

Reserved for Recording

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT,
IN AND FOR BREVARD COUNTY, FLORIDA

___ Probation Violator ___ Community Control Violator ___ Retrial ___ Resentence

STATE OF FLORIDA

Case Number: 05-2016-CF-012745-AXXX-XX

vs.

Filed in Open Court on December 17, 2018 4:05 pm.

SKYLER BLAKE FRANCIS

A Kuhn, Deputy Clerk



29831500

JUDGMENT/ORDER OF PROBATION

Court was opened with the Honorable ROBIN C LEMONIDIS presiding, and in attendance: State Attorney: WILLIAM J SCHEINER; Trial Clerk A Kuhn. The Defendant, SKYLER BLAKE FRANCIS, being personally before this Court represented by GEORGE OLLINGER, the attorney of record, and said Defendant having the following crime(s):

OBTS Number(s): 0501331860			
Count	Crime	Offense Statute Number	Degree
1	(LIO) ATTEMPTED MANSLAUGHTER	782..07.	F3
2	AGGRAVATED BATTERY UPON A LEO FIREFIGHTER EMT ETC	784..07.(2d)	F1
<input checked="" type="checkbox"/> 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).			

DONE AND ORDERED in open court at Brevard County, Florida, on December 17, 2018.

ROBIN C LEMONIDIS, Circuit Judge

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**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT,
IN AND FOR BREVARD COUNTY, FLORIDA**

STATE OF FLORIDA

Case Number: 05-2016-CF-012745-AXXX-XX

vs.

OBTS Number(s): 0501331860

SKYLER BLAKE FRANCIS

SENTENCE

The Defendant, SKYLER BLAKE FRANCIS, being personally before this Court, accompanied by the Defendant's attorney of record, GEORGE OLLINGER, 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

It is the sentence of the Court that:

(as to Count 1)

The Defendant is hereby committed to the custody of the Department of Corrections.

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

For a term of five (5) years.

(as to Count 2)

The Defendant is hereby committed to the custody of the Department of Corrections.

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

For a term of ten (10) years.

If split sentence, complete the appropriate paragraph.

Followed by probation for a period of fifteen (15) years under the supervision of the Department of Corrections, according to the terms and conditions of supervision set forth in a separate order entered herein.

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT,
IN AND FOR BREVARD COUNTY, FLORIDA

STATE OF FLORIDA

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vs.

OBTS Number(s): 0501331860

SKYLER BLAKE FRANCIS

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed:

(as to Count 1)

Other Provisions:

Original Jail Credit X It is further ordered that the defendant be allowed a total of 294 days as credit for time incarcerated before imposition of this sentence.

(as to Count 2)

Minimum/Mandatory Provisions:

Law Enforcement Protection Act X It is further ordered that the defendant shall serve a minimum of 5years before release in accordance with Section 775.0823, Florida Statutes.

Other Provisions:

Related Sentences X Sentence shall run consecutive to all counts in this Judgment and with COUNT 2 IS CONSECUTIVE TO COUNT 1.

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**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT,
IN AND FOR BREVARD COUNTY, FLORIDA**

STATE OF FLORIDA,
Plaintiff

Case Number: 05-2016-CF-012745-AXXX-XX

vs.

SKYLER BLAKE FRANCIS,
Defendant

ORDER OF PROBATION

Probation	The court hereby stays and withholds the imposition of sentence as to count(s) 2 and places the defendant on probation for a period of fifteen (15) years under the supervision of the Department of Corrections
Concurrent / Consecutive	Said sentence shall run consecutive to all counts in this Judgment and with COUNT 2 IS CONSECUTIVE TO COUNT 1.

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**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT,
IN AND FOR BREVARD COUNTY, FLORIDA**

STATE OF FLORIDA,
Plaintiff

Case Number: 05-2016-CF-012745-XXXX-XX

vs.

SKYLER BLAKE FRANCIS,
Defendant

STANDARD CONDITIONS OF PROBATION

It is further ordered that the defendant comply with the following standard conditions and sanctions of community control / probation:

1. (01) Not later than the fifth day of each month, you will make a full and truthful report to your officer on the form provided for that purpose.
2. (02) You will pay the State of Florida the amount of \$50.00 per month toward the cost of your supervision, unless otherwise waived in compliance with Florida Statutes.
3. (03) You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
4. (04) You will not possess, carry or own any firearm. You will not possess, carry, or own any weapons without first procuring the consent of your officer.
5. (05) You will live without violating the law. A conviction in a court of law shall not be necessary for such a violation of law to constitute a violation of your probation.
6. (06) You will not associate with any person engaged in any criminal activity.
7. (07) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
8. (08) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
9. (09) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
10. (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with attached orders.
11. (11) You will report in person within 72 hours of your release from incarceration to the Probation Office in Brevard County, Florida, unless otherwise instructed by the court or department. (This condition applies only if released from the Department of Corrections confinement.) Otherwise, you must report immediately to the probation office located at: 1060 W. King Street, Cocoa, FL 32922; FIRST BUSINESS DAY AFTER RELEASE
12. (12) You shall submit to the drawing of blood or other biological specimens as required by s. 943.325, Florida Statutes.
13. (13) You shall submit to the taking of a digitized photograph as required by s. 948.03, Florida Statutes.
14. (13a) You shall pay a related cost of \$1.00 for each month of your probationary term. The amount due, up to \$60.00, shall be paid within the first ninety (90) days after the beginning of your probationary sentence. Further, payments, if any, shall be paid in accordance with a schedule to be established by your officer, if the offender agrees, or the Court.

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STATE OF FLORIDA

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vs.

SKYLER BLAKE FRANCIS

SPECIAL CONDITIONS OF PROBATION

And it is further ordered that the defendant comply with the following special conditions of community control / probation.

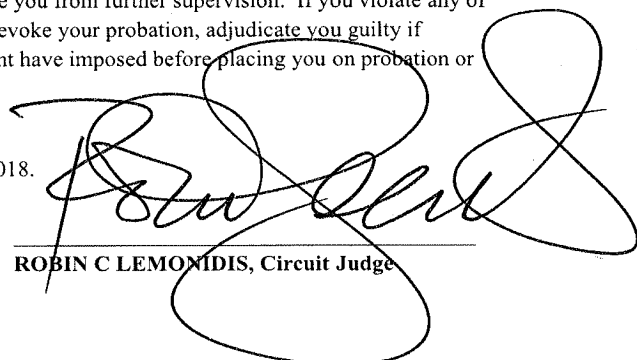
(as to Count 2)

- a. Sentence shall run consecutive to all counts in this Judgment and with COUNT 2 IS CONSECUTIVE TO COUNT 1.
- b. (23) Other: NO POSSESSION OF FIREARMS OR WEAPONS
- c. (24) Other: COMPLETE A MENTAL HEALTH EVALUATION AND ANY FOLLOW UP TREATMENT - SCHEDULE WITHIN 20 DAYS OF RELEASE FROM CUSTODY

PROBATION

You are hereby placed on notice that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence which it might have imposed before placing you on probation or require you to serve the balance of said sentence.

DONE AND ORDERED in Brevard County, Florida, on December 17, 2018.



Handwritten signature of Robin C Lemonidis in black ink, featuring a large, stylized loop at the end.

ROBIN C LEMONIDIS, Circuit Judge

CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT,
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SKYLER BLAKE FRANCIS

SIGNATURE PAGE

In the event the above sentence is to the Department of Corrections, the Sheriff of Brevard 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 was advised in open court of the right to appeal from this sentence by filing a notice of appeal within thirty (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:

*(Items marked with *(COP), *(COCC), and *(COS) are Conditions of Probation, Community Control, and Condition of Suspension)*

(as to Count 1)

General

AFTER HEARING TESTIMONY AND ARGUMENT OF COUNSEL COURT DENIED DEFENSE AMENDED MOTION FOR DOWNWARD DEPARTURE. DEFENSE COUNSEL WITHDREW MOTION FOR SPLIT SENTENCE.

DEFENDANT FOUND GUILTY BY VERDICT 11.1.2018. DEFENDANT ADJUDICATED GUILTY AND FINGERPRINTED ON THAT DATE.

(as to Count 2)

General

AFTER HEARING TESTIMONY AND ARGUMENT OF COUNSEL COURT DENIED DEFENSE AMENDED MOTION FOR DOWNWARD DEPARTURE. DEFENSE COUNSEL WITHDREW MOTION FOR SPLIT SENTENCE.

DEFENDANT FOUND GUILTY BY VERDICT 11.1.2018. DEFENDANT ADJUDICATED GUILTY AND FINGERPRINTED ON THAT DATE.

Confinement

PER ASA W. SCHEINER - MINIMUM MANDATORY PER FLORIDA STATUTE 784.07(2)(b)

Restitution

RESTITUTION IS ORDERED AND RESERVED AS TO AMOUNT DUE TO BREVARD COUNTY SHERIFF AND/OR BREVARD COUNTY INSURANCE COMPANY. DEFENDANT WISHES TO BE TRANSPORTED IF A RESTITUTION HEARING IS SCHEDULED.

THE COURT HEREBY ORDERS THE DEFENDANT remanded to the Brevard County Detention Center.

DONE AND ORDERED at Brevard County, Florida, on December 17, 2018.


ROBIN C LEMONIDIS, Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail / hand delivery to GEORGE OLLINGER, 100 RIALTO PL STE 700, MELBOURNE, FL 32901-3071 on 12-17-18.

AW

Deputy Clerk