

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

STATE OF FLORIDA

CASE NO.: 05-20 14 -CF- 017017 - A XXX-XX

-VS-

Teya Marie Pallante
Defendant.

FILED IN OPEN COURT
Date: 12/1/15 Time: 10:00AM
CLERK,
CIRCUIT AND COUNTY COURT
By: Tara Grant D.C.

PLEA AGREEMENT
(Fla. R. Crim. P. 3.172)

The undersigned defendant withdraws the previously entered plea(s) of not guilty and tenders a plea of
() guilty, (✓) no contest as follows:

Case Number	Offense	Maximum Sentence
<u>(2)(3)(4)</u>	<u>Use of A Child In A Sexual Performance</u>	<u>15 years prison each count</u>
<u>(5)</u>	<u>Neglect of A Child</u>	<u>5 years prison</u>
<u>(6)</u>	<u>Contributing To Dependency of A Minor</u>	<u>1 year jail</u>
<u>(7)</u>	<u>Nolle Pross upon open plea to court in counts 2-6</u>	

If my plea is guilty, I hereby acknowledge that I am in fact guilty of the foregoing offense(s). When asked by the judge, I will provide a factual basis to support my plea. If my plea is no contest, I believe such plea is in my best interest and recognize that the Judge will find me guilty after being provided a factual basis.

The State of Florida and I have agreed upon the following sentence to be imposed as a condition of this plea:

Plea To Court

(8) Other than Nolle Pross of count 1 at sentencing, the State has made no further agreement, there is no agreed upon sentence

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Order PSI

I understand that if probation is a part of my sentence that the Court may impose conditions of probation authorized by law, including restitution and public service, and, unless conditions are specifically attached hereto, those conditions are by this agreement left to the discretion of the Court.

I understand that statutory costs may be imposed as part of my sentence unless those costs are waived by the Court.

I understand that I have the right to plead not guilty, or to persist in that plea if it has already been made, and to be tried by a jury with the assistance of a lawyer, the right to compel attendance of witnesses on my behalf; the right to confront and cross examine witnesses against me; the right to present defenses to the jury; and the right to take the witness stand and testify on my own behalf. I also have the right not to take the witness stand and cannot be compelled to incriminate myself. I give up these rights by entering this plea.

I understand that if I enter a plea without reserving the right to appeal, I will give up my right to appeal all matters relating to the judgment, including the issue of guilt or innocence except for the limited review

T.G.

available by collateral attack. I also give up my right to appellate review on any pretrial ruling made by the court unless such right is specifically reserved in this agreement.

I understand that I may be asked questions by the Judge under oath about the plea and that my answers, if untruthful, may be used against me later in a prosecution for perjury.

I enter this plea freely and voluntarily. No person has forced, threatened or coerced me into entering this plea. No person has made any promise to me that induced me to enter this plea, except those matters specifically set forth in this plea agreement.

I have discussed the physical evidence that may be available in my case with my lawyer, including physical evidence that may tend to prove that I did not commit the crime(s) charged, such as DNA evidence. I am satisfied that there is no such evidence in my case or I hereby waive any claim of innocence that may be established by the physical evidence, including DNA testing.

I understand that if I enter a plea to a felony offense or a sex offense I must register as a convicted felon or as a sex offender as required by law. If I am pleading to a sex offense, I have been advised by my lawyer that my liberty may be restricted, including but not limited to, where I may live, where I may work and with whom I may have contact.

I understand that if I am pleading guilty or no contest to a sexually violent offense or a sexually motivated offense, or if I have previously been convicted of such an offense, I may be subject to involuntary civil commitment as a sexually violent predator upon completion of any prison or jail sentence.

I hereby give up my right to a speedy trial.

I understand that if I am not a United States Citizen, entry of this plea may subject me to deportation by the United States Immigration Service.

I understand that if the offense to which I am entering a plea is one for which automatic mandatory driver's license suspension is required by law to be imposed by the court or by a separate agency, my plea will provide the basis for the suspension or revocation of my driver's license.

I do not suffer from any physical or mental disabilities to the degree that I am incapable of understanding this agreement, the nature of the proceeding against me, or assisting my lawyer in my behalf. I am not under the influence of alcohol or any drug at this time.

I realize that this agreement is subject to being finally accepted or rejected by the Judge at the time of sentencing, and if it is rejected for any reason other than for a breach of the agreement, I may withdraw my plea and go to trial.

CERTIFICATE OF DEFENSE ATTORNEY

I certify that I have fully discussed this case and this plea agreement with the defendant including the nature of the charges, their elements, the evidence of which I am aware, including physical evidence for which DNA testing may exonerate the defendant, any possible defenses, the maximum and minimum penalties which may be imposed, the probable guideline range and the defendant's right to appeal.

X *Serg Pallante*
Defendant

Date of Birth: 11-28-81 Age: 34

[Signature] #0841102
Counsel for the Defendant / Fla. Bar No.

CERTIFICATE OF ASSISTANT STATE ATTORNEY

I hereby certify that I have disclosed items of physical evidence which may be favorable to the defendant including any possible DNA evidence. The State accepts the terms of this agreement.

[Signature]
Assistant State Attorney / Fla. Bar No.

SWORN TO BY THE DEFENDANT, SIGNED AND FILED IN OPEN COURT, IN MY PRESENCE, THIS 1st DAY OF December, 2015

[Signature]
CIRCUIT JUDGE

