

IN THE CIRCUIT COURT, EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY, FLORIDA

STATE OF FLORIDA  
vs.  
ANDREW JOHN JONES /  
DEFENDANT

CASE NO.: 2019CF002991A  
JUDGE: JAMES R CLAYTON

**PLEA**

1. I, ANDREW JOHN JONES the defendant herein, withdraw my previously entered plea(s) of Not Guilty, and enter a plea(s) as follows:
    - I.  Guilty ( ) Nolo Contendere 827.03(2) (C) CHILD ABUSE 3 F
    - II.  Guilty ( ) Nolo Contendere 918.13 TAMPERING WITH PHYSICAL EVIDENCE 3 F
  2. I understand that if the Court accepts my Plea(s) I give up my right to trial, at which I would have the following rights: (1) to have a jury determine whether I am guilty or not guilty, or to have a judge make such a determination in a non-jury hearing; (2) to see and hear witnesses testify and to have my lawyer question them for me; (3) to subpoena and present witnesses and items in evidence in my defense and to present any defense I might have to a jury or judge; (4) to testify or remain silent; (5) to require the prosecutor to prove my guilt by admissible evidence beyond a reasonable doubt before I can be found guilty. I further understand that I give up my right to appeal all matters except court rulings entered after this plea is entered, an illegal sentence, or the court's authority (jurisdiction) to hear my case, and I agree to pay all costs and attorneys fees of any appeal which I attempt to pursue on any other subject. My lawyer has explained to me what an appeal is, and I understand that changing my mind about entering this plea, after it is accepted, will not require the court to let me withdraw it, nor will it make the court's sentence illegal or deprive the court of authority to sentence me.
  3. I understand that a plea of "Not Guilty" denies that I committed the crime charged. I also understand that a plea of "Guilty" admits I committed the crime charged, a "Best Interest Guilty" plea and a plea of "Nolo Contendere" mean I do not contest the state's evidence against me. By entering the above plea(s) I am voluntarily submitting myself to the court's sentencing authority. I understand that if the court accepts my plea(s), there will be no trial, and the court will impose sentence based on my plea(s). I agree that a factual basis for the court to accept my plea(s) is contained in documents in the court file, including the complaint affidavit(s). I understand that if I am not a citizen of the United States, I may be deported. I understand that the court may impose a fine, court costs, other fees and a fee and/or lien for the services of the Public Defender.
  4. I have read the Information or Indictment in this case, and I understand the charges to which I am pleading. I stipulate that there is a factual basis described in court documents to support the charge(s) against me. My lawyer has explained to me: the maximum and minimum penalty(ies) for the charges against me, including enhanced sentencing laws for which the state has given my lawyer notice; the essential elements of the crime(s) I am charged with, and all defenses I might have. I understand that if I am on parole or probation in any other case, this plea can cause that parole or probation to be revoked and I can receive a separate sentence up to the maximum allowed by law for that (those) case(s).
  5. No one has promised me anything to get me to enter this (these) plea(s), except as stated herein. I understand that the judge has made no promises as to what sentence I will receive, other than a lawful sentence. I further understand that, unless the judge accepts this plea as a "conditional plea" and those words appear in the space below, the judge is not required to follow any state or defense recommendation regarding sentence, and, if I receive a sentence of probation, I may be required to serve time in the county jail as a condition of probation. The state recommends the following sentence:
    - ADJUDICAION OF GUILT ON REDUCED CHARGE OF CHILD ABUSE AND TAMPERING WITH EVIDENCE
    - 2 YEARS OF COMMUNITY CONTROL, FOLLOWED BY 8 YEARS OF PROBATION, WITH SEX OFFENDER CONDITIOND ON BOTH,
    - NO CONTACT WITH THE VICTIM,
    - PROFFER ON THE RECORD SPECIFICALLY WHAT HE DI INCLUDING DETAILS ON WHAT HE DID BOTH BEFORE THE OFFENSE AND TO COVER UP THE OFFENSE,
    - RESTITUTION FOR COUNSELING SERVICES
    - Standard Court Costs, \$100 Cost of Prosecution, \$100 Cost of Investigation to SEMINOLE COUNTY SHERIFFS OFFICE NORTH\*
- \*Pursuant to Florida Statute 938.27, the law enforcement agency has requested investigative costs be rendered against the convicted party. The law enforcement agency has agreed to assess \$100 cost of investigation if the convicted party agrees to stipulate to this amount. If the convicted party does not wish to agree to this amount, the law enforcement agency requests the amount be reserved for a hearing and will provide an affidavit of costs pursuant to Florida Statute 938.27(7) and will request the court hold a hearing determining the total amount of investigative costs.
6. No one has pressured or forced me to enter this (these) plea(s). I am entering this (these) plea(s) because I am guilty of the crimes charged or I believe it is in my best interest to do so. I am doing this voluntarily and of my own free will.

7. I understand that my sentence will be imposed under the Sentencing Guidelines that apply to my case, unless I qualify for enhanced penalties under Fla. Stat. ch. 775, or other statutes. If no enhanced sentence is requested or applies, I understand that the court can impose a sentence exceeding the guideline range only by stating clear and convincing reasons under the guidelines law. If the court does impose a sentence exceeding the guidelines range, I will have the right to withdraw my plea(s) or appeal the sentence, unless enhanced penalties apply and are lawfully imposed. No representations or promises have been made to me regarding "gain time," "good time," "early release," or any credit toward my sentence, which I understand the court and my lawyer cannot affect. I understand that only the Department of Corrections can calculate any release date.
8. This paragraph applies if this or another case against me involves a sex-related charge (even if a reduced charge). My lawyer has explained the mandatory, statutory conditions of sex-offender probation, and the law of involuntary civil commitment under the Involuntary Civil Commitment for Sexually Violent Predators act, the "Jimmy Ryce Act," or similar statutes.
9. I understand and agree that if the judge permits me to remain at liberty pending sentencing, I must notify my lawyer, my bondsman, my pre-trial release officer, if any, and the Clerk of the Court of any change of my address. I also understand that if a Pre-Sentence Investigation (PSI) is ordered and I fail to appear for any appointment with the Department of Corrections for the PSI interview, the court can revoke my release and place me in jail until the PSI is completed or until sentencing.
10. I understand that if I willfully fail to appear for sentencing, any conditions of a "conditional plea" will no longer be binding upon the judge, and that I may be sentenced to any lawful sentence that could be imposed without the conditions.
11. I can read, write, speak and understand the English language or have had an interpreter in my native language assigned to me who has read this entire document to me with my lawyer present. I have \_\_\_\_\_ years, or equivalent, of education (example: high school or GED = 12 years). I am not under the influence of any drug, medicine or alcohol at the time I sign this plea form. I am not suffering from any mental problems at this time that affect my understanding of this document, other than as explained to the judge on the record in open court, or as reflected in the court file.
12. I have read and understand every printed or handwritten word in this plea form and have discussed it with my lawyer. I am fully satisfied with the services of my lawyer and have had a full opportunity to discuss this case and my plea(s) with my lawyer. I have told my lawyer everything I know about my case. No one, including my lawyer, has made any promises or representations to me which modify or contradict this plea document, other than what I have told the judge in open court.

SIGNED, or acknowledged, in open court at Deland, Volusia County, Florida, on June 2, 2021.

  
\_\_\_\_\_  
DEFENDANT  
ANDREW JOHN JONES

#### CERTIFICATE OF DEFENDANT'S ATTORNEY

I hereby certify that, as counsel for the Defendant, I have discussed this case with my client and explained the rights, defenses and evidence relating to it with him/her. I have discussed this written plea form and have answered all the defendant's questions regarding it. In my professional opinion, as an officer of the court, the defendant understands everything in this plea form, his/her rights, and the consequences of this(these) plea(s). His/her plea is being made freely, voluntarily and knowingly. I have made no promises or representations to my client which modify or contradict this plea document.

  
\_\_\_\_\_  
COUNSEL FOR DEFENDANT  
MARK M OMARA

#### CERTIFICATE OF ASSISTANT STATE ATTORNEY

I confirm that the recommendations set for in this plea form are the recommendations of the Office of the State Attorney. The State has complied with the Victim Rights Statute, if applicable.

  
\_\_\_\_\_  
ASSISTANT STATE ATTORNEY  
JEANNE STRATIS

#### ORDER ACCEPTING PLEA

The foregoing plea document was received and accepted in open court. The Defendant signed or acknowledged signing this document while under oath and subject to the penalties of perjury. The court finds the plea to be freely and voluntarily entered

and that a factual basis exists in the record for the court to accept it. By accepting this plea(s), the court is not required to follow any state or defense recommendation stated herein, unless a "Conditional Plea" is fully described in paragraph 5, above.

Accepted by the court,



\_\_\_\_\_

JAMES R. CLAYTON

UNOFFICIAL

IN THE CIRCUIT COURT, EIGHTEENTH  
JUDICIAL CIRCUIT, IN AND FOR  
SEMINOLE COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO.: 2019CF002991A  
DIVISION:

vs.

JONES, ANDREW J. /  
Defendant

~~AGY~~ ~~AGY~~  
CONDITIONS OF ~~SEX OFFENDER~~ PROBATION ~~AGY~~

~~AGY~~  
The following conditions of ~~sex offender~~ probation have been explained to me by my attorney. I understand them and agree to the conditions. All of my questions about these conditions have been answered.

1. A mandatory curfew from 10 p.m. to 6 a.m. The court may designate another 8-hour period if the offender's employment precludes the above specified time, and the alternative is recommended by the Department of Corrections. If the court determines that imposing a curfew would endanger the victim, the court may consider alternative sanctions.
2. If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, daycare center, park, playground or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line and not by a pedestrian or automobile route.
3. Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the probationer's own expense. If a qualified practitioner is not available within a 50-mile radius of the probationer's residence, the offender shall participate in other appropriate therapy.
4. A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.
5. If the victim was under the age of 18, a prohibition on contact with a child under the age of 18 except as provided in this paragraph. The court may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The State has no objection to the defendant having contact with his own biological children, pursuant to any Family Law Court Order, otherwise this paragraph shall apply.
6. If the victim was under the age of 18, a prohibition on working for pay or as a volunteer at any place where children regularly congregate, including, but not limited to: schools, day care centers, parks, playgrounds, pet stores, libraries, zoos, theme parks and malls.
7. Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, accessing, owning or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including: telephone, electronic media, computer programs or computer services that are relevant to the offender's deviant behavior pattern.

copy: Defendant, State Attorney, Defense Attorney, Probation

06/03/21  
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8. A prohibition on accessing the internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the internet or other computer services. The state has no objection to accessing the internet for work purposes, but otherwise this paragraph shall apply.
9. A requirement that the probationer must submit a specimen of blood or other approved biological specimen to the Department of Law Enforcement to be registered with the DNA data bank.
10. A requirement that the probationer make restitution to the victim for all necessary medical and related professional services relating to physical, psychiatric and psychological care.
11. Submission to a warrantless search by the community control or probation officer of the probationer's person, residence or vehicle.
12. As part of a treatment program, participation at least annually in polygraph examinations to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. A polygraph examination must be conducted by a polygrapher trained specifically in the use of the polygraph for the monitoring of sex offenders, where available, and shall be paid for by the sex offender. The results of the polygraph examination shall not be used as evidence in court to prove that a violation of community supervision has occurred.
13. Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.
14. A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.
15. If there was sexual contact, a submission to, at the probationer's expense, an HIV test with the results to be released to the victim or the victim's parents or guardian.
16. Electronic monitoring when deemed necessary by the probation officer and his supervisor, and ordered by the court at the recommendation of the Department of Corrections.
17. If the crime was committed on or after September 1, 2005 and the victim is 15 years of age or younger and the offender is 18 years of age or older or if the Defendant is designated a sexual predator; the court must order mandatory electronic monitoring as a condition of probation. THIS PARAGRAPH SHALL NOT APPLY
18. If the crime was committed on or after May 26, 2010 and the victim was under the age of 18 at the time of the offense; a prohibition on visiting schools, except as it relates to matters for his own biological children, and pursuant to any Family Law Court Order, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

*Defendant may go to churches, for work purposes, with prior notice to the church so they can supervise him.*

\_\_\_\_\_  
 JONES, ANDREW J.  
 Defendant

\_\_\_\_\_  
 Date

*6/03/21*

\_\_\_\_\_  
 OMARA, MARK M.  
 Defense Attorney

\_\_\_\_\_  
 Date

*6/3/21*

*Francis [Signature]*  
 ASA

*6-3-21*

*[Signature]*  
 JUDGE CLAYTON