGE			5. DATE OF SENTENCE
ES)	6. NAME				<u>.</u>		7. DATE OF BIRTH	8. SEX
			****					DM DF
i walio	9. DATE	OF OFFER	ISE	10. PRIMARY OF	FENSE AT CON	VICTION		11. DEGREE
	11 1 1 h	1.4 P						
				ION	13. PLEA	——————————————————————————————————————		
• • •					·			
onvictio	n 					Guide	line Sentence:	
		,		Points				
						4		
181	217	282	395				· 	
133	160	207	290	·		Sente		
108	130	140	150				(Please print	or type)
52	62	68	72			<u> </u>		
in exces	s of fou	ır (from	back)	· · · · · · · · · · · · · · · · · · ·				
in all he		1					*	
at convi	iction	•			· .			
N	ımber i	of Cour	te	Points				
1	2	3	4	1 Omes	·			
48	58	75	105					
38	45	58	82				FOR OFFICE	LISE ONLY
_								
						Offen	se Code	
)		T.S		
	V .				ł			
	. €.		s j			6.P		
						Dach		
Numbe	er of Pr	ior Con	victions	Points		, , , , , , , , , , , , , , , , , , ,		
1	2	3	4		·	c.c		
100	210	330	460					
100 80	168	330 264	368	· · · · · · · · · · · · · · · · · · ·		c.j		
100		330		· · · · · · · · · · · · · · · · · · ·		С.Ј		
100 80 60 30 10	168 126 63 21	330 264 198 99 33	368 276 138 46			с		
100 80 60 30 10	168 126 63 21 5	330 264 198 99 33 8	368 276 138			с.ј		
100 80 60 30 10	168 126 63 21 5	330 264 198 99 33 8	368 276 138 46			CJ		
100 80 60 30 10 2	168 126 63 21 5 ur (from	330 264 198 99 33 8	368 276 138 46			c.j.		
100 80 60 30 10 2 ss of fou	168 126 63 21 5 ur (from	330 264 198 99 33 8	368 276 138 46 12			c. j		
100 80 60 30 10 2	168 126 63 21 5 ur (from	330 264 198 99 33 8	368 276 138 46			c.j.		Sentencing Judge
100 80 60 30 10 2 ess of four	168 126 63 21 5 ur (from	330 264 198 99 33 8	368 276 138 46 12			c.j.		
100 80 60 30 10 2 ss of form	168 126 63 21 5 ur (from	330 264 198 99 33 8	368 276 138 46 12			c. 3		Sentencing Judge
100 80 60 30 10 2 ss of form	168 126 63 21 5 ur (from	330 264 198 99 33 8	368 276 138 46 12					Sentencing Judge
100 80 60 30 10 2 ss of forms aint	168 126 63 21 5 ur (from	330 264 198 99 33 8	368 276 138 46 12 0 24					Sentencing Judge
100 80 60 30 10 2 ss of form	168 126 63 21 5 ur (from	330 264 198 99 33 8	368 276 138 46 12 0 24					Sentencing Judge
	N 1 241 181 133 108 52 in excess at conviction N 1 48 38 27 22 10 2 s in exc	Part Part	12	9. DATE OF OFFENSE 12. CI PROBATION VIOLATE COMMUNITY CONTROPORTION COMMUNITY CONTROPORTION CONTROPORTION COMMUNITY CONTROPORTION CONTROPORTION CONTR	Solution Solution	9. DATE OF OFFENSE 10. PRIMARY OFFENSE AT CON 12.	### Sentember of Counts 12	## Sentence imposed, indice (Please print) 12

- Please print or type the information entered upon the scoresheet and use sufficient pressure to assure that all copies will be legible.
- Enter the court case, court file, or docket number for the primary offense.
- 3. Enter the docket numbers for the additional cases presently before the court for sentencing.
- 4. Enter the name of the county where the sentence is imposed
- 5. Enter the name of the sentencing judge.
- 6. Enter the date sentence was imposed.
- 7. Enter the defendant's full name.
- 8. Enter the defendant's date of birth.
- 4.9. Enter the defendant's sex.
- 10. Enter the date of the primary offense. If there are multiple counts of the primary offense, occurring on different dates, enter the earliest date.
- 11. Enter the common title of the primary offense at conviction with sufficient specificity to distinguish it from other offenses within the same chapter.
- 12. Enter the statutory felony degree of the primary offense. The following abbreviations may be used:

audito specific

- L Life felony
- 1pbl first-degree felony punishable by life
- 1 first-degree felony
- 2 second-degree felony
- 3 third-degree felony
- 13. Check the appropriate box if the sentence is imposed for a violation of probation or community control.
- 14. Indicate whether adjudication was obtained by plea or trial. If convictions were obtained by trial for some offenses and by plea on other counts, check the trial box.
- 15. Indicate whether the guideline sentence has been imposed or whether the sentence represents a guideline departure.

Category 9 All Other Felony Offenses

Points	Recommended Range		
52-108			
109-132	Community Control or 12–30 mos. incarceration		
133-148	3 yrs. incarceration (2½-3½)		
149-162	4 years (3½-4½) 238		
163-180	(4½-5½)		
181-208	6 mention gas		
209-240	8 (7-9)		
241-282	10 (9–12)		
283-348	15 (12–17)		
349-410	20 (17-22)		
411-470	25 (22-27) weeks harmin		
471–506	30 (27–40) (27–40)		
507 +	Life Sheet See		

The following factors shall be used when counts of primary offense, additional offenses or prior record exceed four. These tables are used only for those counts in excess of four. The point total for the counts in excess of four should then be entered on the face of the scoresheet.

I. Number Primary Offense Counts Above 4

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II. Number of Additional Offense Counts Above 4

Degree		<u></u>	
Life	<u> </u>	× 30 =	
1st pbl	· ·	\times 24 =	
1st		\times 17 =	
2nd		\times 14 =	
3rd		× 6 =	
MM		× 1 =	

III. Number of Prior Convictions Above 4

Degree	ne delignation of the second	The Control of the Co	Sec. or 100 special sec.
Life	·	\times 130 =	
1st pbl		\times 104 =	
1st		× 78 =	
2nd		× 39 =	
3rd		× 13 =	
MM		× 4 =	

Original Proceeding - Flroida Rules of Criminal Procedure

Leonard Holton, Director, Sentencing Guidelines Commission, Tallahassee, Florida,

for Petitioner