

JUDICIAL NOMINATING COMMISSION

SEVENTH JUDICIAL CIRCUIT OF FLORIDA

APPLICATION FOR NOMINATION

TO THE COUNTY COURT OF PUTNAM COUNTY

ALEXANDER MILLIGAN SHARP IV



Full Name: Alexander Milligan Sharp IV Social Security No.: [REDACTED]

Florida Bar Number: 0095736

Date Admitted to Practice in Florida: 4/27/2012

1. Please state your current employer and title, including any professional position and any public or judicial office you hold, your business address and telephone number.

**Putnam County Sheriff's Office- General Counsel/Deputy Sheriff
130 Orié Griffin Blvd
Palatka, Florida 32177
386-326-7249 office
386-336-8109 cell**

2. Please state your current residential address, including city, county, and zip code. Indicate how long you have resided at this location and how long you have lived in Florida. Additionally, please provide a telephone number where you can be reached (preferably a cell phone number), and your preferred email address.

[REDACTED]

[REDACTED]

Four years

[REDACTED] **386-326-7249 office**

Alex.sharp@hotmail.com

I have been a Florida resident for 53 years.

3. State your birthdate and place of birth.

[REDACTED] [REDACTED] [REDACTED]

Grove City, Pennsylvania

4. Are you a registered voter in Florida?

Yes

5. Please list all courts (including state bar admissions) and administrative bodies having special admissions requirements to which you have ever been admitted to practice, giving the dates of admission, and if applicable, state whether you have ever been suspended or resigned. Please explain the reason for any lapse in membership.

Florida State Court (2012)

Middle District of Florida, Federal Court (admitted 2022)

6. Have you ever been known by any aliases? If so, please indicate and when you were known by such alias.

"Alex Sharp" currently

EDUCATION:

7. List in reverse chronological order each secondary school, college, university, law school or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, the date the degree was received, class standing, and graduating GPA (if your class standing or graduating GPA is unknown, please request the same from such school).

**2014-2016 The University of Miami Law School- L. L. M. in Real Property Development
GPA 3.26**

**2009- 2011 Florida Coastal School of Law- Juris Doctor
GPA 3.03**

**2002- 2003 Columbia University- Bachelor of Arts
GPA 3.37**

**1997-2002- Vincennes University- Associate in Science
GPA 3.60**

Transcripts Attached

8. List and describe any organizations, clubs, fraternities or sororities, and extracurricular activities you engaged in during your higher education. For each, list any positions or titles you held and the dates of participation.

None

EMPLOYMENT:

9. List in reverse chronological order all full-time jobs or employment (including internships and clerkships) you have held since the age of 21. Include the name and address of the employer, job title(s) and dates of employment. For non-legal employment, please briefly describe the position and provide a business address and telephone number.

**1. Putnam County Sheriff's Office, General Counsel, and Deputy Sheriff, 2017-Current
130 Ori Griffin Blvd, Palatka, Florida 32177
386-329-0800**

- 2. Saint Johns River State College, Adjunct Teacher, 2022-Current**
5001 Saint Johns Ave, Palatka, Florida 32177
386-312-4200
- 3. 7th Judicial Circuit State Attorney's Office, Felony Prosecutor, 2012-2017**
410 Saint Johns Ave, Palatka, Florida 32177
386-329-0259
- 4. 7th Judicial Circuit State Attorney's Office, Reserve Investigator, 2014-2017**
410 Saint Johns Ave, Palatka, Florida 32177
386-329-0259
- 5. Putnam County Sheriff's Office, Auxiliary Deputy Sheriff 2011-2013**
130 Orié Griffin Blvd, Palatka, Florida 32177
386-329-0800
- 6. 7th Judicial Circuit State Attorney's Office, Homicide Investigation Unit (HIU)**
Law School Internship, (summer) 2010
410 Saint Johns Ave, Palatka, Florida 32177
386-329-0259
- 7. Hale Real Estate Inc. Commercial & Residential Real Estate (Owner) 2004-Current**
P.O. Box 953 Hollister Florida 32147
386-916-0838
- 8. Sharp Enterprises LLC- Restaurant (Owner) 2005-2011**
P.O. Box 953 Hollister Florida 32147
386-916-0838
- 9. The City of Palatka- Police Department, Patrol Officer, Bike Unit, Detective, Sgt. Detective and Shift Commander 1991-2004**
110 North 11th Street Palatka Florida 32177
386-329-0110
- 10. The City of Palatka- Police Department, Dispatcher 1989-1991**
110 North 11th Street Palatka Florida 32177
386-329-0110
- 11. Army Reserves- 449th Military Police Battalion- Jacksonville, Florida (unit has since been disbanded) 1987-1996**

12. Holiday Inn Lounge, Bartender, Palatka, Florida (no longer in business) 1986-1989

Describe the general nature of your current practice including any certifications which you possess; additionally, if your practice is substantially different from your prior practice or if you are not now practicing law, give details of prior practice. Describe your typical clients or former clients and the problems for which they sought your services.

Currently, I serve as the legal representation for the Putnam County Sheriff's Office. In that regard, my duties include but are not limited to in-house training for new law enforcement officers and periodic updates for all sworn members regarding state statutes. Additionally, I file risk protection orders, assist with defending outside or internal legal claims, and provide guidance on policy and employee discipline. I represent the Sheriff in court proceedings, including civil asset forfeitures. As General Counsel, I review contracts and public record requests, advise on internal affairs investigations, and perform other duties as requested. I am additionally a fully sworn deputy sheriff with the agency, and on occasion, I conduct special investigations at the direction of the Sheriff.

10. What percentage of your appearance in Court in the last five years or in the last five years of practice (include the dates) was:

	Court		Area of Practice	
Federal Appellate	_____	%	Civil	<u>90</u> %
Federal Trial	<u>5</u>	%	Criminal	<u>10</u> %
Federal Other	_____	%	Family	_____ %
State Appellate	_____	%	Probate	_____ %
State Trial	<u>5</u>	%	Other	_____ %
State Administrative	_____	%		
State Other	<u>90</u>	%		
TOTAL	<u>100</u>	%	TOTAL	<u>100</u> %

If your appearance in Court the last five years is substantially different from your prior practice, please provide a brief explanation:

While previously employed with the 7th Judicial Circuit State Attorney's Office as a prosecutor from 2012-2017, I was responsible for the intake, filing, and prosecution of all felony-level drug-related cases in Putnam County.

As General Counsel for the Sheriff, I handle all Risk Protection Orders and contract reviews and assist outside counsel on any litigation involving the Sheriff's Office or its members.

11. In your lifetime, how many (number) of the cases that you tried to verdict, judgment, or final decision were:

Jury?	31	Non-jury?	100-150 (VOP hearings and bench)
Arbitration?	_____	Administrative Bodies?	
Appellate?	_____		

12. Please list every case that you have argued (or substantially participated) in front of the United States Supreme Court, a United States Circuit Court, the Florida Supreme Court, or a Florida District Court of Appeal, providing the case name, jurisdiction, case number, date of argument, and the name(s), email address(es), and telephone number(s) for opposing appellate counsel. If there is a published opinion, please also include that citation.

None

13. Within the last ten years, have you ever been formally reprimanded, sanctioned, demoted, disciplined, placed on probation, suspended, or terminated by an employer or tribunal before which you have appeared? If so, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

No

14. In the last ten years, have you failed to meet any deadline imposed by court order or received notice that you have not complied with substantive requirements of any business or contractual arrangement? If so, please explain full.

No

15. For your last six cases, which were tried to verdict or handled on appeal, either before a jury, Judge, appellate panel, arbitration panel or any other administrative hearing officer, list the names, email addresses, and telephone numbers of the trial/appellate counsel on all sides and court case numbers (include appellate cases). *This question is optional for sitting judges who have served five years or more.*

Complete trial record attached

Trial Date: 9/27/2016, Case # 2015-1622, Defendant Michael Xavier Appling, charged with Sale of Cocaine, Jury trial, verdict guilty, Sentence 10 Yrs. DOC, followed by 5 Yrs. Probation, Opposing Defense counsel, Public Defenders Office, Trisha Nielsen Laissle, [REDACTED]

Trial Date: 8/18/2016, Case # 2014-1245, Defendant Danny Dean Allen, charged with Sale of a Schedule II Substance, jury trial, verdict guilty, Sentence 10 Yrs. DOC, followed by 5 Yrs. Probation, Opposing Defense Counsel, Public Defenders Office, Trisha Nielsen Laissle, [REDACTED]

Trial Date: 8/17/2016, Case # 2014-1376, Defendant Harry James Robinson Jr, charged with Sale of Cocaine, jury trial, verdict guilty, Sentence 15 Yrs. DOC, Opposing Defense Counsel, Tyler Jeffery Williams, [REDACTED]

Trial Date 7/21/2016, Case # 2012-1506, Defendant Eric Maurice Henry, charged with Possession of Cannabis with Intent to Sell, verdict guilty, Sentence 5 Yrs. DOC, Opposing Counsel, Robert Anthony Norgard, [REDACTED]

Trial Date: 2/22/2016, Case # 2015-1059, Defendant Madu Jabulani Chinelo, charged with Trafficking in Cocaine over 28 Grams, jury trial, verdict guilty, Sentence 20 Yrs. DOC, followed by 10 Yrs. Probation, opposing defense counsel, Public Defenders Office, Stephanie Parks, [REDACTED]

Trial Date: 4/26/2015, Case # 2015-794, Defendant Kevin Maurice Harris, charged with Sale of Cocaine, jury trial, verdict guilty, Sentence 7 Yrs. DOC, Probation, Opposing Counsel, Kurt Francis Teifke, [REDACTED]

16. For your last six cases, which were either settled in mediation or settled without mediation or trial, list the names and telephone numbers of trial counsel on all sides and court case numbers (include appellate cases). *This question is optional for sitting judges who have served five years or more.*

N/A

17. During the last five years, on average, how many times per month have you appeared in Court or at administrative hearings? If during any period you have appeared in Court with greater frequency than during the last five years, indicate the period during which you appeared with greater frequency and succinctly explain.

2-5 times a month

18. If Questions 16, 17, and 18 do not apply to your practice, please list your last six major transactions or other legal matters that were resolved, listing the names, email addresses, and telephone numbers of the other party counsel.

N/A

19. During the last five years, if your practice was greater than 50% personal injury, workers' compensation or professional malpractice, what percentage of your work was in representation of plaintiffs or defendants?

N/A

20. List and describe the five most significant cases you personally litigated, including the case style, number, Court and Judge, the date of the case, the names, email addresses, and telephone numbers of the other attorneys involved, and citation to reported decisions, if any. Identify your client and describe the nature of your participation in the case and the reason you believe it to be significant.

Trial Date: 11/13/2013, Case # 2013-192, Defendant Ruben James Josey, AKA "the Honey Badger," charged with Grand Theft, Jury trial, verdict guilty, Sentence 1 Yrs. Jail, followed by five years probation, Opposing Counsel, Public Defenders' Office, Mac Brunton (deceased), and Steven Neale Gosney, [REDACTED] 8. This was my first solo felony trial with circuit Judge Carlos Mendoza, now a sitting Federal Court Judge. The defendant had a long history of stealing from the local beekeepers. It was a very high local profile case since he had previously escaped prosecution for the same crime a year in our county and the State of Georgia with similar charges. After the trial and verdict, Judge Mendoza commended me on my trial skills against two experienced public defenders. It was a very satisfying experience and win.

Trial Date: 12/18/2013, Case # 2013-336, Defendant William Howard Lawrence, charged with Possession of Firearm by Convicted Felon, Jury trial, verdict guilty, 1 Yr. And a day DOC, Opposing Counsel, Derrick Smith, [REDACTED]. I was co-counsel on this case with then ASA Jeremiah Blocker. Our final jury selection consisted of five women and one man. After a two-hour deliberation, the jury returned with a guilty as-charged verdict. Several weeks later, the same male juror stopped me at a local grocery store and explained why the deliberation took several hours. In reading the jury instructions, several other jurors noted

that antique firearms were an exception to the felony possession law. They were not sure the Remington Pump Action model shotgun was not an antique. The male juror explained he had to give them all a lesson on modern firearms, or they would at the least be a hung jury since we had not addressed the issue. The case is interesting and noteworthy because the antique exception never arose from the Defense or us. We all assumed the shotgun could be readily recognized as a modern design. The takeaway is that one should never assume. Continually educate your jury on the specifics and facts of your case.

Trial Date: 3/21/2014, Case # 2014-1041, Defendant William Howard Lawrence, charged with Possession of Firearm by Convicted Felon, Jury trial, Verdict guilty, 16.7 Yrs. DOC, Opposing Counsel, Stephanie Park, [REDACTED]. This was my 1st case of this type. Early in the pretrial phase, Defense Counsel offered five years of DOC, well below the guidelines. We met with then-circuit Judge Mendoza in chambers, and he was agreeable to the departure from the scoresheet if I agreed. Defendant then changed his mind and declined to agree to the five years after we had agreed on the plea offer. I refiled the information multiple times due to the statute's complexity right up to the trial over the different ways he had violated the applicable statutory charge. Defendant then demanded the original offer of five years at sentencing, but Mendoza imposed the score sheet minimum sentence of almost 17 years. It was a very contentious trial, and I was not sure we would win, as all my material evidence was hostile testimony from his local girlfriend and his failure to change his Driver's License address. Still, the jury came back guilty as charged.

Trial Date: 6/16/2015, Case # 2011-1959, Defendant Milton Webb, charged with Trafficking in Cocaine 400 or more Grams & Conspiracy to Traffick in Cocaine 400 or More Grams, Verdict Guilty, both counts, 30 Yrs. DOC, Opposing Counsel, Defendant was Pro Se. This defendant was the last of multiple other defendants who had been bringing large quantities of cocaine regularly into Putnam County for several years. He had refused all plea offers, demanded a trial, and insisted he defends himself. This was an FDLE and DEA task force case with numerous wire recordings and multiple components. It was the most complicated case I had ever prosecuted. The case and sentence were upheld on appeal despite the defendant claiming he was not offered a substitute counsel. (he had fired his three previously appointed counsels) I found myself helping him on procedural issues, such as making a motion to dismiss after I rested, not from altruistic motivation but because he was representing himself. I wanted to ensure the case was not overturned due to his self-representation.

Trial Date: 12/8/2015, Case # 2015-0795, Defendant Richard Shtorn Hagans, charged with Sale of Cocaine, Non-Jury trial, Verdict guilty, 5 Yrs. DOC, Opposing Counsel, Stephanie Park, [REDACTED]. This was an undercover buy made by a confidential informant. The informant fled the state and was unavailable for trial. The Defense opted for a bench trial with the late Judge Wolfe under the belief they would be able to dismiss the case for lack of identification on the video. I successfully admitted into evidence the video and officer's testimony of the drug transaction after several hard-fought motions. In addition, the Judge

had no issue identifying the defendant as the same one on the video player. The opposing counsel wanted to plea this case out, but her client was steadfast that he could not be convicted without the CI testifying.

21. Attach at least two, but no more than three, examples of legal writing which you personally wrote. If you have not personally written any legal documents recently, you may attach a writing sample for which you had substantial responsibility. Please describe your degree of involvement in preparing the writing you attached.

PRIOR JUDICIAL EXPERIENCE OR PUBLIC OFFICE

22. Have you ever held judicial office or been a candidate for judicial office? If so, state the Court (s) involved, the dates of service or dates of candidacy, and any election results.

No

23. If you have previously submitted a questionnaire or application to this or any other judicial nominating commission, please give the name(s) of the commission, the approximate date(s) of each submission, and indicate if your name was certified to the Governor's Office for consideration.

Yes- I applied to be on the Judicial Nominating Committee for the 7th Judicial Circuit in 2022, but I was not chosen.

24. List any prior quasi-judicial service, including the agency or entity, dates of service, position(s) held, and a brief description of the issues you heard.

None

25. If you have prior judicial or quasi-judicial experience, please list the following information:

- (i) the names, phone numbers and addresses of six attorneys who appeared before you on matters of substance;
- (ii) the approximate number and nature of the cases you handled during your tenure;
- (iii) the citations of any published opinions; and
- (iv) descriptions of the five most significant cases you have tried or heard, identifying the citation or style, attorneys involved, dates of the case, and the reason you believe these cases to be significant.

26. Provide citations and a brief summary of all of your orders or opinions where your decision was reversed by a reviewing court or where your judgment was affirmed with significant criticism of

your substantive or procedural rulings. If any of the opinions listed were not officially reported, attach copies of the opinions.

N/A

27. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, attach copies of the opinions.

N/A

28. Has a complaint about you ever been made to the Judicial Qualifications Commission? If so, give the date, describe the complaint, whether or not there was a finding of probable cause, whether or not you have appeared before the Commission, and its resolution.

No

29. Have you ever held an attorney in contempt? If so, for each instance state the name of the attorney, case style for the matter in question, approximate date and describe the circumstances.

No

30. Have you ever held or been a candidate for any other public office? If so, state the office, location, dates of service or candidacy, and any election results.

2004 Candidate for Sheriff of Putnam County (Republican)- unsuccessful

2005 City of Palatka Mayoral Race (non-partisan)- unsuccessful

NON-LEGAL BUSINESS INVOLVEMENT

31. If you are now an officer, director, or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

Yes, V.P. of Hale Real Estate Inc. (part-owner with my spouse)

A&E Ventures LLC owner- company inactive

32. Since being admitted to the Bar, have you ever engaged in any occupation, business or profession other than the practice of law? If so, explain and provide dates. If you received any

compensation of any kind outside the practice of law during this time, please list the amount of compensation received.

I received my law enforcement certification for the State of Florida in 1990, which is still active after 33 years. In addition to being the Putnam County Sheriff's Office General Counsel, I am a fully sworn Deputy Sheriff within the agency with full arrest powers.

I have an active Florida Brokers Real Estate License (BK3022759) with Modern Realty of Interlachen. Any compensation is through properties I own. See attached Income Tax Returns and financial asset list.

Member of the Northeast Florida Association of Realtors (2001-present)

In 2021-2022 I started and opened a used retail bookstore with my son Ethan under A & E Ventures LLC. In the latter part of 2022, we sold the business inventory and closed the company.

POSSIBLE BIAS OR PREJUDICE

33. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding Judge. Please list all types or classifications of cases or litigants for which you, as a general proposition, believe it would be difficult for you to sit as the presiding Judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

None

PROFESSIONAL ACCOMPLISHMENTS AND OTHER ACTIVITIES

34. List the titles, publishers, and dates of any books, articles, reports, letters to the editor, editorial pieces, or other published materials you have written or edited, including materials published only on the Internet. Attach a copy of each listed or provide a URL at which a copy can be accessed.

None

35. List any reports, memoranda or policy statements you prepared or contributed to the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. Provide the name of the entity, the date published, and a summary of the document. To the extent you have the document, please attach a copy or provide a URL at which a copy can be accessed.

I have created numerous legal memorandums to assist law enforcement in their duties, from the basic search and seizure to transient occupancy.

- a. Elections training memo
- b. Hurricane Ian Guidance 2022
- c. Legislative Updates
- d. Misdemeanor arrests residential homes
- e. Open Carry
- f. Pretrial Arrests
- g. Proper Probable Cause Affidavits to Support Arrests
- h. New Riot Law
- i. Transient Occupancy Law

36. List any speeches or talks you have delivered, including commencement speeches, remarks, interviews, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place they were delivered, the sponsor of the presentation, and a summary of the presentation. If there are any readily available press reports, a transcript or recording, please attach a copy or provide a URL at which a copy can be accessed.

None

37. Have you ever taught a course at an institution of higher education or a bar association? If so, provide the course title, a description of the course subject matter, the institution at which you taught, and the dates of teaching. If you have a syllabus for each course, please provide.

Yes, I am an adjunct instructor at Saint Johns River State College. I teach advanced law enforcement legal classes and constitutional law to active law enforcement officers and new academy recruits.

I additionally teach and schedule pre-approved CLE credit courses through our local bar association with the help of our local judges.

I also do inservice training for our Deputies on a number of legal subjects as required.

I am also responsible for the legal instruction block for all of our civilian school guardians, authorizing them to carry and use deadly force in a school shooting event

38. List any fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement. Include the date received and the presenting entity or organization.

Officer of the Year City of Palatka Police Department 1993

Top Gun Award 7th Judicial Circuit State Attorney's Office 2016

Sons of the American Revolutionary Law Enforcement Commendation Medal 2017

39. Do you have a Martindale-Hubbell rating? If so, what is it and when was it earned?

No

40. List all bar associations, legal, and judicial-related committees of which you are or have been a member. For each, please provide dates of membership or participation. Also, for each indicate any office you have held and the dates of office.

Florida Bar Traffic Rules Committee, 2015-2016

41. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in the previous question to which you belong, or to which you have belonged since graduating law school. For each, please provide dates of membership or participation and indicate any office you have held and the dates of office.

Putnam County Bar Association, 2013 present, President since 2021

Palatka Sunrise Rotary Club (2016-present)- Past Club President, board member, and the club Sgt of Arms.

Keep Putnam Beautiful 501c3, Board Member 2021-present

Ten-24 Foundation 501c3, Board Member 2020-present

The Federalist Society, 2020-present

Member of the Florida Sheriff's Association 2017-present

Member of the Florida Police Advisor's Association 2017-present

Member of the Putnam County Republican Club 2015-present

Putnam County Recreational Youth Soccer Coach 2003-2016

42. Do you now or have you ever belonged to a club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion (other than a church, synagogue, mosque or other religious institution), national origin, or sex (other than an educational institution, fraternity or sorority)? If so, state the name and nature of the club(s) or organization(s), relevant policies and practices and whether you intend to continue as a member if you are selected to serve on the bench.

No

43. Please describe any significant pro bono legal work you have done in the past 10 years, giving dates of service.

As a former prosecutor and now General Counsel for the Sheriff and a sworn Deputy Sheriff, I am prohibited from performing outside legal work.

44. Please describe any hobbies or other vocational interests.

Skeet Shooting

Reading

Creative Writing

Low Power FM Radio (L.P. FM radio station WDPI, 100.5)

45. Please state whether you have served or currently serve in the military, including your dates of service, branch, highest rank, and type of discharge.

1987-1996 Army Reserves, E2, Honorable Discharge

46. Please provide links to all social media and blog accounts you currently maintain, including, but not limited to, Facebook, Twitter, LinkedIn, and Instagram.

Facebook.com/alex.sharp338	Facebook
Ten-24 Foundation	Facebook Page
Putnam Bar Association	Facebook Page
Wild Game Feast Palatka Sunrise Rotary	Facebook Page
Wdpi-Lp FM Palatka Florida	Facebook Page
Palatka Sunrise Rotary Club	Facebook Page
Downtown Palatka, Inc	Facebook Page
As@iamsharp1967	Twitter
Alex Sharp@alexsharp	Truth Social

FAMILY BACKGROUND

47. Please state your current marital status. If you are currently married, please list your spouse's name, current occupation, including employer, and the date of the marriage. If you have ever been divorced, please state for each former spouse their name, current address, current telephone number, the date and place of the divorce and court and case number information.

Married Jeannie Lynn Ely, office manager for local attorney Tim Keyser, Interlachen, Florida. February 14, 2002

Divorced April Revels, (deceased) Putnam County 1999-138FD

**Divorced Carol Dawn Merritt, Putnam County 1994-8129FD
134 Green Road, Palatka, Florida 32177**

**Divorced Jennifer Housend, Putnam County 1989-5207FD
149 Brittany Lane Guyton, Ga 31312**

48. If you have children, please list their names and ages. If your children are over 18 years of age, please list their current occupation, residential address, and a current telephone number.

- 1. Zachary A. Housend, age 32, Computer Systems Sales, Brittany Georgia,**
- 2. Devin A. Sharp (deceased 2016, at age 19)**
- 3. Ethan Alexander Sharp, age 19, Communications Officer for Putnam County Sheriff's Office, Palatka Florida,**

CRIMINAL AND MISCELLANEOUS ACTIONS

49. Have you ever been convicted of a felony or misdemeanor, including adjudications of guilt withheld? If so, please list and provide the charges, case style, date of conviction, and terms of any sentence imposed, including whether you have completed those terms.

No

50. Have you ever pled nolo contendere or guilty to a crime which is a felony or misdemeanor, including adjudications of guilt withheld? If so, please list and provide the charges, case style, date of conviction, and terms of any sentence imposed, including whether you have completed those terms.

No

51. Have you ever been arrested, regardless of whether charges were filed? If so, please list and provide sufficient details surrounding the arrest, the approximate date and jurisdiction.

I have never been arrested or formally charged with any crime.

During my 2004 candidacy for Putnam County Sheriff, Gary Getchell, former Chief of the Palatka Police (PPD), sent a complaint affidavit to the 7th Judicial Circuit State Attorney's Office (SAO), accusing me of Official Misconduct. The SAO reviewed and conducted their investigations and filed a "No Information". (Copy attached for your review). Additionally, the Florida Department of Law Enforcement (FDLE) reviewed that allegation and two additional alleged violations of PPD policy. FDLE determined all three incidents to be baseless and took no action against my law enforcement certification. (Letters attached for your review)

- 52. Have you ever been a party to a lawsuit, either as the plaintiff, defendant, petitioner, or respondent? If so, please supply the case style, jurisdiction/county in which the lawsuit was filed, case number, your status in the case, and describe the nature and disposition of the matter.**

3:22-cv-00090-TJC-PDB Peterson v. Myers et al-defendant, dismissed from case

3:06-cv-200-J-TEM Sharp v City of Palatka, USDC MD Jacksonville-plaintiff, unsuccessful

2002-203-CA Sharp v Lynn Hoffman, State Court-plaintiff, settled

1993-613-SC Gilmore v Sharp, Small Claims-defendant, dismissed

As a property investor for over the last 22-plus years, I have filed numerous mortgages, deeds, foreclosures, evictions, quiet title actions, and other related recording actions as needed in the course of that business.

- 53. To your knowledge, has there ever been a complaint made or filed alleging malpractice as a result of action or inaction on your part?**

No

- 54. To the extent you are aware, have you or your professional liability carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the name of the client(s), approximate dates, nature of the claims, the disposition and any amounts involved.**

No

- 55. Has there ever been a finding of probable cause or other citation issued against you or are you presently under investigation for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group. If so, provide the particulars of each finding or investigation.**

- 56. To your knowledge, within the last ten years, have any of your current or former co-workers, subordinates, supervisors, customers, clients, or the like, ever filed a formal complaint or accusation of misconduct including, but not limited to, any allegations involving sexual**

harassment, creating a hostile work environment or conditions, or discriminatory behavior against you with any regulatory or investigatory agency or with your employer? If so, please state the date of complaint or accusation, specifics surrounding the complaint or accusation, and the resolution or disposition.

No

57. Are you currently the subject of an investigation which could result in civil, administrative, or criminal action against you? If yes, please state the nature of the investigation, the agency conducting the investigation, and the expected completion date of the investigation.

No

58. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you, this includes any corporation or business entity that you were involved with? If so, please provide the case style, case number, approximate date of disposition, and any relevant details surrounding the bankruptcy.

No

59. In the past ten years, have you been subject to or threatened with eviction proceedings? If yes, please explain.

No

60. Please explain whether you have complied with all legally required tax return filings. To the extent you have ever had to pay a tax penalty or a tax lien was filed against you, please explain giving the date, the amounts, disposition, and current status.

Yes, I have complied with all applicable tax laws; I have attached my 2021 tax returns for review.

HEALTH

61. Are you currently addicted to or dependent upon the use of narcotics, drugs, or alcohol?

No.

62. During the last ten years have you been hospitalized or have you consulted a professional or have you received treatment or a diagnosis from a professional for any of the following: Kleptomania, Pathological or Compulsive Gambling, Pedophilia, Exhibitionism or Voyeurism? If your answer is yes, please direct each such professional, hospital and other facility to furnish the Chairperson of the Commission any information the Commission may request with respect to any such hospitalization, consultation, treatment or diagnosis. ["Professional" includes a Physician,

Psychiatrist, Psychologist, Psychotherapist or Mental Health Counselor.] Please describe such treatment or diagnosis.

No

- 63.** In the past ten years have any of the following occurred to you which would interfere with your ability to work in a competent and professional manner: experiencing periods of no sleep for two or three nights, experiencing periods of hyperactivity, spending money profusely with extremely poor judgment, suffering from extreme loss of appetite, issuing checks without sufficient funds, defaulting on a loan, experiencing frequent mood swings, uncontrollable tiredness, falling asleep without warning in the middle of an activity. If yes, please explain.

No

- 64.** Do you currently have a physical or mental impairment which in any way limits your ability or fitness to properly exercise your duties as a member of the Judiciary in a competent and professional manner? If yes please explain the limitation or impairment and any treatment, program or counseling sought or prescribed.

No

- 65.** During the last ten years, have you ever been declared legally incompetent or have you or your property been placed under any guardianship, conservatorship or committee? If yes, provide full details as to Court, date, and circumstances.

No

- 66.** During the last ten years, have you unlawfully used controlled substances, narcotic drugs, or dangerous drugs as defined by Federal or State laws? If your answer is "Yes," explain in detail. (Unlawful use includes the use of one or more drugs and/or the unlawful possession or distribution of drugs. It does not include the use of drugs taken under supervision of a licensed health care professional or other uses authorized by Federal or State law provisions.)

No

- 67.** In the past ten years, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned, or terminated by an employer as result of your alleged consumption of alcohol, prescription drugs, or illegal drugs? If so, please state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action

No

68. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? If so, please state the date you were requested to submit to such a test, the type of test required, the name of the entity requesting that you submit to the test, the outcome of your refusal, and the reason why you refused to submit to such a test.

No

69. In the past ten years, have you suffered memory loss or impaired judgment for any reason? If so, please explain in full.

No

SUPPLEMENTAL INFORMATION

70. Describe any additional education or experiences you have which could assist you in holding judicial office.

I sincerely believe those who hold judicial offices should bring a balance of knowledge, compassion, honesty, and integrity to the position. While education is essential, other aspects of one's life and experience are also integral to serving the public because it builds character. I have more than 30 years of service to the residents of Putnam County in different aspects of the criminal justice system from the perspective of a law enforcement officer and work in the 7th Judicial Circuit State Attorney's Office. I have seen firsthand how the justice system operates and impacts the community. However, I have also seen the other aspects of the Judiciary, including family court and civil matters, through my personal experiences. I have served as a relative placement for three children as their parents battled addictions and worked through the family court system. As a private business owner, I have a unique perspective on multiple aspects of small business ownership, which led to expanding my legal knowledge into Real Estate law. I have been on both sides of the aisle and can take those learned life skills and can apply them fairly and consistently in the court system as a judge.

71. Explain the particular contribution you believe your selection would bring to this position and provide any additional information you feel would be helpful to the Commission and Governor in evaluating your application.

While I cannot claim to be a lifelong resident of Putnam, I have lived here for over 50 years. Not only did I grow up here, but I have also dedicated my life to this community, working to help in rebuilding downtown Palatka as a small business owner and repurposing multiple commercial buildings to encourage other small businesses to grow in the community. I believe strongly in servant leadership, which goes beyond my time in service clubs and foundations. While my youngest son was growing up, I devoted countless weekends and evenings as a volunteer soccer coach for our county's youth recreation league, instilling sportsmanship in our children. When three young boys and all siblings

needed the stability of home life, my wife and I provided for them in their time of need, building a support system for them of love and care for several years until their parents could again resume care for them.

REFERENCES

72. List the names, addresses, email addresses and telephone numbers of ten persons who are in a position to comment on your qualifications for a judicial position and of whom inquiry may be made by the Commission and the Governor.
1. H.D. "Gator" Deloach, Sheriff Putnam County, 130 Orié Griffin Blvd, Palatka Florida 32177, [REDACTED]
 2. R. J. Larizza, State Attorney 7th Circuit, 251 N Ridgewood Ave # 300, Daytona Beach, FL 32114, LarizzaR@Sao7.org [REDACTED]
 3. Carlos Mendoza, Federal Judge, 401 West Central Boulevard Orlando, Florida 32801 chambers_fimd_mendoza@fimd.uscourts.gov [REDACTED]
 4. Kenneth Janesk, Circuit Judge 7th Circuit, 413 St Johns Ave, Palatka Florida 32177, Kjanesk@circuit7.org [REDACTED]
 5. Joe Boatwright, Appellate Judge 5th District, P.O. Box 758, East Palatka Florida 32178, Jboatwright@circuit7.org [REDACTED]
 6. Matt Reynolds, Clerk of Putnam County, 410 St Johns Ave, Palatka, Florida 32177, Matt.reynolds@putnam-fl.gov [REDACTED]
 7. John Browning, Business Owner Putnam County, 119 Browning Lane, East Palatka 32131, Jpbrwoning@me.com [REDACTED]
 8. Reverend Karl Flagg, Pastor Mount Tabor Church, 2400 Madison Street, Palatka, Florida 32177, kflagg@putnamsheriff.org [REDACTED]
 9. Tammie McCaskill, City of Palatka Commissioner, 110 North 11th Street, Palatka, Florida 32177, tmccaskill@palatka-fl.gov 329-0100
 10. Phil Leary, Putnam County School Board Member, 200 Reid Street, Palatka, Florida 32177, pleary@learygac.com [REDACTED]
 11. Larry Harvey, Putnam County Commissioner, P.O. Box 758, Palatka, Florida 32178, larry.harvy@putnam-fl.gov [REDACTED]

CERTIFICATE

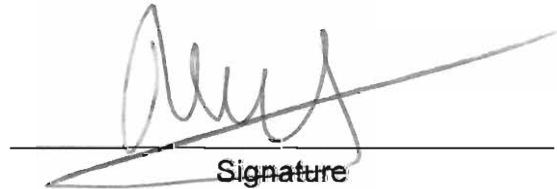
I have read the foregoing questions carefully and have answered them truthfully, fully and completely. I hereby waive notice by and authorize The Florida Bar or any of its committees, educational and other institutions, the Judicial Qualifications Commission, the Florida Board of Bar Examiners or any judicial or professional disciplinary or supervisory body or commission, any references furnished by me, employers, business and professional associates, all governmental agencies and instrumentalities and all consumer and credit reporting agencies to release to the respective Judicial Nominating Commission and Office of the Governor any information, files, records or credit reports requested by the commission in connection with any consideration of me as possible nominee for appointment to judicial office. Information relating to any Florida Bar disciplinary proceedings is to be made available in accordance with Rule 3-7.1(1), Rules Regulating The Florida Bar. I recognize and agree that, pursuant to the Florida Constitution and the Uniform Rules of this commission, the contents of this questionnaire and other information received from or concerning me, and all interviews and proceedings of the commission, except for deliberations by the commission, shall be open to the public.

Further, I stipulate I have read and understand the requirements of the Florida Code of Judicial Conduct.

Dated this 19th day of January, 2023.

Alexander Milligan Sharp IV

Printed Name



Signature

(Pursuant to Section 119.071(4)(d)(1), F.S.), . . . The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from the provisions of subsection (1), dealing with public records.

FINANCIAL HISTORY

1. State the amount of gross income you have earned, or losses you have incurred (before deducting expenses and taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year to year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current Year-To-Date: 2022- \$76,216.62

Last Three Years: 2021- \$76,763.00 2020-\$66,370.66 2019-\$64,527.76

2. State the amount of net income you have earned, or losses you have incurred (after deducting expenses but not taxes) from the practice of law for the preceding three-year period. This income figure should be stated on a year-to-year basis and include year to date information, and salary, if the nature of your employment is in a legal field.

Current Year-To-Date: 2022-\$57,951.66

Last Three Years: 2021- \$55,392.86 2020-\$50,647.66 2019-\$49,401.64

3. State the gross amount of income or losses incurred (before deducting expenses or taxes) you have earned in the preceding three years on a year by year basis from all sources other than the practice of law, and generally describe the source of such income or losses.

Current Year-To-Date: 2022 \$40,000.00 (estimate, still working on 2022 tax returns)*

Last Three Years: 2021-\$116,760.00* 2020-\$72,846.00* 2019-\$20,666.00*

***Source of other income or loss, two retirements, mortgage/notes, sale of real property, and mortgage/note payoffs for that fiscal year.**

4. State the amount you have earned in the preceding three years on a year-by-year basis from all sources other than the practice of law, and generally describe the source of such income or losses.

Current Year-To-Date: 2022- \$4,000 estimate (Saint Johns River State College, Teaching)

Last Three Years: 2021 \$0 2020 \$0 2019 \$0

5. State the amount of net income you have earned, or losses incurred (after deducting expenses) from all sources other than the practice of law for the preceding three-year period on a year by year basis, and generally describe the sources of such income or losses.

Current Year-To-Date: 2022- \$31,600 (estimate)*

Last Three Years: 2021-\$91,660.00* 2020-\$47,563.00* 2019- Loss \$6,234 *

***Source of other income or loss, two retirements, mortgage/notes, sale of real property, and mortgage/note payoffs for that fiscal year.**

**FORM 6
FULL AND PUBLIC**

DISCLOSURE OF FINANCIAL INTEREST

See attached financial list

**PART A – NET
WORTH**

Please enter the value of your net worth as of December 31 or a more current date. [Note: Net worth is not calculated by subtracting your *reported* liabilities from your *reported* assets, so please see the instructions on page 3.]

My net worth as of January 12th, 2023 was
\$711,057.72.

PART B - ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000. This category includes any of the following, if not held for investment purposes; jewelry; collections of stamps, guns, and numismatic items; art objects; household equipment and furnishings; clothing; other household items; and vehicles for personal use.

The aggregate value of my household goods and personal effects (described above) is \$ 76,000.00

ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)

VALUE OF ASSET

DESCRIPTION OF ASSET (specific description is required – see instructions p. 3)	VALUE OF ASSET
Checking Account- Joint with Jeannie Ely	\$170,728.37
Checking Account- Hale Real Estate Inc.	\$99,081.00
Cash money	\$10,000.00
Distribution from Retirement Palatka Police Department-annually	\$13,828.20
Distribution from Retirement City of Palatka-annually	\$410.04
Homestead (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 194 Daren Drive Palatka, Florida 32177	\$289,810.00
Commercial Rental (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 1005 St. Johns Avenue Palatka, Florida 32177	\$123,910.00
Commercial Rental (owned by Hale Real Estate, Inc.) 900 – 908 St. Johns Avenue Palatka, Florida 32177	\$136,180.00
Promissory note and mortgage (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 919 St. Johns Avenue Palatka, Florida 32177	\$180,033.14
Promissory note and mortgage (owned by Hale Real Estate, Inc.) 1023 SR 20 Interlachen, Florida 32177	\$41,900.70
Promissory note and mortgage (owned by Hale Real Estate, Inc.) 210 & 212 St. Johns Avenue Palatka, Florida 32177	\$268, 415.52

Promissory note and mortgage (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 108 Chickadee Street Interlachen, Florida 32148	\$18,776.00
Promissory note and mortgage (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 107 & 109 Trinidad Avenue San Mateo, Florida 32187	\$8,187.38
2 Residential Lots (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 0000 NE 2nd Avenue Parcel Numbers: 03-09-27-7731-0130-0210 and 0220 Palatka, Florida 32177	\$1,000.00
2 Residential Lots (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 0000 East Rio Avenue Palatka, Florida 32177 Parcel Numbers: 03-09-27-7731-0170-0230 and 0240	\$1,000.00
Waterfront Residential Lot (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 116 Lake Street Interlachen, Florida 32148	\$ 4,560.00
Residential Lot (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 0000 Chickadee Street Interlachen, Florida 32148 Parcel Number: 22-10-24-4092-0030-0140	\$ 3,930.00
Subtotal	\$1,371,750.69
Personal and Household Assets	\$76,000.00
Total Assets Value	\$1,477,750.69

PART C - LIABILITIES

LIABILITIES IN EXCESS OF \$1,000 (See instructions on page):

AMOUNT OF LIABILITY

NAME AND ADDRESS OF CREDITOR

Student Loan Debt Consolidated Subsidized- Federal Loan	-\$41,126.13
Student Loan Debt Consolidated Unsubsidized- Federal Loan	-\$329,938.95
Commercial Rental (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 1005 St. Johns Avenue Palatka, Florida 32177	-\$109,714.84
Homestead (owned by Alexander M. Sharp, IV and Jeannie L. Ely, husband and wife) 194 Daren Drive Palatka, Florida 32177	-\$255,913.05
Total	-\$726,692.97

JOINT AND SEVERAL LIABILITIES NOT REPORTED

AMOUNT OF LIABILITY

ABOVE:

NAME AND ADDRESS OF CREDITOR

PART D - INCOME

You may ***EITHER*** (1) file a complete copy of your latest federal income tax return, *including all W2's, schedules, and attachments*, ***OR*** (2) file a sworn statement identifying each separate source and amount of income which exceeds \$1,000 including secondary sources of income, by completing the remainder of Part D, below.

I elect to file a copy of my latest federal income tax return and all W2's, schedules, and attachments.
 (if you check this box and attach a copy of your latest tax return, you need not complete the remainder of Part D.)

PRIMARY SOURCE OF INCOME (See instructions on page 5):

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person—see instructions on page 6]

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART E – INTERESTS IN SPECIFIC BUSINESS [Instructions on page 7]

	BUSINESS ENTITY #1	BUSINESS ENTITY #2	BUSINESS ENTITY #3
NAME OF BUSINESS ENTITTY	Hale Real Estate Inc	A&E Ventures LLC	
ADDRESS OF BUSINESS ENTITY	PO Box 953 Hollister Florida 32147	PO Box 953 Hollister Florida 32147	
PRINCIPAL BUSINESS ACTIVITY	Real Estate	Secondhand Bookstore	
POSITION HELD WITH ENTITY	Vice President		
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS	50%	100%	
NATURE OF MY OWNERSHIP INTEREST	Owner-operator	Owner-operator	

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.

[Handwritten Signature]
SIGNATURE

STATE OF FLORIDA

COUNTY OF Putnam

Sworn to (or affirmed) and subscribed before me this 19th day of Jan, 2023 by Alex Sharp

[Handwritten Signature: Theresa Marie Brick]
 (Signature of Notary Public—State of Florida)
 Notary Public State of Florida
 Theresa Marie Brick
 My Commission
 HH 173144
 Exp. 3/8/2025
 (Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification

Type of Identification Produced _____

JUDICIAL APPLICATION DATA RECORD

The judicial application shall include a separate page asking applicants to identify their race, ethnicity and gender. Completion of this page shall be optional, and the page shall include an explanation that the information is requested for data collection purposes in order to assess and promote diversity in the judiciary. The chair of the Commission shall forward all such completed pages, along with the names of the nominees to the JNC Coordinator in the Governor's Office (pursuant to JNC Uniform Rule of Procedure).

(Please Type or Print)

Date: January 19, 2023

JNC Submitting To: Seventh Circuit Judicial Nominating Commission

Name (please print) Alexander Milligan Sharp IV

Current Occupation: General Counsel PCSO

Telephone Number: 386-916-0838

Attorney No.: 95736

Gender (check one): Male

Female

Ethnic Origin (check one):

White, non-Hispanic

Hispanic

Black

American Indian/Alaskan Native

Asian/Pacific Islander

County of Residence: Putnam

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

DISCLOSURE PURSUANT TO THE
FAIR CREDIT REPORTING ACT (FCRA)

The Florida Department of Law Enforcement (FDLE) may obtain one or more consumer reports, including but not limited to credit reports, about you, for employment purposes as defined by the Fair Credit Reporting Act, including for determinations related to initial employment, reassignment, promotion, or other employment-related actions.

CONSUMER'S AUTHORIZATION FOR
FDLE TO OBTAIN CONSUMER REPORT(S)

I have read and understand the above Disclosure. I authorize the Florida Department of Law Enforcement (FDLE) to obtain one or more consumer reports on me, for employment purposes, as described in the above Disclosure.

Alexander Milligan Sharp IV
Printed Name of Applicant


Signature of Applicant

Date: January 19th 2023

College Transcripts

50445563 Male
Student ID Sex

UNIVERSITY
OF MIAMI

02/15/2022

Sharp, Alexander
622 South 15th Street
Palatka, FL 32177



CORAL GABLES, FLORIDA 33124

Academic Program

Law Masters

Completed Program
Real Property(Distance Long)
LW_LLM1

Beginning of Law Record

Spring 2014

UM_Crs_ID	Course Title	Credits	Grade	Qty.Pts
LAW 257	CONSTRUCTION LAW	3.000	C	6.000
RPO 924	Nicholas Sieghed FINANCIAL TRANS	1.000	B+	3.000
RPO 961	Charles Pascher Franco Rossi CONCL RE LEADING	2.000	B	6.000
	Robert Smith			
UM Semester GPA	2.550	UM Semester Totals	Earned Credits	6.000
UM Cumulative GPA	2.550	UM Cumulative Totals	Graded Credits	6.000
			Qty.Pts	15.300
				15.300

Fall 2014

UM_Crs_ID	Course Title	Credits	Grade	Qty.Pts
RPO 178	MORTGAGE LAW	2.000	A-	7.400
RPO 923	Shahzad Emami INTRO TO RE DEVELP	2.000	A	6.000
RPO 971	Jack Winston ENVIRO. REG OF R/P	1.000	B	3.000
RPO 975	Clifford Schulman TITLE INSURANCE	1.000	S	6.000
	David Meszneroff			
UM Semester GPA	3.680	UM Semester Totals	Earned Credits	6.000
UM Cumulative GPA	3.064	UM Cumulative Totals	Graded Credits	5.000
			Qty.Pts	18.400
				33.700

Spring 2015

UM_Crs_ID	Course Title	Credits	Grade	Qty.Pts
RPO 901	PLANNING & ZONING	2.000	A	8.000
RPO 904	Brian Adler LAND SEC & FINANCE	2.000	B+	6.800
RPO 985	Joseph Hernandez RE PROJ DEVELOPMENT WIS	2.000	A	8.000
	Jack Winston			
UM Semester GPA	3.767	UM Semester Totals	Earned Credits	6.000
UM Cumulative GPA	3.312	UM Cumulative Totals	Graded Credits	6.000
			Qty.Pts	22.600
				56.300

Fall 2015

UM_Crs_ID	Course Title	Credits	Grade	Qty.Pts
RPO 900	BASIC RE TAX	2.000	C	4.000
RPO 924	Marshall Pasternack R.E. DOC WIS I	2.000	B+	6.600
RPO 932	Raquel Matas CONDO COOP PLN DEV	2.000	B+	6.600
	William Sklar			

UM Semester GPA	2.867	UM Semester Totals	Earned Credits	6.000	Graded Credits	6.000	Qty.Pts	17.200
UM Cumulative GPA	3.196	UM Cumulative Totals	24.000	23.000	73.500			

Spring 2016

UM_Crs_ID	Course Title	Credits	Grade	Qty.Pts
RPO 920	HOSPITALITY	1.000	B	3.000
RPO 926	Suzanne Amaducci PROBLEM-SOLVING REAL PROP DEV	2.000	A	8.000
RPO 966	ADVANCED CONDOS, COOPS	2.000	A	8.000
RPO 967	William Sklar DRAFTING, DESIGN AND CONSTRUCT	1.000	C+	2.300
	Ross Abman			

UM Semester GPA	3.550	UM Semester Totals	Earned Credits	6.000	Graded Credits	6.000	Qty.Pts	21.300
UM Cumulative GPA	3.289	UM Cumulative Totals	30.000	25.000	94.800			

Law Career Totals

UM Cumulative GPA	3.289	UM Cumulative Totals	Earned Credits	30.000	Graded Credits	25.000	Qty.Pts	94.800
		Cumulative Transfer Totals	0.000					
		Cumulative Combined Totals	30.000					
		Degree Awarded						

Degree: MASTER OF LAWS IN REAL PROPERTY DEVELOPMENT
Confir Date: 05/07/2016

End of Law Official Transcript

Karen Buckett

UNIVERSITY REGISTRAR

TRANSCRIPT LEGEND

UNIVERSITY OF MIAMI



University of Miami School of Law
Office of the Registrar
1311 Miller Drive, Suite A210
Coral Gables, FL 33146-6914
Phone: (305) 284-4825
Fax: (305) 284-1793
www.law.miami.edu/registrar
lawreg@law.miami.edu

ACCREDITATION

The University of Miami is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award baccalaureate, masters and doctoral degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of the University of Miami.

The University of Miami School of Law has been accredited by the American Bar Association since 1941. Contact the American Bar Association at 321 North Clark Street, Chicago, Illinois 60654 or call 312-988-5000.

DEGREE'S OFFERED

J.D. - Juris Doctor
LL.M – Master's of Law

JOINT DEGREE PROGRAMS

J.D./LL.M. Entertainment, Arts and Sports Law
J.D./LL.M. Estate Planning
J.D./LL.M. International Law
J.D./LL.M. Ocean and Coastal Law
J.D./LL.M. Real Property Development
J.D./LL.M. Taxation
J.D./M.B.A. Business Administration
J.D./M.P.S. Marine Affairs
J.D./M.P.H. Public Health
J.D./M.M. Music Business & Entertainment Industries
J.D./M.A. Communications
J.D./M.P.A. Public Administration
J.D./M.A. Arts Presenting & Live Entertainment Management
J.D./M.S. Ed. Science in Education in Law, Community & Social Change
J.D./M.D. Medical Doctor
J.D./Ph.D. Environmental Science and Policy
J.D./LL.M./M.B.A. Master of Law & Master of Business Administration

Note: In compliance with the Family Educational Rights and Privacy Act (FERPA) of 1974, this transcript has been released at the request of the student and may not be released to any other party without written consent of the student.

GRADING SYSTEM

Grades Used in Calculating Grade Point Average (Effective Summer 2011)

GRADE	QUALITY POINTS
A	4.00
A-	3.70
B+	3.30
B	3.00
B-	2.70
C+	2.30
C	2.00
C-	1.70
D	1.00
F	0.00

(From 1992 to Summer 2011)

A	4.00
B+	3.50
B	3.00
C+	2.50
C	2.00
C-	1.50
D	1.00
F	0.00

(1989 to 1991)	(1988 to 1989)	(Prior to 1988)
4.00	A	4.00
3.50	B+	3.50
3.00	B	3.00
2.50	C+	2.50
2.00	C	2.00
1.00	D	1.50
0.00	E	1.00
		0.00

Symbols Used to Indicate Course Status

I	Incomplete	0.0
IP	In Progress	0.0
NG	No Grade Submitted	0.0
W	Withdrawn	0.0

Grades NOT Used in Calculating Grade Point Average

S	Satisfactory/Pass
U	Unsatisfactory/Fail
AU	Audit
H*	Honors

*The School of Law has a limited honors-pass-fail grading program.

(Prior to Fall 2015)

To obtain a grade of "Pass" under this program, a student must earn a grade of "C" or higher; the grade of "C-" or below is the equivalent of a failing grade. To receive a grade of "Honors" under this program, a student must earn a grade of "A." Students awarded honors designations will receive a 4.0 in the applicable courses for purposes of calculating their grade point averages.

(Fall 2015 and Thereafter)

To obtain a grade of "Pass" under this program, a student must earn a grade of "C" or higher; students who earn a "C-" or below will receive the letter grade for that class, regardless of pass/fail designation. To receive a grade of "Honors" under this program, a student must earn a grade of "A." Students awarded honors designations will receive a 4.0 in the applicable courses for purposes of calculating their grade point averages.

UNIT OF CREDIT

The unit of credit (of work) is in terms of the semester hour earned in a course that meets one class period (50 minutes) or its equivalent per week for a semester of fifteen weeks or its equivalent in summer session.

GRADE POINT AVERAGE

The grade point average is determined by dividing the total quality points earned by the total number of graded credits attempted.

DEAN'S LIST

In order to be on the Dean's List, full-time students who complete nine or more graded credits must have a semester grade point average in the top 20 percent of their class.

CALL EXCELLENCE FOR THE FUTURE AWARD

The CALL Excellence for the Future Award recognizes academic excellence and may be awarded to a student in each course who has exhibited excellence in class performance, attendance and final grade.

DEAN'S CERTIFICATE OF ACHIEVEMENT

The Dean's Certificate of Achievement Award is a certificate that may be presented to the top one or two students in each course that is taught by a member of the regular faculty or a full-time instructor at the University of Miami School of Law.

DIRECTOR'S AWARD

(Effective Fall 2013)

The Director's Award is a certificate presented to the top student in each LL.M. class

LATIN HONORS

(For Entering Classes Before 2013-14)

The J.D. Degree will be awarded with honors under the following circumstances: summa cum laude- final cumulative grade point average of 3.800 or higher; magna cum laude- 3.500 or higher; cum laude- 3.200 or higher.

(For Entering Classes from 2013-14 and Thereafter)

The J.D. Degree will be awarded with honors based on the final cumulative grade-point average as follows:

Summa cum laude – awarded to the top 2% of the class;

Magna cum laude – awarded to the next 10%;

Cum laude – awarded to the next 33%.

ORDER OF THE COIF

(First Reported on Transcripts Spring 2013)

Students who graduate in the top 10% of the class (Summer, Fall, and Spring classes combined) may be elected to the Order of the Coif. To be eligible, no more than 25% of a student's coursework can be taken without traditional letter grades. For this purpose, courses "without traditional letter grades" include all courses taken outside the School of Law, including but not limited to first year courses taken by a transfer student at another law school.

PRO BONO HONORS

Students who complete a minimum of 75 hours of pro bono service before graduation.

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Date: 2/23/2022

Florida Coastal School of Law

Page 1 of 2

8787 Baypine Rd.
Jacksonville, FL 32256
www.fcsi.edu

Student: Alexander Sharp

DOB: 1/19/1967

Student ID: 02045703

Start Date: 8/17/2009

Cum GPA: 3.03

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points	Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Program: Juris Doctor											
Enrollment #: SH09056933		Status: Graduated				Term GPA: 3.22		Cum GPA: 2.97			
Start Date: 8/17/2009		Grad Date: 12/10/2011									
Term: 09-FL-FA 2009 Fall Semester		8/17/2009		12/11/2009		Term: 10-FL-FA-INT 2010 Fall Intersession		8/9/2010		8/14/2010	
FL-BUSI-101	Contracts I	3.00	3.00	B	9.00	FL-SPEC-332N	Florida Statutory Interpretation	2.00	2.00	A-	7.34
FL-CRIM-100	Criminal Law	3.00	3.00	A-	11.01			2.00	2.00		7.34
FL-LRWR-101	Lawyering Process I	3.00	3.00	C+	6.99	Term GPA: 3.87		Cum GPA: 3.00			
FL-LSF	Pathways to Academic Success Seminar	0.00	0.00	PASS	0.00						
FL-PROP-101	Property I	3.00	3.00	C	6.00	Term: 10-FL-FA 2010 Fall Semester		8/16/2010		12/10/2010	
FL-TORT-101	Torts I	3.00	3.00	B	9.00	FL-CONS-201	Constitutional Law I	3.00	3.00	A	12.00
		15.00	15.00		42.00	FL-DSRL-200	Evidence	4.00	4.00	C	8.00
Term GPA: 2.80		Cum GPA: 2.80				FL-EMPL-303	Employment Law 2-Credits	2.00	2.00	B	6.00
						FL-ENVL-303	Environmental Law	3.00	3.00	B-	8.01
Term: 10-FL-SP 2010 Spring Semester		1/11/2010		5/14/2010		FL-TAXL-302	Federal Income Tax	3.00	3.00	A-	11.01
FL-BUSI-103	Contracts II	3.00	3.00	B	9.00			15.00	15.00		45.02
FL-DSRL-100	Civil Procedure	4.00	4.00	B	12.00	Term GPA: 3.00		Cum GPA: 3.00			
FL-LRWR-102	Lawyering Process II	3.00	3.00	C+	6.99						
FL-PROP-102	Property II	3.00	3.00	B+	9.99	Term: 11-FL-SP-INT 2011 Spring Intersession		1/3/2011		1/8/2011	
FL-TORT-102	Torts II	2.00	2.00	B+	6.66	FL-DSRL-305	Interviewing and Counseling	2.00	2.00	B+	6.66
		15.00	15.00		44.64			2.00	2.00		6.66
Term GPA: 2.98		Cum GPA: 2.89				Term GPA: 3.33		Cum GPA: 3.01			
Term: 10-FL-SU 2010 Summer Semester		6/1/2010		7/30/2010							
FL-BUSI-200	Business Associations	3.00	3.00	A-	11.01						
FL-CRIM-200	Criminal Procedure	3.00	3.00	B+	9.99						
FL-ETHS-200	Professional Responsibility	3.00	3.00	B-	8.01						

Not official unless signed by registrar.

Indicates Pass/Fail Course

Student: Alexander Sharp

DOB: 1/19/1967

Student ID: 02045703

Start Date: 8/17/2009

Cum GPA: 3.03

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 11-FL-SP 2011 Spring Semester					
FL-CONS-202	Constitutional Law II	3.00	3.00	A-	11.01
FL-DSRL-322	Florida Practice and Procedure	3.00	3.00	C+	6.99
FL-ESTS-301	Trusts & Estates	3.00	3.00	B-	8.01
FL-FAML-200	Family Law	3.00	3.00	B	9.00
FL-PUBL-335	Consumer Transactions	3.00	3.00	B+	9.99
		15.00	15.00		45.00
Term GPA:	3.00	Cum GPA:	3.01		

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 11-FL-SU 2011 Summer Semester					
FL-HRAS-505	Independent Study	2.00	2.00	A	8.00
FL-SPEC-407C	Externship Placement 4-Credit	0.00	4.00	HP	0.00
		2.00	6.00		8.00
Term GPA:	4.00	Cum GPA:	3.04		

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 11-FL-FA-INT 2011 Fall Intersession					
FL-DSRL-330N	Public Speaking for Lawyers	2.00	2.00	B	6.00
		2.00	2.00		6.00
Term GPA:	3.00	Cum GPA:	3.03		

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
Term: 11-FL-FA 2011 Fall Semester					
FL-BARP-300	Advanced Florida Bar Studies	3.00	3.00	C-	5.01
FL-BARP-301C	Multistate Bar Exam Strategies	1.00	1.00	A-	3.67
FL-PROP-300	Residential Real Estate Transactions	3.00	3.00	B	9.00
FL-PROP-302	Commercial Real Estate Transactions	3.00	3.00	A	12.00

Course Code	Course Description	Credits Attempted	Credits Earned	Grade	Quality Points
		10.00	10.00		29.68
Term GPA:	2.97	Cum GPA:	3.03		
Juris Doctor		GPA:	3.03	87.00	91.00

Credentials awarded for Juris Doctor enrollment

Degree:	Date Awarded	Date Cleared
Juris Doctor	12/10/2011	12/10/2011

*** End of Transcript ***


Alexander Sharp

Authorized Signature

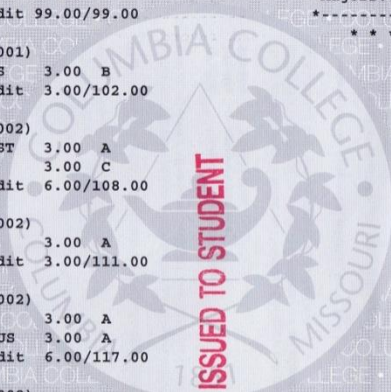
Mr. Alexander M. Sharp
919 St. Johns Ave.
Palatka FL 32177

ID: 3178740
SSN: XXX-KX-0410
DOB: 01/19/XXXX

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COURSE	Course Title	CRD	GRD	COURSE	Course Title	CRD	GRD
Other Noncourse Work				33.00			
Transfer Credit:							
Vincennes University				51.00			
St Johns River C C				15.00			
Term/Cum GPA		0.00/0.00	Credit	99.00/99.00			
***** End of official record. *****							
01/12 (10/22/2001 to 12/15/2001)							
CJAD451	MGMT OF CRIM JUSTICE AGENCIES	3.00	B				
Term/Cum GPA		3.00/3.00	Credit	3.00/102.00			
01/13 (01/07/2002 to 03/02/2002)							
CJAD345	ETHICS & MORALITY IN CRIM JUST	3.00	A				
CJAD350	CORRECTIONS AND PENOLOGY	3.00	C				
Term/Cum GPA		3.00/3.00	Credit	6.00/108.00			
01/14 (03/18/2002 to 05/11/2002)							
CJAD405	LAWS OF CRIMINAL EVIDENCE	3.00	A				
Term/Cum GPA		4.00/3.25	Credit	3.00/111.00			
01/15 (06/03/2002 to 07/27/2002)							
POSC340	JUDICIAL PROCESS	3.00	A				
CJAD320	CULTURAL DIVERSITY IN CRIM JUS	3.00	A				
Term/Cum GPA		4.00/3.50	Credit	6.00/117.00			
02/11 (08/12/2002 to 10/05/2002)							
CJAD495	INTEGRATIVE SEMINAR	3.00	B				
Term/Cum GPA		3.00/3.42	Credit	3.00/120.00			
02/12 (10/21/2002 to 12/14/2002)							
PSYC325	*RESEARCH DESIGN	3.00	B				
Term/Cum GPA		3.00/3.37	Credit	3.00/123.00			



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Susan M. Koopmans

Susan M. Koopmans, Registrar

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Vincennes University

Academic Record

Student No: A00209095 Date of Birth: 19-JAN-1967

Date Issued: 13-FEB-2009

STUD

Record of: Alexander M. Sharp
 Current Name: Alexander M. Sharp
 Issued To: Alexander Sharp
 919 St Johns Avenue
 Palatka, FL 32177

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Page: 1

ISSUED TO STUDENT

Course Level: Undergraduate
 High School: Indiana GED General Educ Dev 01-JUN-1988

Current Program:

Major : General Studies

Degrees Awarded: Associate in Science 16-DEC-2000

Primary Degree:

Major : General Studies Public Service

SUBJ NO.	COURSE TITLE	CRSD	GRD	R	PTS
TRANSFER CREDIT ACCEPTED BY THE INSTITUTION:					
Transfer Military Service Credit					
EPL 106	Intro Traffic Control	3.000	TCR		
EPL 150	Intro Criminolo	3.000	TCR		
PHE UND	PHE Und Health Undist	1.000	TCR		
PPE 141	Orienteering	1.000	TCR		
PPE UND	PPE Und PE Activity Und	3.000	TCR		
PPF 125	PHYS Fit+Human Perform	1.000	TCR		
Hrs: 12.000 QPts: 0.000		0.000			
GPA-Hrs: 0.000 GPA: 0.000		0.000			
Transfer St. Johns River Cnty. College					
NDF UND	NDF Und Data Proc Und	15.000	TA		
Hrs: 15.000 QPts: 0.000		0.000			
GPA-Hrs: 0.000 GPA: 0.000		0.000			
INSTITUTION CREDIT:					
Fall 1997					
General Studies					
EPL 106	Intro Traffic Control	3.000	B		
EPL 155	Substantive Crim Law	3.000	B-		9.000
EPL 160	Criminal Investigation	3.000	B-		8.100
EPL 200	Criminalistics I	3.000	A-		8.100
				11.100	
***** CONTINUED ON NEXT COLUMN *****					
Spring 1998					
General Studies					
EPL 205	Procedural Crim Law	3.000	B		
EPL 210	Police Oper+Comm Relatn	3.000	B+		9.000
EPL 215	Police Adminst+Organiza	3.000	B		9.000
PHE 213	Advanced First Aid	2.000	B+		6.600
PPE 110	Self-Defense	1.000	A-		3.700
Hrs: 24.000 QPts: 74.500					
GPA-Hrs: 24.000 GPA: 3.104					
Spring 1998					
General Studies					
SLB 100	Human Biology	3.000	A		12.000
Hrs: 3.000 QPts: 12.000					
GPA-Hrs: 3.000 GPA: 4.000					
Summer 1998					
General Studies					
DRO 212	Emergency Medical Care	6.000	CR		.000
Hrs: 6.000 QPts: 0.000					
GPA-Hrs: 0.000 GPA: 0.000					
Spring 1999					
General Studies					
SMT 109	Business Mathematics	3.000	A		12.000
Hrs: 3.000 QPts: 12.000					
GPA-Hrs: 3.000 GPA: 4.000					
***** CONTINUED ON PAGE 2 *****					

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Alexander Sharp
 919 St Johns Avenue
 Palatka, FL 32177

Donna J. J. J.

Registrar

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Vincennes University

Academic Record

Student No: A00209095 Date of Birth: 19-JAN-1947

Date Issued: 13-FEB-2009

STUD

Record of: Alexander M. Shary

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Page: 2

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SUBJ NO.	COURSE TITLE	CRSD	GRD	R	SUBJ NO.	COURSE TITLE	CRSD	GRD	R
PTS					PTS				
Institution Information continued:					Institution Information continued:				
Summer 1999					HFP 212 Introduction To Ethics 3.000 A 12.000				
General Studies					Ehrs: 6.000 QPts: 21.000				
ASO 261 Relationships+Families 3.000 A 12.000					GPA-Hrs: 6.000 GPA: 3.500				
Ehrs: 3.000 QPts: 12.000					Spring 2001				
GPA-Hrs: 3.000 GPA: 4.000					General Studies				
Fall 1999					SMA 101 Intermediate Algebra 3.000 A 12.000				
General Studies					Ehrs: 3.000 QPts: 12.000				
SSO 143 Speech 3.000 A 12.000					GPA-Hrs: 3.000 GPA: 4.000				
Ehrs: 3.000 QPts: 12.000					Summer 2001				
GPA-Hrs: 3.000 GPA: 4.000					General Studies				
Spring 2000					HEL 220 World Literature I 3.000 A 12.000				
General Studies					SMA 102 College Algebra 3.000 A- 11.100				
EPL 250 Juvenile Delinquency 3.000 A 12.000					Ehrs: 6.000 QPts: 23.100				
EHW 101 English Composition I 3.000 A 12.000					GPA-Hrs: 6.000 GPA: 3.850				
Ehrs: 6.000 QPts: 24.000					Spring 2002				
GPA-Hrs: 6.000 GPA: 4.000					General Studies				
Summer 2000					SMA 110 Statistion 3.000 A 12.000				
General Studies					Ehrs: 3.000 QPts: 12.000				
ANI 235 World Civilization I 3.000 A 12.000					GPA-Hrs: 3.000 GPA: 4.000				
EHW 102 English Composition II 3.000 A- 11.100					***** CONTINUED ON PAGE 3 *****				
Ehrs: 6.000 QPts: 23.100									
GPA-Hrs: 6.000 GPA: 3.850									
Fall 2000									
General Studies Public Service									
ANI 236 World Civilization II 3.000 B 9.000									
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Vincennes University

Academic Record

Student No: A00209095 Date of Birth: 19-JAN-1967

Date Issued: 13-FEB-2009

ST07

Record of: Alexander M. Sharp

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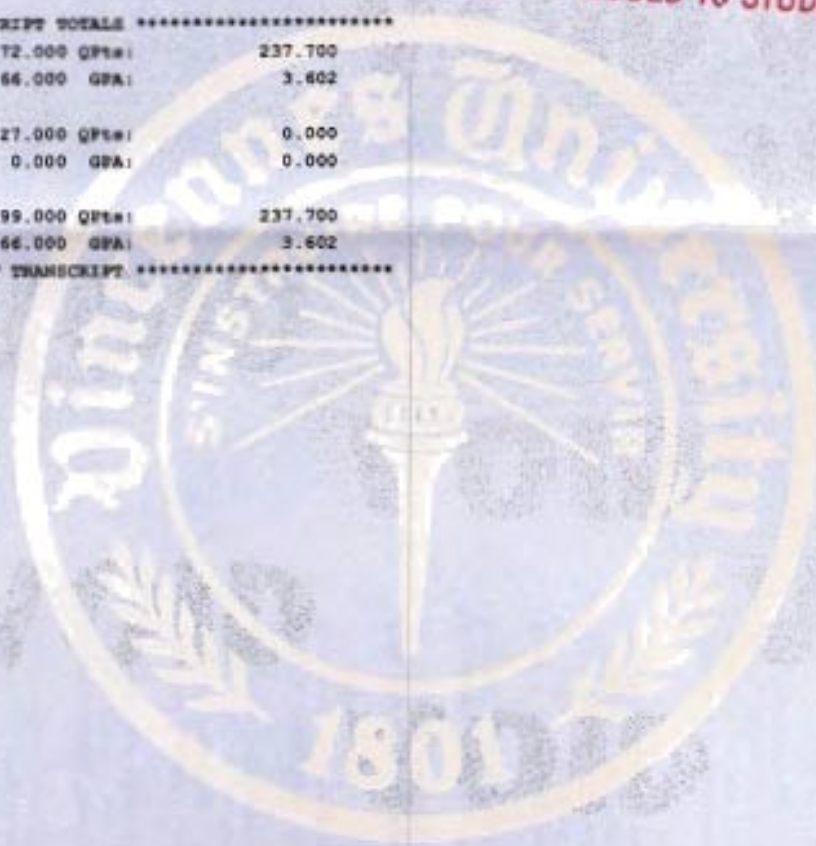
Page: 3

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***** TRANSCRIPT TOTALS *****

INSTITUTION	Hrs:	72.000	Qpts:	237.700
	GPA-Hrs:	66.000	GPA:	3.602
TRANSFER	Hrs:	27.000	Qpts:	0.000
	GPA-Hrs:	0.000	GPA:	0.000
OVERALL:	Hrs:	99.000	Qpts:	237.700
	GPA-Hrs:	66.000	GPA:	3.602

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Trial Records

7TH CIRCUIT

Level	#	1st /2nd chair	Defendant	Case #	Charges	Date	Verdict	Type	Days	Judge
MM	1	Diaz/Sharp	Johnson	2012-32679	DUI; DUI Prop Damg; Rk Drive w/ PD	6/1/2012	GAC	Jury	1	Sanders
MM	2	Diaz/Sharp	Lydon	2012-39070	Retail Theft	8/1/2012	Not Guilty	Jury	1	Schumann
MM	3	Sharp	York	2012-26983	Trespass	8/1/2012	GAC	Non Jury	1	Schumann
MM	4	Diaz/Sharp	Halcomb	2011-50620	DUI 2nd Off. Within 5 years	10/1/2012	JOA	Jury	1	Schumann
MM	5	Sharp/Diaz	Decembre	2011-45346	Offer to Commit Prostitution; Resisting	11/1/2012	GAC	Jury	1	Schumann
MM	6	Diaz/Sharp	Bush	2012-46792	Battery	12/1/2012	GAC	Jury	1	Schumann
MM	7	Sharp	Zuma	2012-47301	Disorderly Conduct	1/1/2013	GAC	Non Jury	1	Schumann
MM	8	Sharp	Owens	2012-39702	DUI 1st Offense	1/1/2013	Not Guilty	Jury	1	Schumann
MM	9	Sharp	Barnes	2012-1951	Retail Theft	4/1/2013	GAC	Jury	1	Boatwright
MM	10	Sharp	Smith	2013-0428	Domestic Battery	6/1/2013	Not Guilty	Jury	1	Boatwright
MM	11	Sharp	Kelly	2013-1290	No Valid Drivers License	8/1/2013	GAC	Non-Jury	1	Boatwright
FELONY	12	Sharp	Josey	2013-0192	Grand Theft	11/13/2013	GAC	Jury	1	Mendoza
FELONY	13	Janesk/Sharp	Odom	2013-1462	Aggravated Battery	12/1/2013	GAC	Jury	1	Mendoza
FELONY	14	Janesk/Sharp	Lawrence	2013-0336	Poss Firearm by Convicted	12/18/2013	GAC	Jury	1	Mendoza
FELONY	15	Sharp/Caldow	Hope	2013-1041	Failure of a Sex Offender to Register	3/21/2014	GAC	Jury	1	Mendoza
FELONY	16	Blocker/Sharp	Mosley	2014-0112	Burg Dwelling and Grand Theft	5/27/2014	GAC	Jury	1	Mendoza
FELONY	17	Sharp/Blocker	Spence	2012-1482	Sale of Cannabis	10/23/2014	GAC	Jury	1	Wolfe
FELONY	18	Sharp/Blocker	Cook	2013-1813	Sale of Morphine	10/30/2014	Not Guilty	Jury	1	Wolfe
FELONY	19	Blocker/Sharp	Perry	2013-1280	Burglary Structure	11/21/2014	GAC	Jury	1	Wolfe
FELONY	20	Sharp/Blocker	Hagans	2014-1136	Fleeing Elude/Poss Cocaine/Drug Paraph/No	12/17/2014	Guilty Lessor	Jury	1	Wolfe
FELONY	21	Sharp/Blocker	Spence	2013-1843	Poss Cannabis Over 20	12/18/2014	GAC	Jury	1	Wolfe
FELONY	22	Sharp	Webb	2011-1959	Trafficking Cocaine over 400 Grams and Conspiracy	6/16/2015	GAC	Jury	2	Wolfe
FELONY	23	Sharp	Moody	2013-1841	Sale of Cocaine Principal, Sale of Schedule II (3 counts)	7/2/2015	GAC	Jury	1	Wolfe

FELONY	24	Sharp	Williams	2015-0057	Sale of Cocaine & Sale of Schedule II	9/1/2015	Guilty Lessor	Jury	1	Wolfe
FELONY	25	Janesk/Sharp	Ash	2013-1266	Sale of Schedule II within 1000 feet of Public Housing	9/29/2015	GAC	Jury	1	Wolfe
FELONY	26	Sharp/Blocker	Kemp	2015-0790	Sale of Cocaine	10/23/2015	GAC	Jury	1	Wolfe
FELONY	27	Sharp	Hagans	2015-0795	Sale of Cocaine	12/8/2015	GAC	Non-Jury	1	Wolfe
FELONY	28	Sharp/Fraser	Hill	2014-0466	Aggravated Battery	2/19/2016	Not Guilty	Jury	1	Wolfe
FELONY	29	Sharp	Chinelo	2015-1059	Trafficking Cocaine over 28	2/22/2016	GAC	Jury	1	Wolfe
FELONY	30	Sharp	Harris	2015-0794	Sale of Cocaine	4/26/2015	GAC	Jury	1	Wolfe
FELONY	31	Sharp	Henry	2012-1506	Poss Cannabis Intent to Sell	7/21/2016	GAC	Jury	1	Wolfe
FELONY	32	Sharp	Robinson	2014-1376	Sale of Cocaine	8/17/2016	GAC	Jury	1	Wolfe
FELONY	33	Sharp	Allen	2014-1245	Sale of Schedule II	8/18/2016	GAC	Jury	1	Wolfe
FELONY	34	Sharp	Appling	2015-1622	Sale of Cocaine	9/27/2016	GAC	Jury	1	Wolfe
FELONY	35	Sharp	Conley	2016-1681	Solicitaion/minor sexual activity& Sex Battery/minor	1/31/2017	Not Guilty	Jury	2	Wolfe

Writing Samples

**IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
PUTNAM COUNTY, FLORIDA**

CASE NO.: _____

PUTNAM COUNTY SHERIFF'S OFFICE,
PUTNAM COUNTY BOARD OF COUNTY
COMMISSIONERS,
PUTNAM COUNTY SCHOOL DISTRICT
Petitioner

vs.

CSX CORPORATION, CSX TRANSPORTATION, AGENTS, EMPLOYEES,
ANY AND ALL SUBCONTRACTORS,
Respondent.

_____/

**PETITIONER'S MOTION FOR AN EMERGENCY TEMPORARY
INJUNCTION AND PRELIMINARY RELIEF**

COMES NOW, the undersigned Counsel(s), on behalf of the Putnam County Sheriff's Office (SHERIFF), Putnam County Board of County Commissioners (BOCC) and the Putnam County School District (PCSD), in Putnam County Florida, Pursuant to Rule 1.610, Rules of Civil Procedure, move the COURT for a temporary injunction enjoining the Defendants, CSX Corporation, CSX Transportation, and their employees, agents, and subcontractors (CSX) from the closing of certain roadways to vehicular traffic only during the hours of 8 pm to to 4 am daily, and during said closure hours maintaining a method and operation whereby emergency vehicles may pass for emergency operations as needed, and providing a means and way of communication to their onsite workers. In support of this motion, the Petitioner'sstate the following:

STATEMENT OF FACTS

In the middle of the Dorian Hurricane event, the BOCC was notified (8/26/2019) via an email that CSX RR via their designated subcontractors, an Erika L. Elmore, Railroad Division Assistant Manager, with Southern Commercial Development, LLC, were going to begin line maintenance on the majority of our RR crossings located here in Putnam County.

A second email from Ms. Elmore received by the BOCC 9/6/2019 advised that the Buffalo Bluff Road crossing, line maintenance scheduled for 9/9/2019 would entail shutting down all vehicle traffic on the roadway, and additionally would effectively stop all vehicle ingress and egress from the adjacent neighborhoods for two days. Due to the great public safety concern and the significant impact of the approximately fifteen hundred residents (a majority over 55 years of age) with no access to and from their residential homes for an estimated two day period or longer a special meeting of the BOCC was called on 9/8/2019 and attended by the SHERIFF to discuss the public safety concerns and residential access to and from their homes.

During that BOCC special meeting, a representative of CSX Railroad participated in the discussion telephonically. The CSX representative, a Ken Spivey, Regional Engineer-South Division, gave the following assurances and a proposed scope and method work to the BOCC and PCSO:

Spivey advised that the roadway (Buffalo Bluff Road) in question would only be shut down/closed between the hours of 8 pm and 4 am, that proper equipment would be maintained on-site in the event of an emergency to provide temporary egress for emergency vehicles as needed. That the railroad linework would commence at 8 pm necessitating the closure of the crossing to vehicular traffic, and that at 4 am the crossing would once again be passable for vehicles. Additionally, the SHERIFF requested from Spivey a way and means to communicate with the actual workers on site. Said contact was later provided Spivey, which was a telephone number to the CSX Dispatch.

Based on that information, and assurances from Spivey, the SHERIFF, and other emergency services made numerous public announcements describing the times and method of crossing at Buffalo Bluff Road available to the citizens of Putnam County, specifically those living in the affected residential neighborhoods.

The following morning on 9/10/19 during the regularly scheduled BOCC meeting, citizens made public comments to the BOCC that the roadway at Buffalo Bluff Road was not opened at 4 am as advised by the public announcements made by the SHERIFF and as previously advised by CSX. The Buffalo Bluff Road crossing continued to be shut down until approximately 730 am or later based on various accounts before it was eventually opened to allow a single lane of traffic. Further public comments described a long line of vehicles waiting

on both sides of the crossing before being made accessible to vehicular traffic. When one citizen inquired why the roadway was not open at the advised, and published time to an onsite CSX worker, he was told that the 4 am was only an estimated time. The SHERIFF attempted to make contact with the workers on-site with the communications provided by Spivey during the emergency BOCC meeting and was unsuccessful. The previously provided contact numbers were either not answered or the response was so delayed it was meaningless when the SHERIFF attempted to verify the Buffalo Bluff Road status on 9/10/19.

ARGUMENT

CSX is scheduled for numerous other maintenance line work on multiple crossings within Putnam County Florida, see attachments A and B. CSX provided these documents to BOCC of proposed scheduled work. Future scheduled line maintenance based on the Buffalo Bluff Road closing would significantly affect the abilities of the SHERIFF in responding to emergency calls for service. Putnam Emergency Management will also be adversely affected by such closures in responding to medical emergencies. This will also potentially affect the PCSD in effectively transporting students to and from their respective schools. If the COURT would direct their attention to attachment B, put out by Southern Commercial Development, a subcontractor of CSX provided on 9/6/2019, just three days before the Buffalo Bluff crossing closing. The notice titled "PUBLIC SERVICE ANNOUNCEMENT" states in part. " All crossings are generally closed anywhere from **2-5 days. This can change, with or without notice**, due to unforeseen circumstances." The Petitioner's cannot operate under such ambiguous language and nor should the citizens of Putnam County be held hostage without adequate notice and information to prepare. Said notification is, in fact, contrary to Florida Law and Statute 336.048 regarding the temporary closing of traveling lane of a roadway. "Whenever any road on the county road or city street system is repaired, reconstructed, or otherwise altered in a manner that necessitates the closing of one or more traveling lanes of the road for a period of time exceeding 2 hours, the party performing such work shall give notice to the appropriate local law enforcement agency within whose jurisdiction such road is located prior to commencing work on the project. However, when the closing of one or more lanes is required because of emergency conditions, such notice shall be waived."

CONCLUSION

Based on the above concerns it is incumbent that the Petitioner's have assurances that in going forward with the additionally scheduled work that proper notification, times (4 am to 8 pm to allow vehicular traffic), scheduling(notifications of any changes), signage (properly posted with clear instructions), and contact provisions(personnel designated to answer and communicate with SHERIFF) be adhered to by CSX for the welfare and safety of all Putnam County Residents. Presently CSX has not shown themselves able to comply with these essential factors need to safely perform their maintenance in conjunction with the Petitioner's responsibility for the safety and welfare of Putnam County residents.

STANDARD FOR GRANTING A MOTION FOR INJUNCTIVE RELIEF

Petitioners are entitled to a temporary injunction if they “satisfy a four-part test under Florida law: ‘a substantial likelihood of success on the merits; lack of an adequate remedy at law; irreparable harm absent the entry of an injunction; and that injunctive relief will serve the public interest.’”*Liberty Counsel v. Fla. Bar Bd. of Governors*, 12 So. 3d 183, 186 n.7 (Fla. 2009) (quoting *Reform Party of Fla. v. Black*, 885 So. 2d 303, 305 (Fla. 2004)); see also *St. John's Inv. Mgmt. Co. v. Albanese*, 22 So. 3d 728, 731 (Fla. 1st DCA 2009).

Petitioner's easily satisfy these four requirements, and granting a temporary injunction will ensure CSX will cooperate with the Plaintiffs and adhere to the already publicly stated conditions they made during the BOCC meeting on 9/9/2019 for any all future scheduled work in Putnam County. This is a matter of great public safety and as such time is of the essence.

WHEREFORE, because the Petitioner's have shown a substantial likelihood of success based on the merits, that irreparable harm will result if CSX is not held to their originally stated methods in performing their railroad track maintenance, the Petitioner's lack an adequate remedy at law, and that the relief requested will serve the public interest, this COURT should issue a temporary injunction ordering that the previously stated method to be strictly followed and adhered to at each scheduled work location.

CERTIFICATE OF SERVICE

The Undersigned Counsel certifies that a copy of the above Response has been sent to Michael Burns, Vice President-General Counsel CSX, via email delivery this 10th September 2019.

s/Alexander M Sharp
General Counsel PCSO
Bar No. 95736
130 Orié Griffin Blvd
Palatka, Fl. 32177
Asharp@putnamsheriff.org

**IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
PUTNAM COUNTY, FLORIDA**

**CASE NO.: 2008-1754-CF
DIVISION 52**

STATE OF FLORIDA

V.

**RODDY LYMAN HARTUNG
Hartung**

_____ /

**STATE'S RESPONSE TO HARTUNG'S AMENDED
MOTION FOR POST-CONVICTION RELIEF**

COMES NOW, the state of Florida, by and through its undersigned counsel, and hereby responds as directed by this Honorable Court to Hartung's amended motion for post-conviction relief, filed pursuant to Rule 3.850, Florida Rules of Criminal Procedure. The State moves that all relief be summarily denied or alternatively that any claim that is not summarily denied be set for an evidentiary hearing. In support the State would show:

1. That Hartung was charged with two counts of Lewd or Lascivious Battery and went to a jury trial in November 17 2010. He was convicted as charged and sentenced to 15.2 years in the Florida Department of Corrections. Hartung filed a direct appeal, which resulted in the *per curiam* affirmance of his conviction and sentence. Memorandum was issued returning jurisdiction to the trial court on October 8th 2012. Hartung filed a 3.850 Motion for Post-Conviction Relief in 04/06/2013. Hartung filed an Amended 3.850 Motion for Post-Conviction Relief on 03/17/2014, setting forth eleven claims of ineffective assistance by his trial counsel, Marcella Beeching.

2. The ineffective assistance of trial counsel claims must be analyzed using the two prong test announced in *Strickland v. Washington*, 466 U.S. 688, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984). Hartung, as the moving party, bears the burden of pleading and proving that his trial counsel's performance was seriously deficient and that there is a reasonable probability that, but for trial counsel's errors, the result of the proceeding would have been different. Where the Court's files and records conclusively refute the movant's ineffective assistance claim or the claim as pled is facially insufficient, it may be summarily denied without an evidentiary hearing. *Parker v. State*, 904 So.2d 370 (Fla. 2005), as revised on denial of rehearing (citations and quotations omitted). The State does not concede that Hartung's statement of facts is accurate or controlling and submits that the actual trial record itself is the most reliable source of information concerning the facts of this case.
3. In Ground One, Hartung alleges that Mrs. Beeching was ineffective for failing to object on the Prosecutors opening statements regarding anticipated presentation of prior physical contact between Hartung and the victim. The Hartung incorrectly characterizes the mentioning of prior physical contacts as evidence of prior uncharged collateral crimes. The State asserts these prior physical contacts were not uncharged collateral crimes but part of the State's Case in Chief to present evidence/show Hartung was "grooming" his victim. Hartung's assertion that the mentioning of prior physical contact between the victim and himself constitutes admission of prior collateral crimes is not supported by the record. Hartung's second assertion that it was not necessary for the State to present evidence of the prior physical contact between himself and the victim is incorrect. The State was simply laying the predicate for how Hartung was able to commit

his criminal acts for which he was charged with. Hartung further asserts the prosecutor attempted to cure this submission during direct examination of the States witnesses, Tim and Suzanne Blackwelder by not specifically asking them to describe the actual points of physical contact between Hartung and victim. The words grabbing and touching when looked at in the court record have the same meaning and can be used interchangeable in the context of this case. The State strongly denies that any attempt was made by the Prosecutor to correct any alleged misconduct as evidenced by the court records. The State moves that Ground One be summarily denied because his claim is facially insufficient to merit an evidentiary hearing. If Ground One is not summarily denied, the State disputes the Hartung's entitlement to relief and requests an evidentiary hearing.

4. In Ground Two, Hartung alleges trial counsel, Mrs. Beeching was ineffective for her direct examination of the Hartung. Actions of counsel do not constitute ineffective assistance of counsel if the actions were part of reasonable trial strategy. *Strickland v. Washington* at 690-691. Hartung is asserting that Mrs. Beeching should have not have questioned him on whether he "wrestled" with the victim. This in turn allowed the State to inquire on cross examination a more specific description of the term "wrestle" as answered by the Hartung. The inclusion of the statements would not have resulted in a different outcome and therefore no prejudice. Hartung's claim is facially insufficient and should be summarily denied. If the Court finds this claim to be facially sufficient, the State requests an evidentiary hearing where the State asserts that Mrs. Beeching's decisions were calculated and effective.
5. In Ground Three, Hartung alleges his trial counsel was ineffective for failing to object to what he characterizes as the prosecutor describing a "rape". A defense motion in limine

to not use the word “rape” during trial had been previously granted. The Prosecutor did not use the word “rape” in his opening statements so there was no violation of the defense motion in limine. The State would refer the court to the attached record provided in the Defense’s Amended 3.850 motion. The Prosecutor is simply describing the criminal act for which Hartung was charged and what the evidence would be produced by direct testimony of the victim. The Prosecutor in laying out his Case in Chief stated the Jury would hear testimony from Victim as to how the criminal act occurred, “And he forcibly held her down and had sex with her.” The word “rape” was not used in the Prosecutors opening. In looking at the court record Mrs. Beeching had no legal basis for objecting to those statements. Actions of counsel do not constitute ineffective assistance of counsel if the actions were part of reasonable trial strategy. *Strickland v. Washington* at 690-691. Hartung is asserting that Mrs. Beeching should have objected to the Prosecutors opening statements concerning the anticipated testimony to be presented from the victim. The Prosecutors statements were not in violation of the motion in limine as the word “rape” was not spoken. Having that statement objected to would not have resulted in a different outcome and therefore no prejudice can be claimed. The State would assert the Prosecutors description was based on Hartung’s actual actions and that the charging document filed by the State was for Two counts of Lewd or Lascivious Battery, Florida Statute 800.04 which in part reads “Engages in sexual activity with a person 12 years of age or older, but less than 16 years of age, or Encourages, forces, or entices any person less than 16 years of age to engage in sadomasochistic abuse, sexual bestiality, prostitution, or any other act involving sexual activity.” In this context regardless of the prohibition on the actual use of the word “rape”, the Prosecutors opening statement were

appropriate in describing the crime Hartung had been charged with and subsequently was found guilty of by the Jury. Hartung's claim is facially insufficient and should be summarily denied. If the Court finds this claim to be facially sufficient, the State requests an evidentiary hearing where the State asserts that Mrs. Beeching's decisions were calculated and effective.

6. In Ground Four, Hartung alleges Mrs. Beeching should have called for a mistrial when the Prosecutor failed to produce evidence brought forward during opening statements. The record shows the Hartung was allowed the opportunity to cross examine the State witnesses and victim. The State asserts the Prosecutors opening statements and testimony of the victim and witness were sufficiently brought forward in the State's Case in Chief to sustain verdict of guilty. That the record does not reflect any unsupported evidence that was not sufficiently brought forward by the State during the Hartung's trial. There is no evidence in the record the State alluded to any evidence not produced in its Case in Chief. The State moves that Ground Four be summarily denied. If Ground Four is not summarily denied, the State disputes the Hartung's entitlement to relief and requests an evidentiary hearing.
7. In Ground Five, Hartung alleges Mrs. Beeching was ineffective for failing to file a notice of Alibi, that witnesses were available to support Hartung's alibi defense. Specifically the failure to call two material witnesses. Hartung claims Alicia Graves and Dakota Bell could have established an alibi defense. MrS. Beeching was provided with the two witness letters and contact information and chose not to call both of them to not testify for some reason, likely as a part of her overall trial strategy or the fact that the State introduced a confession by Hartung during trial. Strickland v. Washington, 466 U.S. 668,

690-91 (1984) (stated that actions of counsel do not constitute ineffective assistance of counsel if the actions were part of reasonable trial strategy). However, these two potential witnesses testimony, if the indeed would have been available to testify would have had no impact on the outcome of the case based on the evidence introduced at trial. The State moves that Ground Five be denied as facially insufficient to merit an evidentiary hearing. If Ground Five is not summarily denied, the State disputes Hartung's entitlement to relief and requests an evidentiary hearing.

8. In Ground Six, Hartung alleges Mrs. Beeching failed to conduct a reasonable pretrial investigation. Defense claims that trial counsel so upset the adversarial balance that the Hartung's rights under the 6th Amendment were violated and cites United States v. Cronic, 466 U.S. 648 (1984) as the standard upon which to evaluate trial counsels conduct. The State would point out that in order for the lower standard of *Cronic* to apply, the trial counsel would have to be shown not to have mounted nay defense or reasonable assertion of an inadequate defense. Here the record shows Mrs. Beeching filed motions in limine and participated in direct and cross examination of witnesses to include Hartung. The State would assert to the court that the two prong standard in *Strickland* is still applicable under these facts. Here actions of counsel do not constitute ineffective assistance of counsel if the actions were part of reasonable trial strategy. Strickland v. Washington, at 690-691. Hartung is alleging that Mrs. Beeching should have conducted a more thorough pretrial investigation. The record shows trial counsel was able to conduct direct and cross examination of witnesses and participate as effective counsel to Hartung. Any additional pretrial investigation would not have resulted in a different outcome and therefore no prejudice. Hartung's claim is facially insufficient and should be summarily

denied. If the Court finds this claim to be facially sufficient, the State requests an evidentiary hearing where the State asserts that Mrs. Beeching's decisions were calculated and effective.

9. In Ground Seven, Hartung alleges his trial counsel was ineffective for failing to properly impeach testimony of Lacy Beverly. Specifically failure by trial counsel to impeach for bias. The State under direct examination asked its own witnesses of any pending charges and their severity. Defense has provided no record of counsels cross examination in their motion. Based on the record provided the State direct examination provided the jury with testimony to determine any bias or motive for her testimony. Actions of counsel do not constitute ineffective assistance of counsel if the actions were part of reasonable trial strategy. Strickland v. Washington at 690-691. Hartung is asserting that Mrs. Beeching should have impeached Ms. Beverly in regards to her prior and current criminal charges. The State having already disclosed such information during the direct examination makes any follow-up by Mrs. Beeching redundant, irrelevant and inconsequential. Having these statements objected to or used to impeach the witness would not have resulted in a different outcome and therefore no prejudice. Hartung's claim is facially insufficient and should be summarily denied. If the Court finds this claim to be facially sufficient, the State requests an evidentiary hearing where the State asserts that Mrs. Beeching's decisions were calculated and effective.
10. In Ground Eight, Hartung alleges ineffective counsel for Mrs. Beeching eliciting during direct examination a prior sexual relationship with an underage female. The State would assert that trial counsel was utilizing trial strategy. Once Hartung chose to become a witness in the trial he was subject to questioning and impeachment by the State under

cross examination. This information had already been previously disclosed by the State's witness Ashley Mattheson under direct examination. Trial Counsel asking Hartung to confirm the relationship was a trial strategy to prohibit the State from asking the same question on cross examination. The State would also assert Mrs. Beeching never used the word "sexual" in her questioning, only if Hartung has ever had a relationship prior. The Jury had already heard testimony from the States witness the relationship was sexual in nature. The Defense's Actions of counsel do not constitute ineffective assistance of counsel if the actions were part of reasonable trial strategy. *Strickland v. Washington* at 690-691. Hartung's claim is facially insufficient and should be summarily denied. If the Court finds this claim to be facially sufficient, the State requests an evidentiary hearing where the State asserts that Mrs. Beeching's decisions were calculated and effective.

11. In Ground Nine, Hartung alleges ineffective counsel by initial trial counsel Larry Sikes, now deceased. Hartung alleges that Mr. Sikes failed to convey a written plea offer by the State, submitted on October 2nd 2009. The record reflects that Hartung was represented by not only Mr. Sikes, but briefly by Angelique Dalaridis of regional counsel prior to being finally represented by Mrs. Beeching in trial on 11/18/2010. The State has obtained a copy of a letter Dated may 19th 2010 to Hartung from counsel Beeching. (attached as exhibit A) Nothing in the record reflects that Hartung was not informed of the States plea offer. Hartung, as the moving party, bears the burden of pleading and proving that his trial counsel's performance was seriously deficient and that there is a reasonable probability that, but for trial counsel's errors, the result of the proceeding would have been different. Where the Court's files and records conclusively refute the movant's ineffective assistance claim or the claim as pled is facially insufficient, it may

be summarily denied without an evidentiary hearing. Parker v. State, 904 So.2d 370 (Fla. 2005), as revised on denial of rehearing (citations and quotations omitted). The State does not concede that Hartung's statement of facts is accurate or controlling and submits that the actual trial record itself is the most reliable source of information concerning the facts of this case.

12. In Ground Ten, Hartung alleges ineffective counsel by Mrs. Beeching for failing to file a motion to have the State Amend its Formal Information to reflect the State's response to a motion for bill of particulars. Specifically, Hartung wanted the State to define more specifically the time frame of the alleged criminal acts. There is no record that this narrowing of time of the occurrence of the criminal acts had a prejudicial effect on the jury and its outcome. Nothing in the record reflects that this was material issue raised in the actual trial. Hartung, as the moving party, bears the burden of pleading and proving that his trial counsel's performance was seriously deficient and that there is a reasonable probability that, but for trial counsel's errors, the result of the proceeding would have been different. Where the Court's files and records conclusively refute the movant's ineffective assistance claim or the claim as pled is facially insufficient, it may be summarily denied without an evidentiary hearing. Parker v. State, 904 So.2d 370 (Fla. 2005), as revised on denial of rehearing (citations and quotations omitted). The State does not concede that Hartung's statement of facts is accurate or controlling and submits that the actual trial record itself is the most reliable source of information concerning the facts of this case.

13. In Ground Eleven, Hartung alleges that the total impact of all the alleged grounds in the aggregate constitute a fundamentally flawed trial. State asserts that none of the grounds

alleged rise to the level required for ineffective counsel. The State reiterates the ineffective assistance of trial counsel claims must be analyzed using the two prong test announced in Strickland v. Washington, 466 U.S. 688, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984). Hartung, as the moving party, bears the burden of pleading and proving that his trial counsel's performance was seriously deficient and that there is a reasonable probability that, but for trial counsel's errors, the result of the proceeding would have been different. Where the Court's files and records conclusively refute the movant's ineffective assistance claim or the claim as pled is facially insufficient, it may be summarily denied without an evidentiary hearing. Parker v. State, 904 So.2d 370 (Fla. 2005), as revised on denial of rehearing (citations and quotations omitted). The State does not concede that Hartung's statement of facts is accurate or controlling and submits that the actual trial record itself is the most reliable source of information concerning the facts of this case. Facts specific to this case show the State introduced Hartung's confession during the trial proceeding. In a light of this the second prong in *Strickland* even if all the Defendant's issues were given credence the outcome of the trial would not have been changed.

WHEREFORE, the State of Florida moves this Honorable Court to summarily deny the Hartung's Amended Motion for Post-Conviction Relief, for the reasons set forth above. Alternatively, the State requests that any claim that is not summarily denied be set for an evidentiary hearing.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy hereof has been furnished
mail/delivery to the Honorable Judge Patti A. Christensen, Circuit Court Judge, and to esquire
Robert Fields, Attorney for Hartung, 413 Saint Johns Ave, Palatka Florida 32177.

ALEXANDER M SHARP
ASSISTANT STATE ATTORNEY
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(386) 329-0259

Memorandums and Training Bulletins

Putnam County Sheriff's Office General Counsel

Training Memo

TO: Sheriff's Office Law Enforcement Personnel
FROM: Alex Sharp, General Counsel
DATE: October 27, 2020
RE: Call for service at election polls

With Election Day approaching Tuesday, November 3, and ongoing early voting, this memo is designed to provide you with guidance to address anticipated issues. Voter turnout is expected to be high, as are the tensions surrounding this election.

Our primary function is to maintain order at the polls, ensuring a peaceful environment, and ensure that no individual impedes or interferes with another's right to vote or attempt to cast a ballot.

Police presence at polling locations

Law enforcement officers are not allowed in a polling place unless:

- (a) there to personally vote (LEOs who are authorized to carry firearms and are voting on duty may keep their duty firearms on their person when going to vote, but may only remain in the polling location for the time necessary to cast their ballot and then leave)
- (b) requested by the Supervisor of Elections Clerk on-site or the majority of the elections staff to respond to a law enforcement matter. Fla. Stat. §102.101 (violation can result in arrest).

It is important that there is no law enforcement "presence" at a poll that could be deemed a deterrent to voters' entry. Unless requested, as set forth above, if we are present at a precinct, we should be physically located away from the entrance in a location that allows for observation but would not be interpreted by a voter as intimidating or involved in the process for any reason.

Our duty/role

The Sheriff has a statutory duty under Fla. Stat. §102.091 to "exercise strict vigilance in the detection of any violations of the election laws and in apprehending the violators."

All call-outs and interactions must be documented with a written report regardless of action taken. Reports must be completed on shift and forwarded to the General Counsel in addition to the normal chain of command.

Issues in which we can and should become involved – note this list is not exhaustive – but these are the primary issues we should be prepared to address:

- Breach of the peace or disorderly conduct by campaign workers/candidates – Fla. Stat. §877.03 – 2nd deg misdemeanor (remember this requires the activities occur in your presence for warrantless arrest)
- Attempts by individuals to intimidate or suppress voters – this includes blocking free entry to the polling location – Fla. Stat §104.0615 – 3rd deg Felony - see discussion below regarding First Amendment and voter intimidation important information
- Buying or selling votes – Fla. Stat §104.045 – 3rd deg Felony
- Use of bribery, menace, threat, or other corruption to directly or indirectly attempt to influence, deceive, or deter any elector in voting or interferes with him or her in the free exercise of the elector's right to vote at any election – Fla. Stat. §104.061(1) – 3rd deg Felony
- Directly or indirectly giving or promising anything of value to another intending to buy that person's or another's vote or to corruptly influence that person or another in casting his or her vote - Fla. Stat. §104.061(1) – 3rd deg Felony
- Perpetrating or aiding in the perpetration of fraud in connection with voting – Fla. Stat. §104.041 – 3rd deg Felony
- Violation of the 150-foot no-solicitation zone – Fla. Stat. §102.031(4) – deputy may remove disruptive and unruly persons from the polling room or place or from the 150-foot zone surrounding the polling place
- Theft of campaign materials – charge as appropriate per the value of the materials stolen
- Any other violation of Ch. 104 for which there is not a specific penalty shall be a 1st deg Misdemeanor

If we are called out regarding the following issues, complainants should be directed to Supervisor of Elections staff. Deputies should take an informational report and forward copies via email to asharp@putnamsheriff.org & jwells@putnamsheriff.org; enforcement of these issues rests specifically with the Division of Elections and State Attorney's Office and not local law enforcement:

- Complaints regarding campaign literature or other materials
- Claims of false statements, lies, slander, ugly pictures, hurt feelings, personal insults, etc.
- Allegations of insufficient and/or non-existent disclaimers on campaign literature, materials, signs, etc.
- Any other campaign finance or political advertisement/communication-related complaint

Where do First Amendment rights end, and voter intimidation begin?

Individuals and groups have a right under the First Amendment to the U.S. Constitution to freely express their views, protest, and communicate with others, including handing out literature, holding signs, etc. However, this right is not absolute – the First Amendment does not protect intimidation in the form of "true threats."

Where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals, the speaker need not actually intend

to carry out the threat. Rather, a prohibition on true threats "protect[s] individuals from the fear of violence" and "from the disruption that fear engenders," in addition to protecting people "from the possibility that the threatened violence will occur. Virginia v. Black, 538 U.S. 343, 360 (2003).

Florida has explicit protections in the law for voters under Fla. Stat §104.0615 – The "Voter Protection Act":

A person may not directly or indirectly use or threaten to use force, violence, or intimidation or any tactic of coercion or intimidation to induce or compel an individual to:

- (a) Vote or refrain from voting;
- (b) Vote or refrain from voting for any particular individual or ballot measure;
- (c) Refrain from registering to vote; or
- (d) Refrain from acting as a legally authorized election official or a poll watcher.

A person may not knowingly use false information to:

- (a) Challenge an individual's right to vote;
- (b) Induce or attempt to induce an individual to refrain from voting or registering to vote; or
- (c) Induce or attempt to induce an individual to refrain from acting as a legally authorized election official or a poll watcher.

A person may not knowingly destroy, mutilate, or deface a voter registration form or election ballot or obstruct or delay the delivery of a voter registration form or election ballot.

Any violations of the above constitute a 3rd deg Felony.

Here are examples of conduct that would likely constitute voter intimidation near polling locations:

- Violent behavior inside or outside the polling site
- Confronting and interfering with voters while wearing military-style or official-looking uniforms
- Brandishing firearms or the intimidating display of firearms (this would also obviously violate Florida's open-carry prohibitions and possibly carry other criminal penalties as well)
- Disrupting voting lines or blocking the entrance to the polling place
- Following voters to, from, or within the polling place
- Verbal threats of violence
- Spreading false information about voter fraud, voting requirements, or related criminal penalties
- Aggressively approaching voters' vehicles or writing down voters' license plate numbers
- Harassing voters, aggressively questioning them about their qualifications to vote

Questions regarding specific behavior/activities at precincts should be directed immediately to your supervisors and legal counsel.

Other important/common questions

Can I wear a button/mask/hat for a candidate while in uniform or on duty?

UNDER NO CIRCUMSTANCES is this permitted – deputies cannot in any way advocate for or wear anything that reflects political support or opposition to a candidate or issue while on duty or in uniform; this includes plain-clothes deputies. Violations shall be met with discipline up to termination if appropriate.

Can the media be in a polling place during voting hours?

NO – the media cannot be inside the polling place during voting hours. Members of the media, along with their cameras, are permitted to be inside the polls to observe before the polls open and again after they close.

However, exit-polling activities are permitted outside of the polling place. The term "exit poll" refers to the collecting of data from a random sample of voters at a sample of polling places on Election Day.

Who is in charge of a precinct?

The Precinct Clerk is the designated representative of the Supervisor of Elections and is in charge of the Assistant Clerk, poll workers, poll Inspectors, and poll deputy. The Precinct Clerk is the person charged with making decisions regarding the precinct's operations.

Can officers who ordinarily work in a building (e.g., a government center) remain there during voting hours when the building is also being used as a voting precinct?

Law enforcement officers can still work in the building but should not be anywhere near the area where the voting is taking place unless called to do so by the Precinct Clerk.

Does a poll deputy have arrest powers?

A poll deputy is appointed as a special deputy sheriff for the purpose of maintaining order at the polls. However, a poll deputy has no arrest powers and is instructed to call 911 for any law enforcement action needed.

Are individuals with concealed weapon licenses allowed to carry a weapon or firearm into the polling place?

NO - individuals with concealed weapon licenses are not permitted to enter a polling place with a weapon or firearm. The firearms violation occurs under Fla. Stat. §790.06 (12)(a)6 – 2nd degree Misdemeanor, but would also potentially carry additional charges under the Voter Protection Act if the firearm was carried into the polling place for the purpose of intimidation or related behavior.

What time do polls close, and what are the rules about voters still in line?

For early voting only, Polls close at 6:00 p.m. at that time, the poll deputy should step into line to mark the point at which the line closes. Anyone in line at the time the polls close shall have the right to cast a ballot – anyone getting into line after 6:00 p.m. (i.e., after the poll deputy) is too late.

For actual Election Day, on November 3rd Polls close at 7:00 p.m., at that time, the poll deputy should step into line to mark the point at which the line closes. Anyone in line at the time the polls close shall have the right to cast a ballot – anyone getting into line after 7:00 p.m. (i.e., after the poll deputy) is too late.

In short, our only role is to ensure fair, free, and safe elections – the very basis of our democracy. We should neither inject ourselves into nor participate in the electoral process *in our law enforcement capacity* except to maintain order and compliance with the law.



Putnam County Sheriff's Office

Sheriff H.D. "Gator" DeLoach

Hurricane Ian Legal Guidance 2022

FIRST AND FOREMOST: STAY SAFE!

AUTHORITY

Second, the first question before taking any law enforcement action is always: *What is our legal authority?* Circumstances such as a state of emergency or hurricane do not change this. As always, *please articulate with specificity* your authority, your actions, the totality of the circumstances, and the elements of any crime.

SHELTERS

Questions always arise regarding our level of authority at shelters. The mere fact that an individual resides at a shelter does not increase our authority, nor does it change the definitions of a consensual encounter, reasonable suspicion, or probable cause. No legal requirement requires someone to have an ID, government or otherwise, for entry. As for law enforcement's ability to request an individual's identification, is there reasonable suspicion of criminal activity if the individual does not consent to such production?

In the rare event that the Red Cross does require an ID and the subject declines, the Red Cross could presumably deny entry, and law enforcement could ask the individual to leave based upon Red Cross request and authority. If the individual refuses, they could be arrested for trespass. Please use appropriate discretion as arrests for trespass will place an unnecessary burden on limited law enforcement resources, limited jail resources, and the court. If additional law enforcement action is necessary, please articulate the totality of the circumstances and the factors leading to such action. It is crucial to remain focused on the significant challenges our community will face and make every effort to work with our community during this time.

SEX OFFENDERS AT SHELTERS

Another question involves our ability to determine if sex offenders are residing in emergency shelters. Although some municipalities have ordinances governing sex offenders and emergency shelters, Putnam County ***does not have*** such an ordinance. There is no listed 'state of emergency exception in the residency requirements for sex offenders. However, as stated above, without consent or articulable reasonable suspicion, law enforcement does not have the authority to require an individual to produce identification - even to determine if an individual is a registered sex offender. Consequently, please do not act without the necessary authority.

CRIMES

The list below outlines crimes that may be more prevalent during a "state of emergency." This list is not exhaustive.

BURGLARY AND GRAND THEFT

On September 24, 2022, Governor DeSantis declared a state of emergency for the whole state of Florida pursuant to Florida Statute 252.36. Consequently, *the crimes of burglary and theft can both be enhanced* as long as the probable cause affidavit establishes not only the usual respective criminal elements but also includes,

1. The crime occurred in a county where a state of emergency had been declared; and,

2. The burglary or theft was facilitated by conditions arising from the emergency. For example, no electricity, no alarm, and people were not home due to evacuation orders, curfews, etc.

The burglary statute to be cited is 810.02(3) or (4). Additionally, per the statute, *the defendant cannot be released and is to be held until they appear before the judge at the first appearance.*

In addition to the above-listed emergency elements, please also articulate the monetary value/amount of theft. The different levels of enhancement depend upon the amount. The theft statute to be cited is 812.014. *This statute does not have the mandatory first appearance before the defendant can be released on bond.*

For all other arrests, please document whether the crime occurred during the "state of emergency," weather conditions at the time and whether these factors facilitated the crime. While the offense may not be able to be enhanced, the First Appearance Judge may decide to use their discretion and impose a higher bond based upon these factors.

CURFEW VIOLATIONS

If the County establishes a curfew, it is The Putnam County Sheriff's Office's position that it provides us with the ability to make contact with an individual who is out during the curfew and ask why the individual is out past curfew. Remember, there are many legitimate reasons why an individual may be out during the curfew – going to or from work, unaware of the curfew, etc. If an officer encounters an individual, the officer should initially explain their reason for stopping the individual(s) and ensure that there is no immediate emergency or another legitimate basis for the individual(s) to be out. Once this information is obtained, the officer shall remind them of the curfew and direct the person to return home if there is no legitimate reason. The ideal interaction will not result in an arrest or other law enforcement action beyond those outlined above. As previously stated above, please use appropriate discretion as arrests for curfew violations will place an unnecessary burden on limited law enforcement resources, limited jail resources, and the court. Please remain focused on the significant challenges our community will face and make every effort to work with our community during this time. Again, if additional law enforcement action is necessary, please articulate the totality of the circumstances and the factors leading to such action.

CARRYING A CONCEALED FIREARM

Florida Statute 790.01. Usually, a person who is not licensed and who carries either a concealed weapon or electric weapon or a firearm on or about their person commits a first-degree misdemeanor for a weapon or a third-degree felony for a firearm; however, please look at 790.01(3).

Florida Statute 790.01(3) *exempts* a person who carries a concealed weapon, or a person who may lawfully possess a firearm and who carries a concealed firearm, on or about their person *while in the act of evacuating during a mandatory evacuation order issued during a state of emergency declared by the Governor pursuant to chapter 252*.

"*In the act of evacuating*" means the immediate and urgent movement of a person away from the evacuation zone within 48 hours after a mandatory evacuation is ordered. An order issued by the Governor may extend the 48 hours.

CCF IN A SHELTER

Florida Statute 790.06(12)(a) lists the locations where it is prohibited/unlawful to carry a handgun openly or to carry concealed weapons or firearms – even with a license. *This list includes any elementary or secondary school facility or administration building*. The prohibition does not state that the school or facility must be *open*. Consequently, if the individual stays in a school, even if designated as a shelter, the above prohibition applies.

LOITERING & PROWLING

Florida Statute 856.021. It is a second-degree misdemeanor. Remember, both elements must be articulated, and the individual must be allowed to explain.

PUBLIC AFFRAYS AND RIOTS

Florida Statutes 870.01(1) and 870.03. An affray is a first-degree misdemeanor, and a riot is a third-degree felony. *Remember – the statutes were amended earlier this year. Please make sure to review.

TRESPASS

Florida Statute 810.08/810.09

DISORDERLY CONDUCT

Florida Statute 877.03. It is a second-degree misdemeanor

PRICE GOUGING/Rental or Sale of essential commodities during a declared state of emergency; prohibition against unconscionable prices.

Florida Statute 501.160 provides that a violation can be prosecuted by either the State Attorney or the Attorney General. The key elements are the definition of a commodity, a 'state of emergency,' and an unconscionable price.

Per the Attorney General's website –

State law prohibits an unconscionable increase in the price of essential commodities needed as a direct result of a declared state of emergency due to a hurricane or other natural disaster.

What constitutes an essential commodity may change depending on the length and the nature of a declared state of emergency. Examples of necessary items for storm events include food, water, ice, gas, lodging, lumber, and particular services, including tree removal, water remediation, and roof repair services.

There can also be civil consequences. If an individual asks you, please refer them to the Attorney General's hotline. The contact number is 1-866-966-7226.

The website also has a FAQ section that may help individuals with questions law enforcement cannot answer.

If you have any questions or need my assistance, please call me at 386-936-8109 24/7.

Alex Sharp
General Counsel
Putnam County Sheriff's Office
asharp@putnamsheriff.org

386-936-8109

LEGAL BULLETIN 2018-003 July 17, 2018

PUTNAM COUNTY SHERIFF'S OFFICE

TO: ALL PERSONNEL

RE: 2018 NEW LAWS ENACTED

2018 saw many new laws enacted, over 100 were signed by Governor Scott, some of which will have procedural and substantive changes on how we conduct business. If no effective date is stated they are in effect now, others have an effective date of October 1, 2018. I have provided a summary of each law and explanation of the changes or in some cases a new law. Always refer to your immediate supervisor if there is a conflict or question.

1. §943.082 **School Safety Awareness Program**

- a. Creates a new mobile suspicious activity reporting tool for the students and community to relay information anonymously concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, called "FortifyFL."
- b. That if the reporting party chooses to disclose his or her identity, that information shall be shared with the appropriate law enforcement agency and school officials; however, the law enforcement agency and school officials shall be required to maintain the information as confidential.
- c. Information reported using the tool must be promptly forwarded to the appropriate law enforcement agency or school officials

- d. The identity of the reporting party received through the mobile suspicious activity reporting tool and held by the department, law enforcement agencies or school officials are confidential and exempt from Florida Statute 119
- e. Requires that the identity of a school-safe-officer (Guardian) be kept confidential and exempt from Florida Statute 119.

2. §119.07 **Public Records**

- a. Addresses of victims of a mass shooting are exempt from public disclosure

3. §790.401 **Risk Protection Orders**

- a. Creates a means to prohibit a person's right to own, possess, or purchase a firearm for up to a year period.

4. §121.71 **Uniform rates; process; calculations; levy.- (state employee pension contributions percentages)**

- a. Regular Class 3.00% to 3.04%
- b. Special Risk Class 11.86% to 12.18%
- c. County Elected Officers 8.54% to 8.50%
- d. DROP 4.17% to 4.41%

5. §456.44 **Controlled substance prescribing.-**

- a. For prescriptions of schedule II substances maximum three day supply unless documentation of an exception is made by the attending physician or licensed prescriber.

6. §812.014 **Theft.-**(effective October 1, 2018)

- a. Added avian (bees) to the list of commercial farm animals that are classified as a felony in taking, if such bee colony is from a registered beekeeper.
- b. While increasing the threshold of stolen value required to trigger a felony was proposed it was not passed.

7. §82.045 **Remedy for unlawful detention by a transient occupant of residential property; recovery of transient occupant's personal belongings**

- a. Added language to allow an ejected transient occupant the means to recover personal property from the dwelling.
- b. Includes provisions if necessary for the presence of law enforcement to monitor recovery.
- c. Provides a civil remedy for the recovery of personal property by the transient occupant if required.
- d. Modifies one the factors used to determine transient status, cannot produce documentation, correspondence, or identification cards sent or issued by a

government agency, including, but not limited to, the Department of Highway Safety and Motor Vehicles or the supervisor of elections, which show that the person used the property address as an address of record with the agency within the previous 12 months.

- e. Removes the factor used to determine the transient status of receiving mail at the residency.
 - f. Adds additional language of a transient occupancy terminates when a transient occupant begins to reside elsewhere, surrenders the key to the dwelling, or leaves the dwelling when directed by a law enforcement officer in receipt of an affidavit under subsection (3), the party entitled to possession, or a court. A transient occupancy is not extended by the presence of personal belongings of a former transient occupant.
8. §823.151 **Lost or stray dogs and cats.**- (effective October 1, 2018)
- a. Requires animal control agencies and humane organizations shall adopt policies and procedures to help return lost cats or dogs to identified owners, and that such policies and practices be in written form.
 - b. Include procedures for screening of identifiers of the animals
 - c. Include a means or method to compare reports of lost animals with received animals.
 - d. Public notice of the receivership of the animals within 48 hours or notice to an identified owner.

- e. Minimum one-weekend access and one-weekday access after 5pm provided such compliance does not increase facilities overall operating hours.
 - f. Internet notice of location, hours, fees, and policies, and voice mail providing same.
 - g. Records retention in accordance with Florida Statute 119.
9. §932.7061 **reporting seized property for forfeiture.-**
- a. The annual report is due by December 1st, of any and all seized property and expended proceeds under the Florida Contraband Forfeiture Act electronically to the Florida Department of Law Enforcement. The annual report must, at a minimum, specify the type, approximate value, court case number, type of offense, disposition of property received, and amount of any proceeds received or expended.
10. §934.255 **Subpoenas in investigating investigations of sexual offenses.-(effective October 1, 2018)**
- a. Created statute to govern and regulate the use of subpoenas involving the investigation of sexual offenses with provisions to delay notification of the suspect of the existence of the subpoena if certain factors are present.
 - b. Those in criminal investigations should be familiar with the new requirements and practices required

11. §825.1035 **Injunction for protection against exploitation of a vulnerable adult.—**

- a. Created a cause of action for an injunction for protection against exploitation of a vulnerable adult.
- b. Defines whom and what organizations may petition for the injunction
- c. Freezes the assets of the alleged endangered adult
- d. Provides a criminal penalty for violation of the injunction for protection against the respondent under §825.1036.
- e. Provides for the issuance of a temporary injunction, ex parte.
- f. Requires the Sheriff of each County provide Service of the Injunction.

12. §951.176 **Provision of education.-**

- a. Each county may contract with a district school board, the Florida Virtual School, or a charter school authorized to operate under s. 1002.33 to provide education services for inmates at county detention facilities. The education services may include any educational, career, or vocational training that is authorized by the sheriff or chief correctional officer, or his or her designee.

13. §775.21 **The Florida Sexual Predators Act.—**

- a. Sets new minimum sentencing and requirements for non-compliance on a scale for the first, second, and third offense.
- b. Redefines “temporary residence” and or “transient residence” time periods to an aggregate of no more than three(3) days.

14. §836.10 **Written threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism; punishment; exemption from liability.—**

- a. Any person who writes or composes and also sends or procures the sending of any letter, inscribed communication, or electronic communication, whether such letter or communication be signed or anonymous, to any person, containing a threat to kill or to do bodily injury to the person to whom such letter or communication is sent, or a threat to kill or do bodily injury to any member of the family of the person to whom such letter or communication is sent, or any person who makes, posts, or transmits a threat in a writing or other record, including an electronic record, to conduct a mass shooting or an act of terrorism, in any manner that would allow another person to view the threat, commits a felony of the second degree.
- b. Service providers of the electronic medium are exempt.

15. §810.09 **Trespass on property other than structure or conveyance.—**(effective October 1, 2018)

- a. It is now a felony of the third degree, if an offender trespasses with the intent to injure another person, damage property, or impede the operation or use of an aircraft, runway, taxiway, ramp, or apron area, and the property trespassed upon is the operational area of an airport.

- b. Must be legally posted and identified in substantially the following manner:
“THIS AREA IS A DESIGNATED OPERATIONAL AREA OF AN AIRPORT, AND
ANYONE WHO TRESPASSES ON THIS PROPERTY COMMITS A FELONY.”
- c. “Operational area of an airport” means any portion of an airport to which access by the public is prohibited by fences or appropriate signs and includes runways, taxiways, ramps, apron areas, aircraft parking and storage areas, fuel storage areas, maintenance areas, and any other area of an airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft.

16. §30.15 Powers, duties, and obligations.—

- a. Establish, if the sheriff so chooses, a Coach Aaron Feis Guardian Program, to aid in the prevention or abatement of active assailant incidents on school premises.
A school guardian has no authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident on a school premises

17. §943.687 Marjory Stoneman Douglas High School Public Safety Commission.—

- a. Created within the Department of Law Enforcement the Marjory Stoneman Douglas High School Public Safety Commission.
- b. Investigate any failures in incident responses by local law enforcement agencies and school resource officers.

- c. Identify existing policies and procedures for active assailant incidents on school premises and evaluate the compliance with such policies and procedures in the execution of incident responses.
- d. Evaluate existing policies and procedures for active assailant incidents on school premises in comparison with national best practices.
- e. Evaluate the extent to which any failures in policy, procedure, or execution contributed to an inability to prevent deaths and injuries.
- f. Make specific recommendations for improving law enforcement and school resource officer incident response in the future.
- g. Make specific recommendations for determining the appropriate ratio of school resource officers per school by school type. At a minimum, the methodology for determining the ratio should include the school location, student population, and school design.
- h. Investigate any failures in interactions with perpetrators preceding mass violence incidents.
- i. Identify the history of interactions between perpetrators and governmental entities such as schools, law enforcement agencies, courts, and social service agencies, and identify any failures to adequately communicate or coordinate regarding indicators of risk or possible threats.
- j. Evaluate the extent to which any such failures contributed to an inability to prevent deaths and injuries.

- k. Make specific recommendations for improving communication and coordination among entities with knowledge of indicators of risk or possible threats of mass violence in the future.
- l. Identify available state and local tools and resources for enhancing communication and coordination regarding indicators of risk or possible threats, including, but not limited to, the Department of Law Enforcement Fusion Center or Judicial Inquiry System, and make specific recommendations for using such tools and resources more effectively in the future.

18. §1006.12 Safe-school officers at each public school.

- a. Establish or assign one or more safe-school officers at each school facility within the district by implementing any combination of the following options which best meets the needs of the school district:
 - i. Establish school resource officer programs, through a cooperative agreement with law enforcement agencies.
 - ii. Participate in the Coach Aaron Feis Guardian Program if such program is established pursuant to s. 30.15, to meet the requirement of establishing a safe-school officer.
 - iii. Create their own school district police department.

19. §489.529 **Alarm confirmation required.-**

- a. Require an alarm service make two attempts to verify and or contact the owner of the premises prior to notifying law enforcement for a response.

If you have any questions about these new laws or one that I did not identify, please contact me at 386-326-7249 or email at asharp@putnamsheriff.org

Alex Sharp

General Counsel

LEGAL BULLETIN 2023-001 December 5, 2022

PUTNAM COUNTY SHERIFF'S OFFICE

TO: ALL SWORN PERSONNEL

RE: Misdemeanor Arrests in Residential Homes

What you need to know:

In **Lange v. California, the U.S. Supreme Court**, in June of 2021 held that if somebody flees from you and runs into their house, you cannot enter the house to arrest them for a misdemeanor unless another exigent circumstance exists to enter the house. Put differently, the fact that somebody committed a misdemeanor and fled into their house is not an exigent circumstance that allows you to enter the home to arrest them without a warrant. You now have to either **(1) get a warrant or (2) be able to articulate another exigent circumstance to enter the home to search for and arrest them without a warrant.**

As a reminder, some of the exigent circumstances that would allow you to enter a home without a warrant to search for somebody you are in hot pursuit of include:

- 1. Somebody requires medical assistance;**
- 2. Somebody is trying to destroy evidence;**
- 3. Somebody's life or safety is in danger; or**

4. The Suspect may escape if not apprehended immediately.

On misdemeanor hot pursuits, you now must consider whether exigent circumstances are present in your case. (In reality, this does not change existing Florida law much, which has required this case-by-case consideration in non-violent misdemeanor cases for several years.)

When in doubt:

- 1. Get a warrant;**
- 2. Call your supervisor; and/or**
- 3. Call your staff attorney.**

To understand how *Lange* impacts you as a Florida law enforcement officer, it is best to know where we were before *Lange*. That requires us to consider the

Florida Supreme Court case of *State v. Markus*, 211 So. 3d 894 (Fla. 2017). I

summarize the essential facts of the case here and then discuss what the Court said. I will then go over what other things may have changed the outcome of the case and which may allow you to enter a home without a warrant when in hot pursuit of a misdemeanor offender:

1. Facts: The Officer sees the Suspect smoking marijuana outside of a house and begins to approach. The Suspect flicks away his marijuana cigarette. The Officer wants to detain the Suspect and seize the marijuana. The Suspect stands up, raises both hands in the air, and walks back into the house in defiance of the Officer's repeated verbal commands to stop. The Officer follows the Suspect into the home and arrests the Suspect.

a. Note: The Officers did not have a warrant or consent to enter the home.

b. Note: The Officers cannot argue exigent circumstances existed to collect evidence that might be destroyed (marijuana) because it was outside.

2. What the Court said: The Court recognized the long history and purpose of the "hot pursuit" doctrine. To summarize the hot pursuit doctrine: **If an officer sets an arrest in motion in public, a criminal should not be allowed to defeat that arrest by fleeing into a private space.** For example, if an officer tells somebody they are under arrest and goes to handcuff them, but the person runs away into their house, hot pursuit allows the Officer to enter the house to arrest them. The arrest was set in motion in a public place, the Suspect was aware of that, and they fled to defeat your arrest. An ingredient implied in hot pursuit is that there is some danger or emergency that can be avoided by immediately arresting a fleeing suspect. In Markus, the Florida Supreme Court held that the seriousness of

the crime for which somebody is being pursued is an essential factor that must be considered in determining whether police could pursue somebody into a house.

The Court found that the totality of the circumstances did not allow their warrantless entry into the Suspect's home to arrest him for a minor crime (like marijuana possession). **The U.S. Supreme Court has held that danger is present**

when the Suspect being pursued is a felon. That decision binds Florida Courts.

The Lange case doesn't change the holding in Markus that we have been living with for years. Instead, **it clarifies that "minor crime" means "all misdemeanors."**

3. Caveats: The Court noted a few things were absent from the circumstances in the Markus case. Their decision might have been different had these facts been present. These are things you can look for if you are deciding whether exigent circumstances exist to pursue somebody into a house for a misdemeanor:

- a. Are there hostages?
- b. Are there weapons?
- c. What danger is there?
- d. What evidence could he destroy?
- e. Was it not his house? Did he jump fences or cross yards before entering?

Now, let's look at the Lange case a little more. In Lange, the Officer attempted to pull the Suspect over. The Suspect drove home, got out of his vehicle, and went into his garage. The Officer followed and questioned him. The Court held that this entry in his residence (remember, the garage is a part of a dwelling) would not be legal unless there was an exigent circumstance other than him fleeing into his home. Field sobriety exercises ensued, and the Suspect was soon arrested for DUI. Here are some things to note:

1. In California, where the case happened, it is a misdemeanor to fail to stop for an officer. In Florida, fleeing or attempting to elude is a felony. If somebody did this to you here, they would be committing a felony, not a misdemeanor.
2. One of the concurring opinions (by Justice Kavanaugh) points out that in most misdemeanor hot pursuit cases, there will be an exigency – be it the destruction of evidence, risk of escape, or harm to persons – that will justify entry without a warrant. **It is your job to identify and articulate those exigencies in your report.**
3. Another one of the concurring opinions (by Chief Justice Roberts) raised a lot of good points about this rule, including that it will be difficult for officers to apply in the field, slow them down as they seek to apprehend

suspects, allow more criminals to escape, and increase the dangers officers will encounter. No doubt you have these concerns, too. Here are some things he raised that are, for now, unanswered questions:

- a. If the Suspect has a backdoor to the house and can escape through it, does that mean the risk of escape is sufficient to constitute an exigent circumstance?
- b. If the Suspect runs up to a house, how do I know it's his house?
- c. If the offense is one that can be a felony or misdemeanor, depending on the prior record (think: Driving while license suspended, DUI, battery, etc.), how will I figure that out in the middle of a foot chase?
- d. If I cannot identify the person, but I know he is now located in a house, how can I go about identifying him so I can get a warrant for him if I never got a look at him and then he escapes?

The best legal advice I can give you in a misdemeanor hot pursuit where a suspect makes it into a house is to act reasonably and in good faith in determining if exigent circumstances exist. When they do, **it is more important than ever to**

articulate that in your reports. When in doubt about whether they exist, you must get a warrant.

If you have questions, comments, or suggestions about this or any other topics, please feel free to stop by and see me, call me, or e-mail me.

(asharp@putnamsheriff.org)

Alex Sharp-General Counsel

LEGAL BULLETIN 2020-001 AUGUST 5 2020

PUTNAM COUNTY SHERIFF'S OFFICE

TO: ALL SWORN PERSONNEL

RE: FLORIDA STATUTE § 790.25(3)(H) OPEN CARRY WHILE FISHING, CAMPING, OR
LAWFUL HUNTING EXCEPTION

QUESTION: What is the fishing, camping, or lawful hunting exception in § 790.25(3)(h)?

ANSWER: The prohibition against openly carrying a firearm does not apply to "a person engaged in fishing, camping, or lawful hunting or going to or returning from a fishing, camping, or lawful hunting expedition." Particularly important here is the placement of the term "lawful" in this subsection. The way the statute is written, a person can be *unlawfully* fishing or *unlawfully* camping, and still be able to assert the defense. However, if they are *unlawfully* hunting, the argument will not apply. (A person engaged in fishing, camping, or lawful hunting or going to or returning from a fishing, camping, or **lawful hunting** expedition;)

QUESTION: What constitutes a fishing, camping, or lawful hunting expedition?

ANSWER: Chapter 790 does not define "fishing," "camping," "hunting," or "expedition," but the dictionary and Chapter 379 of the Florida Statutes provide some guidance. Merriam-Webster defines an "expedition" as "a journey or excursion undertaken for a specific purpose." Under Florida Statutes § 379.101(38) and § 379.352, "taking, attempting to take, pursuing, hunting, molesting, capturing, or killing any wildlife or freshwater or saltwater fish, or their nests or eggs,

by any means, whether or not such actions result in obtaining possession of such wildlife or freshwater fish or their nests or eggs," is permitted with a hunting or fishing license. As for "camping," Merriam-Webster defines it as the act of "living temporarily outdoors" or to occupy an area "away from urban areas where tents or simple buildings (such as cabins) are erected for shelter or temporary residence."

QUESTION: If I see someone fishing, meaning they have a fishing pole with a line in the water, bait on a hook, and a tackle-box next to them, it will be assumed they are engaged in the act of fishing. If I see someone at a campsite with a pitched tent, campfire, and roasting marshmallows over the fire, it will be assumed they are engaged in the act of camping. In these instances, I understand a person may openly carry a firearm, and the defense will apply. However, the statute also refers to "going to or returning from" a fishing, camping, or lawful hunting expedition. There are many types of scenarios where someone openly carrying a firearm may try to assert this defense. Under what factual situations will I have reasonable suspicion to detain someone who is openly carrying a firearm, but not engaged in the acts of fishing, camping, or lawful hunting? When will I have probable cause to arrest them?

ANSWER: This is a complicated question, and the existing body of case law does not provide any clear-cut and well-established answers. It is incumbent on you to consider each situation you encounter on its own merits and to determine, based on the unique facts, you will meet whether you have reasonable suspicion or probable cause. In doing this, do not lose sight of the definitions of reasonable suspicion and probable cause. *Reasonable suspicion* is a belief based upon a particularized and objective basis in the circumstances observed by the officer for suspecting a

particular person of criminal activity. *State v. Zachery*, 255 So.3d 957 (Fla 2d DCA 2018). ***Probable cause*** exists where the facts and circumstances within the officer's knowledge and of which they had reasonably trustworthy information are sufficient in themselves to warrant a man of reasonable caution in the belief that an offense has been or is being committed. *State v. Betz*, 815 So.2d 627 (Fla. 2002). In these situations, it is most vital that you act reasonably in your fact-finding. As noted, the law on what constitutes "going to or returning from" a fishing, camping, or lawful hunting trip has not been fully developed in case law. This is where qualified immunity comes in. Courts recognize that "there will be some cases where law enforcement officials will reasonably, but mistakenly conclude that probable cause [to arrest] is present", and have found that "those officials should not be held personally liable" for making such an arrest. *Anderson v. Creighton*, 483 U.S. 635 (1987); *Poulakis v. Rogers*, 341 F. App'x 523, 528 (11th Cir. 2009); *Skop v. City of Atlanta*, 485 F.3d 1130 (11th Cir. 2007). This is especially applicable in areas where case law "has not staked out a bright line" that would put an officer on clear notice that a course of conduct would be unlawful. *Poulakis*, 341 F. App'x at 528; *Priester v. City of Riviera Beach*, 208 F.3d 919 (11th Cir. 2000).

The most important consideration here is that you always act reasonably. Courts will review the facts surrounding the arrest and ask "whether reasonable officers in the same circumstances and possessing the same knowledge... could have believed that probable cause existed," (*Lee v. Ferraro*, 284 F.3d 1188 (11th Cir. 2002)) or conversely, whether "it would be clear to a reasonable officer that his conduct was unlawful in the situation he confronted." (*Saucier v. Katz*, 533 U.S. 194 (2001)).

QUESTION: If I encounter someone openly carrying a firearm and they tell me they are on their way to go fishing, camping, or to hunt lawfully, is that the end of the encounter?

ANSWER: No. Your job as a law enforcement officer requires you to assess the credibility of these assertions. Remember, the defenses to the general open-carry prohibition are affirmative defenses. *Norman v. State*, 159 So. 3d 205 (Fla. 4th DCA 2015). An affirmative defense is any defense that admits the elements of the crime, but alleges additional facts that (if true) establish a valid excuse or right to engage in the conduct. In effect, an affirmative defense says, "Yes, I did it, but I had a good reason." *State v. Cohen*, 568 So. 2d 49, 51–52 (Fla. 1990). An affirmative defense admits that all of the elements of the crime are present but alleges additional facts that could justify the conduct. In this way, the possibility of the existence of an affirmative defense does not detract from reasonable suspicion or probable cause. *Mackey v. Florida*, 124 So.3d 176 (Fla. 2013) ("We decline to require that a police officer not only have reasonable suspicion of criminal activity but reasonable suspicion of the non-existence of an affirmative defense to the crime."); *Norman v. State*, 159 So.3d 205 (Fla. 4th DCA 2015); *U.S. v. Spann*, 649 Fed.Appx. 714 (11th Cir.2016).

QUESTIONS: Are there other affirmative defenses I should be familiar with that are applicable?

ANSWER: Yes. It is an affirmative defense to the charge of possession or trafficking a controlled substance (via possession) if the person possessing the controlled substance legally obtained it from a practitioner or pursuant to a valid prescription or order of a practitioner while acting in the

course of his or her professional practice. If you conduct a traffic stop and find someone in possession of thirty (30) pills of hydrocodone and they tell you a doctor prescribed the pills to them, you do not have to take them at their word with no further inquiry. Instead, you would look to other facts to help determine whether the proffered explanation is credible. You would consider whether the hydrocodone is in a prescription bottle, whether it is prescribed to the person in possession of the pills, whether the pills are of the same dosage as prescribed, and whether a person taking the medication as prescribed is consistent with the remaining quantity of pills. You would consider the person's demeanor, are they nervous or evasive? If they claim to have just left the pharmacy, consider calling the pharmacy to verify. If the pills are prescribed to a third party, you might ask for evidence the person has the authority to be possession of the pills (i.e., spouse, in-home nurse, or something similar). Look to see if there are indications of other illegal activity (i.e., the presence of other drugs), evidence that the pills were intended for sale (i.e., a large amount of cash, digital scales, small empty "dime" baggies, etc.), or anything else that made your "Spidey-sense" tingle (i.e., firearms, prior drug-sale history of the person, etc.). For example, in *McCoy v. State*, 56 So. 3d 37 (Fla. 1st DCA 2010), the defendant was charged with trafficking in hydrocodone based upon her possession of pills that were prescribed to her husband and which were in a prescription container bearing his name. The wife asserted the defense that she possessed them on behalf of her husband; if true, this would constitute an affirmative defense to her trafficking (by possession) of hydrocodone. During the trial, the State introduced other evidence that would contradict her explanation, including that the pill bottle had two different colors of pills inside of it, had been filled the day before with 60 pills but now only had 13, and the statements of the defendant that she had used some of his pills in the past. Overall, the evidence was found to be sufficient to leave the matter of her guilt to be determined by the jury – in other words, the

evidence was legally sufficient to sustain a conviction, but that the jury had to make the ultimate decision. Naturally, if the evidence was sufficient to sustain a conviction, it was also sufficient to establish probable cause. On slightly different facts, however, evidence may not be sufficient to establish guilt, and whether probable cause existed to make an arrest would be questionable. See *State v. Latona*, 75 So. 3d 394 (Fla. 5th DCA 2011) (Evidence legally insufficient to convict the defendant of possession of oxycodone where defendant possessed oxycodone and morphine that was prescribed to a third party, where the defendant was the person's home health nurse, lived at his residence, held his pills because she was afraid he might take too many and overdose, and (most importantly) held a power of attorney that authorized her to keep all of his property, including his medication.)

QUESTION: If there is an affirmative defense someone could assert, am I free to disregard the circumstances and facts that would establish the affirmative defense and make an arrest?

ANSWER: No. In making a probable cause determination, you cannot ignore facts that tend to establish an affirmative defense. However, unless the affirmative defense is conclusively established, you may arrest if probable cause otherwise exists. In *United States v. Roberts*, 2019 WL 5287949 (N.D. Fla. 2019), the United States District Court of the Northern District of Florida wrote, "[A]n affirmative defense to an alleged crime does not necessarily vitiate probable cause." *Paez v. Mulvey*, 915 F.3d 1276, 1286 (11th Cir. 2019); see *Baker v. McCollan*, 443 U.S. 137, 145-46, 99 S. Ct. 2689, 2695, 61 L.Ed.2d 433 (1979) (holding that a sheriff making an arrest need not investigate all possible defenses to the crime before making the arrest). "Police officers aren't lawyers; we do not expect them to resolve legal questions or to weigh the viability of most

affirmative defenses." Paez, 915 F.3d at 1286 (citing *Williams v. City of Albany*, 936 F.2d 1256, 1260 (11th Cir. 1991)). "While officers cannot ignore exculpatory facts in reaching a probable cause determination, it is not the rule that they must investigate a defendant's legal defenses prior to making an arrest." *Fridley v. Horrighs*, 291 F.3d 867, 874 (6th Cir. 2002). "Even if the circumstances suggest that a suspect may have an affirmative defense, if a reasonable officer would not 'conclusively know' that the suspect is protected by the defense, then he is free to arrest the suspect provided there is probable cause to do so." *Fridley*, 291 F.3d at 873; see *Hodgkins ex rel. Hodgkins v. Peterson*, 355 F.3d 1048, 1061 (7th Cir. 2004) ("A police officer may not ignore conclusively established evidence of the existence of an affirmative defense, but the officer has no duty to investigate the validity of any defense.") (internal citation omitted); *Broam v. Bogan*, 320 F.3d 1023, 1032 (9th Cir. 2003) (holding that an arresting officer is not required to investigate and determine that an affirmative defense is inapplicable before arresting a person for whom there is otherwise probable cause to arrest). Thus, an arresting officer must consider an affirmative defense to a crime only if that officer knows that an affirmative defense is conclusively established. *Williams v. Sirmons*, 307 F. App'x 354, 358 (11th Cir. 2009).

QUESTION: How should I apply this rule to the affirmative defenses that make allowances for someone to open carry firearms under specific circumstances?

ANSWER: As suggested above, if you see someone fishing as described above, and openly carrying a firearm on their hip, the "fishing" affirmative defense will appear conclusively established under those facts. As such, you would not arrest that person for openly carrying a firearm. The real difficulty you may face as a law enforcement officer is how you handle people

who claim the fishing/camping/hunting affirmative defense applies, and while some indicators would tend to support their claim, it is not conclusive the affirmative defense applies to them. A case that addressed the issue of whether officers had probable cause to arrest somebody for openly carrying a firearm in light of the "going to" fishing, camping, or hunting scenario in *United States v. Spann*, 649 Fed. Appx. 714 (11th Cir. 2016). This case is important because it is an opinion from the 11th Circuit Court of Appeal (our federal appellate court) and construed Florida law.

In the *Spann* case, the following facts were established (the important facts are underlined):

Detective Alain Cruz was conducting undercover narcotics surveillance at an apartment complex in a Miami **neighborhood known for a high rate of drug crimes and gun violence.** At about 9:00 p.m., Detective Cruz observed Spann cross the courtyard of the complex with a rifle in his hand and not encased. **Spann looked up and down the street,** and then jogged to a waiting Dodge Charger and put the rifle in the trunk. Spann's trip to the car took about ten to fifteen seconds. **Spann was wearing ordinary, civilian clothing and was not wearing hunting or fishing gear.**

Detective Cruz called for backup, advising through radio communications that he had observed a male with a firearm walk to a car and place the firearm in the trunk. Two or three minutes after Spann got into the passenger seat, the woman in the driver's seat drove the car away. Detective Cruz followed the car for two or three minutes. Once a backup unit arrived, Detective Cruz identified the car and then returned to his narcotics surveillance. Another officer, Detective Brandon Ashe, conducted a traffic stop for the violation of Florida's "open carry" law. Detective Ashe drew his weapon and asked the occupants to get out of the car and sit on the curb, where

Spann was placed in handcuffs. **Spann was not openly displaying law enforcement or security guard credentials, did not identify himself as a police officer, and did not tell Detective Ashe he was going fishing or hunting. Detective Ashe did not see anything inside the car that made him believe Spann's open carrying of the rifle was lawful.**

Detective Ashe opened the trunk to secure the weapon for everyone's safety and to ensure that no one was inside the trunk. At that point, Detective Ashe observed the rifle inside the trunk and left it there. Detective Ashe asked Spann if he had a permit for the rifle and Spann's identification. Spann did not have a permit but gave Detective Ashe his identification. When Detective Ashe learned that Spann was a convicted felon, he retrieved the rifle from the trunk and arrested Spann.

Based on this evidence, the Court found that the officers had probable cause to arrest Spann for a violation of Florida's open-carry statute. The Court noted that while there are statutory exceptions that allow for open carry under specific circumstances, they are affirmative defenses (i.e., things the defense must raise at trial, not things the State must disprove). On this point, the Court wrote, "[a] police officer is not required to consider and investigate possible affirmative defenses that a defendant may have to the suspected criminal activity. Further, in the context of a § 1983 claim for a warrantless *arrest*, this Court concluded that arresting officers were *not* required to consider affirmative defenses in their probable cause calculation."

The Court went on to note, "there is no evidence that the detectives ignored facts establishing Spann had an affirmative defense. Indeed, the detectives did not have any information that would have suggested to a reasonable officer (much less conclusively established) that Spann fell within one of the exceptions to Florida's open carry law." In discussing why the facts, in this case,

established probable cause, the Court noted, during the traffic stop, Spann did not say anything to Detective Ashe to indicate he might be legally justified in openly carrying a rifle. Nor did either detective see anything that would indicate Spann was legally justified in openly carrying the rifle. Spann was not wearing a uniform, displaying credentials, or riding in a vehicle that suggested he was an officer, security guard, or on-duty soldier. Spann was not leaving or approaching a shooting range, hunting area or gun shop or wearing anything to suggest he was going hunting. Instead, Spann, wearing civilian clothes, carried the rifle out of an apartment complex in a high crime area known for gun violence and placed the rifle in the trunk of a civilian car. He looked up and down the street before jogging to the waiting car. It was 9:00 p.m. at night. Given the totality of the circumstances, a reasonable officer in the detective's position would have concluded there was a "fair probability" Spann openly carrying the rifle to the car violated Florida's open carry law and that the rifle still could be found inside the trunk.

QUESTION: What are some of the facts I should look for to assess whether someone openly carrying a firearm is lawful?

ANSWER: As always, look to the totality of the circumstances and rely on your training, experience and observations. Some of the questions your investigation should answer are:

1. Does the person state they are acting in conformity with one of the exceptions?

Note: If you see someone openly carrying a firearm, approach them and ask them what the reason for the open carry is. If you ask someone why they are openly carrying a firearm, and they do not claim to be acting within an exception in s. 790.25, this will be a strong indicator

the open carry is unlawful. If they claim to be acting within an exception listed in s.790.25, you will better be able to tailor the rest of your inquiry to relate to that exception. You will be able to make your probable cause determination in light of the possibility their conduct falls within that exception.

2. What time of day is it?

Note: How does the time of day relate to the claimed defense and the remaining circumstances? If they claim they are going hunting, is it unusual to be going hunting at that time of day? If they claim they are going to a gun repair store, are stores of that nature in the area open at that time?

3. What time of year is it?

Note: Some exemptions may be more applicable at different times of the year. Although it is lawful to hunt for certain animals year-round (i.e., coyotes, wild hogs, etc.) someone is more likely to be going hunting during hunting season.

4. Is it a high-crime area or an area with a particularly vulnerable grouping of people?

Note: Being in a high-crime area will help establish probable cause. This is an important reason to be familiar with the area you are policing. You will be able to better articulate that an area has a high rate of crime. Although not discussed in the Spann case, we live in a time where mass-shootings are tragically common. Places where large groupings of people are present – churches, schools, government buildings, concerts, festivals, and the like – are all potential targets for mass shootings. Being able to articulate the location of people relative

to a person who is openly carrying a firearm will be important in helping establish reasonable suspicion and probable cause. Consider: A person carrying a fishing pole and a rifle, walking towards an elementary school where children are playing at recess, may well be on his way to go fishing, but he may also be on his way to commit a mass shooting.

5. Is it an area known for gun violence?

Note: When the area is known for gun violence, or when there have been recent or repeated instances of gun violence in the area, it would tend to establish probable cause. Be knowledgeable about activity in the areas you patrol and work.

6. How is the person attired, outfitted, and/or credentialed?

Note: If someone claims to be going hunting, is the clothing what you would expect a hunter to wear? If someone claims to be going or coming from fishing, does the person have a fishing pole and tackle box? Is there bait on the hook? If someone is in a car, is it towing a boat? If someone claims to be an armored car employee, is the person in uniform? If someone claims to be an investigator for the Public Defender's Office, are there identifying credentials to verify this?

7. Is the person near a place related to their claimed exempted activity?

Note: If someone claims to be going fishing, are they near a lake, river, ocean, or somewhere else they may fish? If someone claims to be going shooting, are they near a shooting range? If someone claims to be going camping, are they in a wooded area, campground, or a

State/National Park? Are there additional "stops" before they are engaged in the activity?

For someone who claims to be "going to" a camping expedition, it is materially different from walking down a trail towards a backcountry campsite versus walking into Walmart to buy a sleeping bag or into McDonald's for breakfast. Your probable cause increases the further away (in terms of travel time, distance, and number of stops) that someone is from taking part in the activity that would justify them openly carrying a firearm. Similarly, if someone is proceeding towards a place where a person could not take part in a protected activity, you are more likely to have probable cause. Example: if someone is openly carrying a firearm and a fishing pole, but walking towards a business, church, or school, and not the lake where you would expect them to fish.

8. Can the activity in which they claim they are going to be carried out lawfully?

Note: Although the law does not require someone to be lawfully fishing or camping to assert the defense that they were going fishing or camping, if someone is close to a place where they may lawfully fish or camp, it is more reasonable to conclude that they are going fishing or camping. If, on the other hand, someone were carrying a fishing pole near a lake where it is unlawful to fish that would decrease the probability the person is going fishing.

9. Are the person's actions are consistent with someone who is going to or returning from camping, fishing, or lawful hunting:

Note: If someone is hiding behind bushes near a school or church, their actions are inconsistent with somebody who is going to or returning from camping, fishing, or lawful hunting.

In addition to these factors, you can consider anything else you see, hear, or learn – Do they appear to be acting suspiciously? Do they appear to be in an altered state of mind? Are they avoiding you? Are they giving conflicting answers to your questions? Are they wearing a bulletproof vest (which demonstrates readiness and willingness to *use* a deadly weapon)? Last, but most important is the explanation **reasonable** in light of the circumstances in which you encountered them?

Conclusion/Summary: The open carrying of firearms in Florida is illegal unless someone's conduct is justified under one (or more) of the affirmative defense grounds outlined in s. 790.25. You should familiarize yourself with these grounds. If you encounter someone who is openly carrying a firearm, you should take steps to determine whether there is a legal justification for their conduct. You should consider all of the facts known to you, including those that tend to establish and negate probable cause.

If the facts known to you conclusively establish that someone who is openly carrying a firearm and falls under one of the affirmative defenses, you should not arrest them, as their conduct is lawful. However, if the facts do not conclusively establish that the open-carry of a firearm falls under one of these affirmative defenses, you will need to look to the totality of the circumstances to make determinations regarding probable cause and reasonable suspicion. Inquire of the person why they are openly carrying a firearm and, depending on their answer, tailor the remainder of your inquiry to flesh out facts that will aid in assessing the credibility of their answer.

In short: Complete your investigation thoroughly. Act reasonably. Trust your judgment, training, and experience.

If you have questions, comments, or suggestions, about this or any other topics, please feel free to stop by and see me, call me, or e-mail me.

Alex Sharp-General Counsel

LEGAL BULLETIN 2018-002 April 25, 2018

PUTNAM COUNTY SHERIFF'S OFFICE

TO: ALL PERSONNEL

RE: ARREST FOR VIOLATION OF PRETRIAL RELEASE FLA STATUTE 903.47, WHEN ORIGINAL ARREST WAS DOMESTIC VIOLENCE RELATED AS DEFINED UNDER FLA STATUTE 741.28

Procedures for making a valid new charge and arrest for a pretrial release violation on a subject whose original arresting charge is Domestic Violence related. This will occur when we are conducting a follow-up on any Domestic Violence case, and the suspect is found to have violated any condition enumerated in Florida Statute 903.047, or any other written order of the 1st appearance Judge as a condition of pretrial release. An arrest for a violation of pretrial release condition is an arrestable misdemeanor exception.

All persons arrested for Domestic Violence will be held pending 1st appearance with a Judge, usually within 24 hours. At the hearing, a Judge will set bond, if appropriate, subject to pretrial release pending the disposition of their case. These pretrial conditions will be in writing, and a copy should be available through the Master Name Index under Attachments (must be accessed using the server side application). Important, disposition of the original DV case will make all of the pretrial conditions null and void at the time of the disposition. There is no required legal notice to the Sheriff's Office for the pretrial conditions to be lifted. It is incumbent that the investigating Deputy Sheriff verify before an arrest if original case is still active. This includes determining whether there have been any modifications to the initial pretrial release conditions.

Under 903.47 the following are arrestable offenses if violated while out on pretrial release:

1. Refrain from any criminal activity of any kind. Generally, a new arrest will allow for the additional charge of pretrial release violation.
2. If the court issues an order of no contact, refrain from any contact of any type with the victim, except through pretrial discovery under the Florida Rules of Criminal Procedure.

An order of no contact is valid immediately, and enforceable for the duration of the pretrial release or until the court modifies it. The defendant shall be informed in writing of the order of no contact, specifying the applicable prohibited acts, before the defendant is released from custody on pretrial release. As used in this section, unless otherwise determined by the court, the term “no contact” includes the following prohibited acts:

- a. Communicating orally or in any written form, either in person, telephonically, electronically, or in any other manner, either directly or indirectly through a third person, with the victim or any other person named in the order. If the victim and the defendant have children in common, at the request of the defendant, the court may designate an appropriate third person to contact the victim for the sole purpose of facilitating the defendant’s contact with the children. However, this subparagraph does not prohibit an attorney for the defendant, consistent with rules regulating The Florida Bar, from communicating with any person protected by the no-contact order for lawful purposes.

- b. Having physical or violent contact with the victim or other named person or his or her property.
 - c. Being within 500 feet of the victim's or other named person's residence, even if the defendant and the victim or other named person share the residence.
 - d. Being within 500 feet of the victim's or other named person's vehicle, place of employment or a specified location regularly frequented by such person.
3. Comply with any additional conditions as defined by the Judge

Deputies should be aware that the court, upon motion by the defendant when bail is set, or upon a later motion properly noticed under the law, may modify the conditions of no contact if good cause is shown and the interests of justice so require. If so determined an arrest cannot be made for a pretrial release violation.

The Office of the State Attorney has made available in addition to our internal reports and records access to their computer-based database "STAC." A link, username, and password has been provided to all supervisors to enable them to verify if a subject is in violation of their pretrial release. The STAC information is for criminal investigative purposes only. Upon accessing STAC; it is a database program used by the ASA. There is a search tab; my recommendation is a search based on the suspect or victim in the case using the generic keyword search, last name, first name.

1. CASE/INCIDENT- This will show the assigned Clerk of Court number.
2. EVENT- This is the most important tab, it will show the activity that has occurred with the case, the agency case number and if the case has been disposed of or is still

pending. Generally, but not always, there might be comments. If you note a “NI” this stands for no information; the case closed effective the date of the event. Similarly, an “NP” stands for Nol Pros, and also will show the case has been closed on the date indicated.

3. RELATIONSHIP- Lists all parties involved in the case, witness, victim, suspect, etc.
4. CHARGE- the actual charge being filed by the ASA
5. IMAGE- Generally we will not have any access to any information in this tab
6. SENTENCE- If the case has been successfully prosecuted it will show the judgment and verdict

Example One- Deputy Smith arrests John for Domestic Violence battery against Mary. John is transported to the Putnam County Jail and held without bond pending 1st Appearance. At 1st Appearance, the Judge set John’s bond at 1000 dollars and additionally orders him to have no contact with Mary pending the disposition of his criminal case. John additionally will sign a form in front of the Judge stating he understands the Judge's order of no contact and agrees to abide by it.

John bonds out and two weeks later confronts Mary up at her workplace about the criminal charges. Deputy Smith responds, but John has driven away. After verifying from Mary and her co-workers that John confronted Mary at her workplace. Deputy Smith verifies through STAC the case is still active with the State Attorney. Deputy Smith locates John at a local bar and makes a warrantless misdemeanor arrest for violation of pretrial release.

Second Example: Same scenario, but upon locating John, he advises the Court has modified his no-contact order to “no violent contact.” at Mary’s request. Deputy Smith checks STAC, and in the event comments, there are notes saying victim request no violent contact. Deputy Smith contacts Mary who also confirms she requested and the court modified the no-contact order. Deputy Smith documents the incident but does not make an arrest has no pretrial violation has occurred.

Third Example: Same scenario as above, but upon contacting John, Deputy Smith notes in STAC, under the original case, there are court documents filed “NI” dated three days ago. Deputy Smith recognizes that the original case has been disposed of and that John is no longer subject to any pretrial release based on the original criminal case. Based on that information John is not arrested.

If you have any questions about this procedure and process, please contact me at 386-326-7249 or email at asharp@putnamsheriff.org

Alex Sharp
General Counsel

LEGAL BULLETIN 2018-004 October 15, 2018

PUTNAM COUNTY SHERIFF'S OFFICE

TO: ALL SWORN PERSONNEL

RE: PROBABLE CAUSE SECTION ARREST/WARRANT AFFIDAVITS

In your arrest and warrant affidavits, there is a section titled probable cause. This narrative section is to provide the reviewing Judge with enough information to determine if there exists probable cause for the charges against the accused. Probable Cause is a legal standard required to sustain criminal charges on a person accused and or arrested for a crime.

Probable Cause (PC) has many different definitions, but I find this one most accurate:

“Facts and circumstances that would lead a law enforcement officer of similar training and experience to reasonably believe a crime is being committed, has been committed, or is about to be committed.”

Keywords in the above statement are facts and circumstances; these need to be always articulated in all arrest and warrant affidavits. What an officer of ten years observes can be different from what an officer of less than a year observes and interprets.

It's not my intention to instruct you on how to write your reports but to advise that merely inserting the criminal elements of the crime and the boilerplate statutory language as the basis for PC is not sufficient. In addition, too much information is not helpful or required if it's not material or relevant to establishing the initial PC.

Here is an example of what not put in your PC section; this was taken with some changes from an actual report this year involving a battery case:

“John Smith (Suspect) did actually and intentionally touch or strike Jill Doe (girlfriend) against her will, to wit: John Smith struck Jill Doe multiple times in the head with a closed hand, contrary to Florida Statute 784.03.”

My version:

“Responded to 123 Pleasant Lane, the shared residence of John Smith and Jill Doe, who for the last 6 months have lived together, as boyfriend-girlfriend. Jill Doe advised this officer that John Smith had been drinking beer for several hours and had gotten angry over some text messages he had seen on her cell phone from an old boyfriend. Doe further advised Smith, snatched her cell phone, and punched her repeatedly in the face with his fists bloodying her nose, and busting her lip; Doe stated she was then able to run out of the house to the adjacent neighbor’s house, resident Tim Pleasant, he then called 911 for Doe. I personally observed that Doe had dried blood on her face, a split lip and her nose was red and swollen. When I spoke with Smith, he advised he had no idea how Doe had gotten hurt. I also spoke with Tim, the neighbor who confirmed that Doe had run out of her house screaming to his residence with a bloody nose and stating Smith had beat her. Smith was placed under arrest for Domestic Battery Florida Statute 784.03(1)”

It is longer and will take a few more minutes to write out, but I think it clearly provides a reviewing Judge or another party who is reading the narrative, context, and actions, the whole picture of what happened to establish the probable cause for the arrest. In short, your PC statement should be able to stand-alone without an accompanying narrative report to establish the initial PC for the arrest or warrant.

Here is a drug paraphernalia case and the PC language used in a recent Notice to Appear (NTA):

“John Smith was unlawfully and knowingly in actual or constructive possession of one yellow pipe containing marijuana residue, one metal grinder containing marijuana residue, and one pack of JOB rolling papers, which was drug paraphernalia being used, intended for use, or designed for use in injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, contrary to Florida Statute.”

My version:

During the course of a traffic stop for speeding, I smelled what I recognized to be the odor of cannabis in the stopped car. The driver, and owner, John Smith was advised of what I smelled and voluntarily handed me a yellow pipe from the vehicle's center console cup holder, I could observe the pipe had been used to smoke cannabis based on the smell and burnt markings. I then conducted a search of the interior of the vehicle and discovered other objects used in the consumption of cannabis. A metal grinder used to prepare cannabis, rolling papers, and the remains of two cannabis cigarettes. Based on my experience and training commonly known as joints. Smith was Mirandized and stated he understood his rights and agreed to talk with me about the suspected drugs and paraphernalia found in his vehicle. Smith stated to me he used the grinder and rolling papers to prepare and smoke cannabis for personal use. Smith was issued a Notice to Appear for Possession of Drug Paraphernalia, contrary to Florida Statute 893.147

Again, what we are looking for is plain documentation of the PC to be able to stand-alone when read by a reviewing Judge or other official entity. This short paragraph provides a complete story to the reader and provides the fact and circumstances to establish the PC without the added narrative portion of our reports to refer back upon.

The last one will be a grand theft case, here is a recent PC statement for a physical arrest:

"John Smith did knowingly and intentionally obtain or use, or endeavor to obtain or to use , the property of Jill Doe, with the intent to, either temporarily or permanently deprive the victim of the right to the property, or a benefit to the property, appropriate the property to his or her own use, or to use the use of any person not entitled to the use of the property, and also the property constituted grand theft as defined in FS 812.014(2)(c)(1)-(13), contrary to Florida Statute 812.014"

My version:

“On August 15th, 2018 I met with Jill Doe, who reported several items missing from her residence. These items were discovered missing upon returning home from her vacation. Doe stated her son; John Smith had stolen the items and taken them to a local pawnshop in exchange for money while they had been on vacation. Smith was contacted and gave a statement post-Miranda to this writer. Smith stated he had taken the items from his mother and pawned them at a local pawnshop, Cash Daddy Pawn. This writer verified the stolen items to be physically present at the named pawnshop, and copies of those pawn sheet transactions were obtained showing that Smith was the person who had pawned the items in exchange for money. The items pawned were a Sony Camcorder, valued at \$150 dollars, a Dewalt Nail Gun, valued at \$150 dollars, and a Dewalt Circular Saw, Valued at \$100 dollars. Smith was placed under arrest for Grand Theft, contrary to Florida Statute 812.014.”

Bear in mind these are merely examples of what we expect in our PC statements. The statutory language being used is not an acceptable way to establish your PC to the reader (Judge). You must present to the reader the facts, circumstances, and sometimes context and how you know they support your PC. Legal language alone does not establish PC. Feel free to contact me if you have any questions or concerns.

Alex Sharp- General Counsel

LEGAL BULLETIN 2021-001 June 22nd
PUTNAM COUNTY SHERIFF'S OFFICE

TO: ALL PERSONNEL

RE: PROTESTS, RIOTS, AND "COMBATING PUBLIC DISORDER" (HB 1 - 2021)

1. THE SHERIFF HAS THE POWER TO SUPPRESS RIOTS, TO ARREST, AND TO COMMAND ASSISTANCE (Fla. Stat. § 30.15)

- The Sheriff has the power to suppress tumults, riots, and unlawful assemblies in their counties with force when necessary.
- The Sheriff may apprehend, without warrant, any person disturbing the peace.
- The Sheriff has the authority to raise the power of the county and command any person to assist in the execution of the duties of their office.

2. THE SHERIFF HAS THE POWER TO CLOSE PUBLIC FACILITIES (Fla. Stat. § 30.291)

The Sheriff is authorized to temporarily close any public beach, park, or other public recreation facility within the Sheriff's jurisdiction when he believes conditions exist which present a clear and present danger or probable threat of violence, danger, or disorder. Any public recreation facility closed pursuant to the provisions of this section shall be reopened when conditions have abated.

3. THE SHERIFF HAS THE POWER TO CHARGE & DISPERSE RIOTERS (Fla. Stat. § 870.01) (AFFRAYS & RIOTS) (As amended by HB1):

AFFRAY (M1): A person commits an affray if he or she engages, by mutual consent, in fighting with another person in a public place to the terror of the people.

RIOT (F3): A person commits a riot if he or she willfully participates in a violent public disturbance involving an assembly of **three or more persons, acting with a common intent to assist each other in violent and disorderly conduct**, resulting in: (a) injury to another person; (b) damage to property; or (c) imminent danger of injury to another person or damage to property.

AGGRAVATED RIOTING (F2): A person commits aggravated rioting if, in the course of committing a riot, he or she: (a) participates with **25 or more other persons**; (b) causes great bodily harm to a person not participating in the riot; (c) causes property damage in excess of \$5,000; (d) displays, uses, threatens to use, or attempts to use a deadly weapon; or (e) by force, or threat of force, endangers the safe movement of a vehicle traveling on a public street, highway, or road.

INCITING A RIOT (F3): A person commits inciting a riot if he or she willfully incites another person to participate in a riot, resulting in a riot or imminent danger of a riot.

AGGRAVATED INCITING (F2): A person commits aggravated inciting a riot if he or she: (a) incites a riot resulting in great bodily harm to another person not participating in the riot; (b) incites a riot resulting in property damage in excess of \$5,000; or (c) Supplies a deadly weapon to another person or teaches another person to prepare a deadly weapon with intent that the deadly weapon be used in a riot for an unlawful purpose.

Except for a violation of subsection (1), a person arrested for violation of this section **shall be held in custody until brought before the court for admittance to bail in accordance with chapter 903.**

*This section does **NOT** prohibit constitutionally protected activity such as peaceful protest.*

Fla. Stat. § 870.02 - UNLAWFUL ASSEMBLIES (M2):

If three or more persons meet together to commit a breach of the peace, or to do any other unlawful act. (*Breach of the peace* includes committing any act which may corrupt public morals, outrage sense of public decency, affect peace and quiet of persons who witness the act, engaging in brawling or fighting, disorderly conduct). **Persons arrested shall be held in custody until brought before the court for admittance to bail.**

Fla. Stat. § 870.03 – (RIOTS & ROUTS):

REPEALED BY HB1 – APRIL 19, 2021 – See § 870.01 for all definitions of crimes.

Fla. Stat. § 870.04:

- The Sheriff has the power to disperse all persons unlawfully, riotously, or tumultuously assembled.
 - If such persons do not immediately and peaceably disperse, the Sheriff or his deputies shall command the assistance of persons in seizing, arresting, and securing such persons in custody.
 - If any person present who is commanded to assist refuses or neglects to obey such command, or, when required to depart, refuses and neglects to do so, the person shall be deemed one of the rioters or persons unlawfully assembled, and may be prosecuted and punished accordingly.
4. **THE SHERIFF HAS THE POWER TO DECLARE A STATE OF EMERGENCY AND TO EXERCISE EMERGENCY POWERS**

Fla. Stat. § 870.041:

In the event of overt acts of violence or imminent threat of violence within a county, local officers, such as the Sheriff, shall be empowered to declare such a state of emergency if the Governor has not done so. See §§ 870.041-870.048.

Fla. Stat. § 870.042:

The Sheriff shall be empowered to declare that a state of emergency exists within the all of the unincorporated areas of the county and to exercise the emergency powers conferred in §§ 870.041-870.047.

Fla. Stat. § 870.043:

Whenever the Sheriff determines that there has been an act of violence or substantial defiance of a lawful exercise of public authority and has reason to believe that there exists a clear and present danger of a riot or other general public disorder, widespread disobedience of the law, and substantial injury to persons or to property, he may declare that a state of emergency exists within that jurisdiction or any part or parts thereof.

“COMBATING PUBLIC DISORDER”

HB 1 (Effective April 19, 2021)

SUMMARY:

- Defines previously undefined crimes of affray, rioting, and inciting a riot and creates new crimes and enhanced penalties for aggravated rioting and aggravated inciting a riot.
- Increases penalties for assault or battery when committed in furtherance of a riot and requires a court to sentence a person convicted of battery of a law enforcement officer committed in furtherance of a riot to a six month minimum mandatory sentence.
- Creates the crime of mob intimidation, prohibiting a mob from forcefully compelling or attempting to compel another person to do or refrain from doing any act or to assume, abandon, or maintain a particular viewpoint.
- Enhances penalties for specified burglary and theft offenses committed during a riot when facilitated by conditions arising from the riot.
- Creates new crimes prohibiting a person from defacing, damaging, destroying, or pulling down a memorial.
- Increases the lowest permissible sentence for specified crimes committed in furtherance of a riot.
- Requires a person arrested for specified offenses related to rioting and unlawful assembly to be held in jail until he or she appears for a first appearance hearing and a court determines bond.
- Creates the crime of cyber intimidation by publication, prohibiting a person from publishing another person’s identification information with the intent to incite violence or the commission of a crime against the person.
- Creates a process by which the state attorney of the judicial circuit in which a municipality is located, or an objecting member of the municipality's governing body may appeal a funding reduction to the operating budget of the municipal law enforcement agency to the Administration Commission.
- Waives sovereign immunity for tort claims arising from a riot or unlawful assembly if the governing body of a municipality interferes with law enforcement's ability to provide reasonable police protection.
- Creates an affirmative defense in a civil action arising from a riot if the plaintiff's injury or damage was sustained as a result of participating in a riot.
- Corrects constitutional infirmities in the current prohibition against willfully obstructing a roadway.

Fla. Stat. §	HB 1 Revisions & Additions to Law (Effective April 19, 2021)
166.241 (Budgets)	(4) (a) If the tentative budget of a municipality contains a funding reduction to the operating budget of the municipal law enforcement agency, the state attorney for the judicial circuit in which the municipality is located, or a member of the governing body who objects to the funding reduction, may file an appeal by petition to the Administration Commission within 30 days after the day the tentative budget is posted to the official website of the municipality under subsection (3).
316.2045 (Obstruction of Streets)	(1) (a) A It is unlawful for any person may not or persons willfully to obstruct the free, convenient, and normal use of <u>a</u> any public street, highway, or road by: <ol style="list-style-type: none"> 1. Impeding, hindering, stifling, retarding, or restraining traffic or passage thereon; by 2. <u>Standing on or remaining in the street, highway, or road; or approaching motor vehicles thereon, or by</u> 3. Endangering the safe movement of vehicles or pedestrians traveling thereon. (b) A and any person or persons who <u>violates paragraph (a)</u> violate the provisions of this subsection, upon conviction, shall be cited for a pedestrian violation, punishable as provided in chapter 318.
768.28(5) (Sovereign Immunity)	Adds subsection 5(b) which creates a municipal duty to allow municipal law enforcement agencies to respond appropriately to protect person and property during a riot or unlawful assembly based on the availability of adequate equipment to its municipal law enforcement officers and relevant state and federal laws. Creates civil liability for a municipality if the governing body of the municipality, or a person authorized, by them breaches the above mentioned duty. <ul style="list-style-type: none"> o Municipality is liable for any damages, including damages arising from personal injury, wrongful death, or property damages proximately caused by the municipality's breach of duty. o Eliminates the Sovereign Immunity recovery limits for violations of subsection 5(b).
784.011 (Assault)	Adds subsection 3 which enhances an Assault to a first degree misdemeanor (M1) if it occurs in the furtherance of a riot or an aggravated riot prohibited under §870.01.
784.021 (Aggravated Assault)	Adds subsection 3 which, for sentencing purposes, elevates the Criminal Punishment Code Level of an Aggravated Assault by one level if it is committed by a person acting in furtherance of a riot or an aggravated riot prohibited under §870.01.
784.03 (Battery)	Adds subsection 3 which enhances a misdemeanor battery to a third degree felony (F3) if it occurs in the furtherance of a riot or an aggravated riot prohibited under §870.01.

784.045 (Aggravated Battery)	Adds subsection 3 which, for sentencing purposes, elevates the Criminal Punishment Code Level of an Aggravated Battery by one level if it is committed by a person acting in furtherance of a riot or an aggravated riot prohibited under §870.01.
784.0495 (Mob Intimidation)	<p>(1) It is unlawful for a person, assembled with two or more other persons and acting with a common intent, to use force or threaten to use imminent force, to compel or induce, or attempt to compel or induce, another person to do or refrain from doing any act or to assume, abandon, or maintain a particular viewpoint against his or her will.</p> <p>(2) A person who violates subsection (1) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.</p> <p>(3) A person arrested for a violation of this section shall be held in custody until brought before the court for admittance to bail in accordance with chapter 903.</p>
784.07 (Battery LEO)	<p>Amends subsection 2(b) to add: "Notwithstanding any other provision of law, a person convicted of battery upon a law enforcement officer committed in furtherance of a riot or an aggravated riot prohibited under §870.01 <u>shall be sentenced to a minimum term of imprisonment of 6 months.</u>"</p> <p>Adds subsection 4 which, for sentencing purposes, elevates the Criminal Punishment Code Level of any Felony violation of 784.07 by one level if it is committed by a person acting in furtherance of a riot or an aggravated riot prohibited under §870.01.</p>
806.13 (Criminal Mischief)	<p>Inserts new Subsection 3: "Any person who, without the consent of the owner thereof, willfully and maliciously defaces, injures, or otherwise damages by any means a memorial or historic property, as defined in §806.135(1), and the value of the damage to the memorial or historic property is greater than \$200, commits a felony of the third degree... A court shall order any person convicted of violating this subsection to pay restitution, which shall include the full cost of repair or replacement of such memorial or historic property."</p>
806.135 (Destroying or Demolishing Memorial or Historic Property)	<ul style="list-style-type: none"> • Subsection 1- Definitions (Refer to Statute) • Subsection 2- "It is unlawful for any person to willfully and maliciously destroy or demolish any memorial or historic property, or willfully and maliciously pull down a memorial or historic property, unless authorized by the owner of the memorial or historic property. A person who violates this section commits a felony of the second degree (F2)." • Subsection 3- "A court shall order any person convicted of violating this section to pay restitution, which shall include the full cost of repair or replacement of such memorial or historic property."
810.02 (Burglary)	<p>Amends language subsection 3 (Burglary of a dwelling, occupied structure or conveyance, etc...) to now include "However, if the burglary is committed during a riot or an aggravated riot prohibited under §870.01 and the perpetration of the burglary is facilitated by</p>

	<p>conditions arising from the riot; ...the burglary is a felony of the first degree."</p> <ul style="list-style-type: none"> • "Conditions arising from the riot" means civil unrest, power outages, curfews, or a reduction in the presence of or response time for first responders or homeland security personnel. • As with an individual arrested for a burglary within a county that is subject to a state of emergency, an individual arrested for committing a burglary during a riot or an aggravated riot <u>may not be released until the person appears before a committing magistrate at a first appearance hearing.</u> • For sentencing purposes, a burglary committed during a riot or an aggravated riot is elevated one Criminal Punishment Code level above a standard level for the subject offense. <p>Amends language subsection 4 (Burglary of an unoccupied structure or conveyance) to now include "However, if the burglary is committed during a riot or an aggravated riot prohibited under §870.01 and the perpetration of the burglary is facilitated by conditions arising from the riot; ...the burglary is a felony of the second degree."</p> <ul style="list-style-type: none"> • An individual arrested for committing a burglary during a riot or an aggravated riot <u>may not be released until the person appears before a committing magistrate at a first appearance hearing.</u> • For sentencing purposes, a burglary committed during a riot or an aggravated riot is elevated one Criminal Punishment Code level above a standard level for the subject offense.
<p>812.014 (Theft)</p>	<p>Theft of property during riot or aggravated riot:</p> <ul style="list-style-type: none"> • (2) (b) Thefts, Law Enforcement equipment valued at \$300 or more & \$20,000-\$100,000, etc. = First Degree Felony • (2) (c) Thefts (Prior Third Degree Felony Thefts) = Second Degree Felony • Defines "conditions arising from a riot" as civil unrest, power outages, curfews, reduction of presence of first responders.
<p>836.115 (Cyber-intimidation) (M1)</p>	<ul style="list-style-type: none"> • Subsection 1- Definitions (Refer to Statute) • Subsection 2- "It is unlawful for a person to electronically publish another person's personal identification information with the intent to, or with the intent that a third party will use the information to: (a) incite violence or commit a crime against the person; or (b) threaten or harass the person, placing such person in reasonable fear of bodily harm.
<p>870.07 (Affirmative Defenses in Civil Actions)</p>	<p>Subsection 1: "In a civil action for damages for personal injury, wrongful death, or property damage, it is an affirmative defense that such action arose from an injury or damage sustained by a participant acting in furtherance of a riot. The affirmative defense authorized by this section shall be established by evidence that the participant has been convicted of a riot or an aggravated riot prohibited under</p>

	<p>§870.01, or by proof of the commission of such crime by a preponderance of the evidence.”</p> <p>Subsection 2: “In a civil action in which a defendant raises an affirmative defense under this section, the court must, on motion by the defendant, stay the action during the pendency of a criminal action that forms the basis for the defense, unless the court finds that a conviction in the criminal action would not form a valid defense under this section.”</p>
<p>§872.02 (Injuring or removing tomb or monument)</p>	<p>Inserts subsection 3 which, elevates the Criminal Punishment Code Level of an offense committed under this section by one level if it is committed by a person acting in furtherance of a riot or an aggravated riot prohibited under §870.01.</p>

FLORIDA SUPREME COURT & DISTRICT COURT EXCERPTS

1. WHEN DOES PEACEFUL ASSEMBLY TURN “UNLAWFUL?”

Prior to HB 1, the Florida Supreme Court construed Section 870.02 to prohibit (1) an assembly of **three or more persons** who, (2) having a **common unlawful purpose**, (3) assemble in such a manner as to **give** rational, firm, and courageous persons in the neighborhood of the assembly a **well-grounded fear of a breach of the peace**. *State v. Simpson*, 347 So. 2d 414, 415 (Fla. 1977)

1. **Requires three or more persons;**
2. **They must have gathered intentionally together to commit a breach of peace**
 - a. **Fighting**
 - b. **Property destruction**
 - c. **Affect the peace and quiet of persons witnessing them**
 - d. **Disorderly conduct**
 - e. **Impede or hinder the travel of people going to and from the area**
3. **The above examples are not exclusive or required. The standard would be what a reasonable person would find to fall within the above categories that affect the public morals or sense of general decency.**

It is no abridgement of free speech or assembly to make criminal an assembly which has as its purpose the breach of the peace. We hold Section 870.02, Florida Statutes (1975), which establishes the offense of “unlawful assembly,” to be constitutional subject to the following restrictive limitations: The term “unlawful assembly” as used in the statute is defined in accordance with the definition as set forth in this opinion; **each of the itemized elements of the offense must be established by the circumstances of the incident; and the charging document must articulate the facts** which establish each of those elements. *State v. Simpson*, 347 So. 2d 414, 416 (Fla. 1977)

2. WHEN DOES UNLAWFUL ASSEMBLY TURN INTO A "RIOT?"

Unlawful assembly becomes a rout when the participants take some step to achieve their unlawful, criminal, or violent purpose. **“Rout”** occurs when an unlawful assembly **makes some attempt or move toward the accomplishment of its participants’ common purpose** and is derived from the word route and implies the group is moving toward its goal.

The term **“riot”** at common law is defined as a **tumultuous disturbance of the peace by three or more persons, assembled and acting with a common intent, either in executing a lawful private enterprise in a violent and turbulent manner, to the terror of the people, or in executing an unlawful enterprise in a violent and turbulent manner.** *State v. Beasley*, 317 So. 2d 750, 752 (Fla. 1975)

The **charging document must articulate facts which establish that three or more persons acted with a common intent to mutually assist each other in a violent manner to the terror of the people** and a breach of the peace. *State v. Beasley*, 317 So. 2d 750, 753 (Fla. 1975)

3. WHEN DOES A PERSON COMMIT THE CRIME OF *RESISTING WITHOUT VIOLENCE* FOR FAILURE TO IDENTIFY HIMSELF OR HERSELF?

To convict a defendant of resisting without violence, the State must prove: **1) the officer or deputy was engaged in the lawful execution of a legal duty and 2) the defendant’s action constituted obstruction or resistance of that lawful duty.** Legal duties include: 1) Serving process; 2) Legally detaining a person; 3) Asking for assistance in an emergency, among others. The distinction is made between an officer or deputy engaged in the execution of a duty vs. merely being on the job.

If during the course of a riot or unlawful assembly, deputies develop probable cause for arrest regarding a violation of Florida Statutes, or for the issuance of a traffic citation for obstruction of public streets or roads where there is actual impeding or hindering of traffic (e.g. Fla. Stat. § 316.2045), they then become engaged in the lawful execution of a legal duty to perform an arrest or issue a citation. A refusal to comply with directions or to provide identification would impede the investigation, thus resulting in a potential secondary charge of *Resisting without Violence* in violation of Fla. Stat. § 843.02. However, courts have repeatedly held there is no obligation to cooperate or provide identification unless and until the person is subject to a lawful detention.

FEDERAL COURTS ON THE 1ST AMENDMENT

Quoted from: *Am. C.L. Union of Colorado v. City & Cty. of Denver*,
569 F. Supp. 2d 1142, 1161–66 (D. Colo. 2008)

The First Amendment to the United States Constitution provides that **“Congress shall make no law ... abridging the freedom of speech ... or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”** Although the First Amendment expressly speaks to a limitation on “Congress,” it is well-settled that its prohibition on undue abridgement of speech and assembly applies with equal force to state action. *44 Liquormart, Inc. v. Rhode Island*, 517 U.S. 484, 489 n. 1, 116 S.Ct. 1495, 134 L.Ed.2d 711 (1996).

The First Amendment reflects “a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open,” and the protection of speech on public issues is one of “central importance.” *Boos v. Barry*, 485 U.S. 312, 318, 108 S.Ct. 1157, 99 L.Ed.2d 333 (1988) (internal quotes omitted). The freedoms of speech and assembly protected by the First Amendment are perhaps the most cherished of all Constitutional protections, and actions which abridge them should necessarily be viewed with concern.

“Traditional public fora”—namely, public streets, sidewalks, and parks—have long been recognized as places in which assembly, communication of thoughts between citizens, and discussion of public issues should be welcomed. *Boos*, 485 U.S. at 318, 108 S.Ct. 1157. Such places “occupy a special position in terms of First Amendment protection,” and the government’s ability to restrict expressive activity in such public fora is “very limited.” *Id.*

A. Time, place, and manner restrictions on public expression

Despite their importance, the rights conferred by the First Amendment are not absolute. Even in a traditional public forum, **the government may impose reasonable restrictions on the time, place, and manner of protected speech.** *Ward v. Rock Against Racism*, 491 U.S. 781, 791, 109 S.Ct. 2746, 105 L.Ed.2d 661 (1989). Such restrictions are constitutional if: (i) they are **justified without regard to the content** of the speech; (ii) they are **narrowly-tailored** to serve a significant governmental interest; and (iii) there are **ample alternative channels for communication** of the desired message. *Id.*

1. CONTENT NEUTRALITY

The level of scrutiny applied to a governmental burden on First Amendment rights depends on **whether or not the regulation affecting speech is content-neutral.** The government may not regulate speech either because it favors or disagrees with the message the speech conveys. *Ward*, 491 U.S. at 791, 109 S.Ct. 2746; *R.A. V. v. City of St. Paul*, 505 U.S. 377, 386, 112 S.Ct. 2538, 120 L.Ed.2d 305 (1992). The government must show that its regulation is necessary to serve a compelling state interest and must be the least-restrictive means available to serve that purpose. *Id.*

2. SIGNIFICANT GOVERNMENTAL INTEREST/NARROW TAILORING

To be constitutional, a content-neutral restriction on speech must also be “narrowly tailored to serve a significant governmental interest.” *Ward*, 491 U.S. at 796, 109 S.Ct. 2746. To determine whether a restriction is narrowly tailored, courts focus on two components: whether there is a governmental interest that is “significant” and whether the restriction is “narrowly tailored” to serve that interest.

Courts have recognized a variety of sufficiently significant governmental interests that justify limitations on public speech. These have included **protecting public fora such as city streets and parks from excessive noise** (see *Ward*, 491 U.S. at 796–97, 109 S.Ct. 2746, citing *Kovacs v. Cooper*, 336 U.S. 77, 86–87, 69 S.Ct. 448, 93 L.Ed. 513 (1949)), **maintaining public spaces in an attractive and available condition** for the enjoyment of the general population (see *Clark v. Community for Creative Non-Violence*, 468 U.S. 288, 296, 104 S.Ct. 3065, 82 L.Ed.2d 221 (1984)), and **preserving order and public safety**, such as by ensuring the free flow of traffic on streets and sidewalks (see *Schenck v. Pro-Choice Network of Western New York*, 519 U.S. 357, 375–76, 117 S.Ct. 855, 137 L.Ed.2d 1 (1997)).

3. AMPLE ALTERNATIVES FOR COMMUNICATION

For a content-neutral, narrowly tailored restriction on public speech to be constitutional, the restriction **must also allow ample alternatives for the speaker to communicate his or her ideas**. Because Supreme Court precedent has not addressed this requirement in detail, the Court turns to decisions of other courts that interpret and apply this requirement.

Courts have identified several considerations that may bear on whether alternatives for communication are ample and adequate: **(i) whether the alternative permits the speaker to reach his or her intended audience; (ii) whether the location of the expressive activity is part of the expressive message, such that engaging in the activity in another location would dilute the speaker's message; (iii) whether the alternative forum is susceptible to spontaneous outpourings of expression, or whether the resort to the alternative forum requires advance notice, registration, or some other burden to spontaneous speech or assembly; and (iv) the cost and convenience of the alternatives.**

B. Illustrative cases

1. Citizens for Peace In Space v. City of Colorado Springs

The court considered restrictions attendant to a meeting of NATO representatives in Colorado Springs. **The Court found that the establishment of a security zone extending in a radius of several blocks around the site of the meeting did not burden the First Amendment rights of the plaintiffs.** The security zone excluded non-credentialed members of the general public, effectively preventing the plaintiffs from staging a protest within direct visual range of the site of the meeting. The plaintiffs were forced to conduct their expressive activities at the edge of the security zone, hundreds of yards away, visible to meeting attendees only as their bus passed by the plaintiff's protest.

After finding that the security zone restriction was narrowly tailored, the court also found that there were adequate alternative channels of communication that remained for the plaintiffs. It observed that the plaintiffs were “sufficiently able to communicate their message even though they had no close, physical interaction with their intended audience.” The court explained that **the First Amendment “does not guarantee the right to communicate one's views at all times and places or in any manner that may be desired.” Rather, the sufficiency of available alternatives is a fact-dependent analysis, considering things such as the nature of the security threat involved, the geography of the area regulated, the type of speech desired, and the nature of alternative means by which the speakers can disseminate their message.** It found that although limiting the plaintiffs to protesting outside the checkpoint may not have been “the best alternative, nor even the most prudent,” it was nevertheless sufficient, in light of the circumstances, given that attendees and media were able to view the protest as they passed by, that the protesters were later interviewed by several local media and that they could have also protested at the off-site staging area where meeting attendees and media members boarded buses to enter the security zone. The court found that the plaintiffs were able to present their views to their intended audience and were not so cut off from that audience that one could say that no ample alternatives to a protest within the security zone existed.

Citizens for Peace In Space confirms the importance of a **reasonably specific security-based justification for the closure of traditional public fora** and instructs that the more important the governmental interest, the less exacting is the court's narrow-tailoring analysis. The case is also illustrative of the types of alternatives that might be deemed adequate to replace an in-person protest immediately outside a gathering.

“FIRST AMENDMENT AUDITORS”

In conjunction with the new HB1, be aware of the potential for “First Amendment Auditors” to participate in protests or riots or to come to our buildings with the intent to instigate responses with the purpose of trying to show First Amendment violations.

These “First Amendment Auditors” make the rounds to local government buildings in a claimed attempt to hold public servants accountable. The goal is to try to bait or provoke personnel into doing or saying something possibly regretful on camera and post it. Here are some quick reminders on the law and how to address these situations:

1. **The public *does* have the right to record video and audio in public spaces.** Do not tell them they don't have this right, do not engage or argue with them about the subject of the video itself, and conduct yourselves in a manner your family, friends, or supervisor would be proud of when they watch you on YouTube.
2. **The public *does not* have the right to interfere with the conduct of your duties,** demand that you answer questions, require that you explain things to them, etc. They also do not have the right to breach the peace or block the entrance/exit to a building and could face applicable criminal charges for doing so.
3. Avoid an overwhelming “show of force” (i.e., more than one or two sworn individuals) to deal with these people – unless there is a legitimate law enforcement reason requiring such a response. They are trying to get you to come out with 4, 5, or 6 people in uniform to make it look on camera like you are harassing the person with a camera and then they will try to escalate the situation. Avoid this whenever possible, but not at the cost of the public or your safety.
4. **Stay calm and patient.** If you cannot, step away and let someone handle the situation who can. Get a supervisor involved if necessary.

If you have any questions about how to deal with these situations, whether in the moment or just hypothetical, you are always welcome to call the General Counsel to discuss or assist.

Alex Sharp-General Counsel

LEGAL BULLETIN 2018-001 January 12, 2018

PUTNAM COUNTY SHERIFF'S OFFICE

TO: ALL PERSONNEL

RE: REMOVAL OF A TRANSIENT OCCUPANT - SECTION 82.045, F.S.

Remedies for unlawful detention by a transient occupant of residential property, Section 82.045, Florida Statutes, (Chapter 2015-89, Laws of Florida) which took effect on July 1, 2015. There is an accompanying form/AFFIDAVIT online that you can access which will be utilized in determining if the person meets the factors required for removal. The new law allows for a homeowner to request the assistance of law enforcement to assist in the removal of a “transient occupant” without the necessity of going through the eviction process.

This Statute sets forth a formal procedure for situations where a homeowner or other person in control of a residential premises, has allowed someone to stay with them for a “brief period,” but then that person won’t leave when asked. Now, under certain situations where specific criteria are met, the person remaining on the property can be ordered to leave or face arrest for the crime of Trespass. These type of cases should generate a report number whether you find the person being asked to leave transitory or found to be a resident and would be required to go through the civil eviction process for removal.

“Transient Occupant”

Subsection (1) defines the term “**transient occupant**” as “a person whose residency in a dwelling intended for residential use has occurred for a brief length of time, is not under a lease,

and whose occupancy was intended as transient in nature.” The law sets out **factors** which establish that a person is a transient occupant. These factors include, but are not limited to:

1. The person does not have an ownership interest, financial interest, or leasehold interest in this residential property which entitles him or her to occupancy of the property.
2. The person does not have any property utility subscriptions for this property.
3. The person does not use the property address as an address of record with any governmental agency, including, but not limited to, the Department of Highway Safety and Motor Vehicles or the supervisor of elections.
4. The person does not receive mail at the property.
5. The person pays minimal or no rent for his or her stay at the property.
6. The person does not have a designated space of his or her own, such as a room, at the property.
7. The person has minimal, if any, personal belongings at the property.
8. The person has an apparent permanent residence elsewhere.

***Remember all of these factors are not required to make a finding, there is no bright-line rule for these types of cases, you must make the determination based on the factors you find; common sense rules in all cases.

The law also specifies that minor contributions made for the purchase of household goods, or minor contributions towards other household expenses, **do not establish residency**. Relevant factors other than those listed may also be considered. The statute does not state how many of the listed factors must be present for a person to be considered a “transient occupant.” It is my opinion that the courts will interpret this under the “totality of the circumstances” test just like the standard for finding Probable Cause.

“Brief Length of Time”

The Statute does not define the phrase “brief length of time” in its definition of “transient occupant”. I do not know how the courts will interpret this. Merriam-Webster’s Dictionary defines the word “brief” as “lasting only a short period”. Use your best judgment.

“Procedures to follow.”

An owner or party with authority over the residential premises, i.e. homeowner, or person on the lease, (LEGAL OWNER) must first direct the unwanted transient occupant to leave before seeking the assistance of law enforcement. The person established as legal owner must then complete an affidavit containing facts, including the applicable factors from the list above, which establishes that the transient occupant is unlawfully refusing to leave the residence. If the law enforcement officer is satisfied that the affidavit contains enough factors to establish that the subject can be deemed a “transient occupant” based upon the information contained in the legal owner’s affidavit, the officer may then direct the unwanted subject to leave. My recommendation is that the officer consider only the factors the legal owner writes in the affidavit.

Once the legal owner completes the affidavit, law enforcement may tell the transient occupant they must surrender occupancy and vacate the premises and that if they fail to do so, they are subject to arrest for trespass under s. 810.08, F.S. The statute does not state how much time the transient occupant must be given to leave the premises. It is my opinion that since the transient occupant has been previously told to leave and failed to, it is reasonable for the officer to require the transient occupant to leave immediately. However, the final decision will be up to the officer’s discretion.

Should the transient occupant refuse to leave after the officer directs him/her to, then the transient occupant may be arrested for trespassing. Under s. 82.045(3)(a), F.S., if the transient occupant is prosecuted for a violation of s. 810.08, F.S., the state does not have to prove that the defendant was, in fact, a transient occupant.

If a person who was removed as an unlawful transient occupant believes they were wrongfully removed, he or she has a cause of action against the legal owner who caused them to be removed, but NOT against the law enforcement officer or the LEO's employing agency, as long as the LEO did not act in bad faith in causing the removal of the transient occupant. This is why I suggest basing the decision as to whether the person is a transient occupant on only the facts contained in the legal sworn affidavit. Do not consider facts not written in the affidavit. This will support your good faith defense because every factor will be formalized in the affidavit. If it is determined that the legal owner lied in the affidavit, the legal owner will incur criminal and civil liability.

Write a report outlining the actions you ultimately decide to take regardless of whether you remove or allow the person in question to remain.

“ Required Affidavit Form”

We have provided an online affidavit form that can be given to the legal owner to complete. It tracks the factors set forth in the statute. The legal owner can check the factors that apply to their situation. There are also lines following each factor. They are there for a reason. The legal owner should add specific facts or information that supports each item they checked, if appropriate. If they need more room, they can write on the back of the pages or on additional pages. Once the legal owner has completed the form, the officer or a notary must place the legal

owner under oath and have the legal owner sign the affidavit. False statements made by the legal owner in this affidavit could result in criminal charges and civil liability. The legal owner can provide his/her own affidavit. However, it must meet the statutory guidelines and provide a sufficient statutory basis for you to take action. Completed affidavit is to be submitted to the records section.

If you have any questions about this Legal Bulletin, please contact me at 326-7249 or email at asharp@putnamsheriff.org.

Alex Sharp
General Counsel

No Information
&
FDLE Letters

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
PUTNAM COUNTY, FLORIDA

STATE OF FLORIDA

VS.

CASE NUMBER: 04-1375-UF 53

ALEXANDER M SHARP

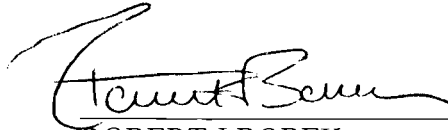
A DEFENDANT

ANNOUNCEMENT OF NO INFORMATION

The State of Florida, by and through its undersigned Assistant State Attorney, announces and hereby files a No Information or intent not to prosecute with respect to the following charge(s):

OFFICIAL MISCONDUCT

Dated this 29th day of July, 2004, A.D., at DAYTONA BEACH, Florida.



ROBERT J BOBEK
ASSISTANT STATE ATTORNEY
BAR NUMBER: 0434337

2004 JUL 29 AM 10:28

PHYSICAL EVIDENCE: PALATKA POLICE DEPARTMENT, P0401543

IS NO LONGER NEEDED FOR COURT AND MAY BE DISPOSED OF
ACCORDING TO LAW.

HOLD FOR FURTHER COURT PROCEEDINGS AND/OR INSTRUCTIONS.



Florida Department of
Law Enforcement

Criminal Justice
Professionalism Program

P. O. Box 1489
Tallahassee, Florida 32302-1489
(850) 410-8600
<http://www.fdle.state.fl.us>

Guy M. Tunnell
Commissioner

May 18, 2004

Honorable Gary Getchell
Palatka Police Department
110 North 11th Street
Palatka, Florida 32177

SUBJECT: Alexander M. Sharp; SSN:
RE: Perjury in an Official Proceeding; Official Misconduct

Dear Chief Getchell:

This office has completed a review of the CJSTC-78 Form and investigative information submitted by your agency regarding the above-named officer. We have determined that there is no basis for any action by the Criminal Justice Standards and Training Commission at this time.

This decision is based upon the finding that the misconduct was either not sustained by your agency or does not fall within the parameters of a moral character violation, as defined by Rule 11B-27.0011, Florida Administrative Code. The enclosed Internal Investigation Reporting Procedure, which details when an agency should submit the CJSTC-78 Form and investigative information, and contains a summary of what constitutes a moral character violation, is provided to assist you in determining when to submit misconduct information to the Commission.

Determinations by the Commission, as an independent regulatory commission in accordance with Chapter 943, Florida Statutes, are separate and distinct from any employing agency action, and in no way reflects upon their investigation, findings, conclusions, and/or disciplinary action.

Should you have any questions or concerns regarding this decision, please contact Training and Research Manager David G. Brand or Lessette Traverso, Case Specialist in the Bureau of Standards, at telephone number (850) 410-8633.

Thank you for your cooperation and assistance.

Sincerely,

Guy M. Tunnell
Commissioner

David G. Brand, Training and Research Manager
Bureau of Standards
Criminal Justice Professionalism Program

DGB/lc

D1

Enclosure



Florida Department of
Law Enforcement

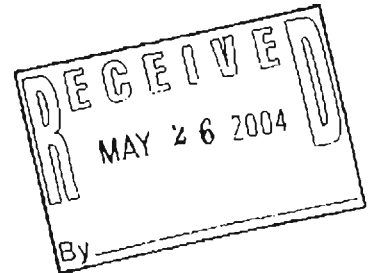
Criminal Justice
Professionalism Program

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Guy M. Tunnell
Commissioner

May 20, 2004

Honorable Gary Getchel..
Palatka Police Department
110 North 11th Street
Palatka, Florida 32177



SUBJECT: Alexander M. Sharp; SSN: [REDACTED]
RE: Making False Claims of Academic Degree or Title

Dear Chief Getchel:

We have completed a review of the information submitted concerning the above-named officer and have found that there is no basis for any further action by the Criminal Justice Standards and Training Commission at this time.

This decision is based upon the finding that insufficient grounds exist under the guidelines of Chapter 943.1395, Florida Statutes, to pursue any disciplinary action by the Commission.

Determinations by the Commission, as an independent regulatory commission in accordance with Chapter 943, Florida Statutes, are separate and distinct from any employing agency action, and in no way reflects upon their investigation, findings, conclusions, and/or disciplinary action.

Should you have any questions or concerns regarding this decision, please contact Training and Research Manager David G. Brand or Lessette Traverso, Case Specialist in the Bureau of Standards, at telephone number (850) 410-8633.

Thank you for your cooperation and assistance.

Sincerely,

Guy M. Tunnell
Commissioner

David G. Brand, Training and Research Manager
Bureau of Standards
Criminal Justice Professionalism Program

DGB/lt

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2022 Tax Filings

Copy C For EMPLOYEE'S RECORDS (See Notice to Employee on back of Copy B.)		2021	OMB No 1545-0047
a Employee's soc sec no [REDACTED]	1 Wages, tips, other comps 87132.54	2 Federal income tax withheld 6457.02	
b Employer ID number (EIN) 59-6000819	3 Social security wages 69302.34	4 Social security tax withheld 4258.75	
	5 Med care wages and tips 69302.34	6 Medicare tax withheld 1054.90	
c Employer's name, address, and ZIP code Putnam County Sheriff's Office 130 Orie Griffin Blvd Palatka, FL 32177			
d Control number SPARPAEN			
e Employee's name, address, and ZIP code ALEXANDER M SHARP [REDACTED]			Self.
7 Social security tips	a Allocated tips	9 [REDACTED]	
10 Dependent care benefits	11 Nonqualified plans		
12a DD	19254.60	13 State Emp. Ret plan	3rd party, etc, ps, X
12b		14 Other RETIREMENT 2170.00	
12c			
12d			
15 State / Finkl's state ID	16 State wages, tips, etc	17 State income tax	
18 Local wages, tips, etc	19 Local income tax	20 Locality name	

Form W-2 Wage and Tax Statement

Dept of the Treasury - IRS

This information is being furnished to the IRS. If you are required to file a tax return, a negligence penalty, or other sanction may be imposed on you if this income is taxable and you fail to report it.

Copy C For EMPLOYEE'S RECORDS (See Notice to Employee on back of Copy B.)		2020	OMB No 1545-0048
a Employee's soc. sec. no [REDACTED]	1 Wages, tips, other comps 61251.24	2 Federal income tax withheld 5767.14	
	3 Social security wages 63230.34	4 Social security tax withheld 3920.24	
b Employer ID number (EIN) 59-6000819	5 Medicare wages and tips 63230.34	6 Medicare tax withheld 916.82	
	c Employer's name, address, and ZIP code Putnam County Sheriff's Office 130 Orle Griffin Blvd Palatka, FL 32177		
d Control number SHARPALEX			
e Employee's name, address, and ZIP code ALEXANDER, M SHARP [REDACTED]			Suff.
7 Social security tips	R Allocated tips	g [REDACTED]	
10 Dependent care benefits	11 Nonqualified plans		
12a DD	16575.24	13 Stat Emp Ret plan	3rd party sick pay
12b		X	
12c		14 Other RETIREMEN 1979.10	
12d			
15 State Emp's state ID	16 State wages, tips, etc.	17 State income tax	
18 Local wages, tips, etc.	19 Local income tax	20 Locality name	

Form W-2 Wage and Tax Statement Dept. of the Treasury - IRS
 *** This information is being furnished to the IRS. If you are required to file a tax return, a negligence penalty or other sanction may be imposed on you if this income is taxable and you fail to report it.

Copy C For EMPLOYEE'S RECORDS (See Notice to Employee on back of Copy B)		2019 OMB No. 1545-0048	
a Employee's soc. sec. no. [REDACTED]		1 Wages, tips, other comps 59719.60	2 Federal income tax withheld 5602.32
b Employer ID number (EIN) 59-6000819		3 Social security wages 61643.44	4 Social security tax withheld 3821.84
c Employer's name, address, and ZIP code Putnam County Sheriff's Office 130 Orle Griffin Blvd Palatka, FL 32177		5 Medicare wages and tips 61643.44	6 Medicare tax withheld 893.80
d Control number SHARPA1EX			
e Employee's name, address, and ZIP code Suff. ALEXANDER W SHARP [REDACTED]			
7 Social security tips	8 Allocated tips	b //	
10 Dependent care benefits	11 Nonqualified plans		
12a DD	15285.44	13 Stat Emp Ret plan X	3rd party sick pay
12b		14 Other RETIREMEN 1923.84	
12c			
12d			
15 State	Empl's state ID	16 State wages, tips, etc.	17 State income tax
18 Local wages, tips, etc.		19 Local income tax	20 Locality name

Form W-2 Wage and Tax Statement

Dept. of the Treasury - IRS

*** This information is being furnished to the IRS. If you are required to file a tax return, a negligence penalty or other sanction may be imposed on you if this income is taxable and you fail to report it.

PRINTED 04/17/2022

ALEXANDER SHARP IV
JEANNIE ELY
PO BOX 953
HOLLISTER FL 32147-

Taxpayer Spouse
SSN
Birth
Death
Day Phone
Evening
Cell or Fax
PIN 11967 82270

Email
Taxpayer Occupation ATTORNEY Spouse Occupation RESTAURANT
Filing Status MARRIED FILING JOINT

ETHAN SHARP SON 12 1

Preparer ID: CS Preparation Fee: 250.00 Date:
Preparer: CAROL SHERMAN Time in return 187 min.

Recap of 2021 Income Tax Return

Table with 2 columns: Description and Amount. Rows include Earned Income (88,938), Federal AGI (204,756), Taxable Income (179,656), EIC, Federal Tax (26,453), Withholding (10,698), Refund/(Due) (-15,914), Tax Bracket (24.0 %).

Table with 2 columns: Description and Amount. Rows include State Tax, Withholding, Refund/Due for both Taxpayer and Spouse.

916-0873 325-9977
Settlement date on new home 12/10/2018

Table with 6 columns: Bank Product Information, Advance Only, Check, Direct Deposit, Debit Card, Walmart Direct2Cash. Rows include Qualifying refund, Fees, Net refund, Advance, Federal disbursement, State disbursement, Check one.

Filing Status [] Single [X] Married filing jointly [] Married filing separately (MFS) [] Head of household (HOH) [] Qualifying widow(er) (QW)

Check only one box. If you checked the MFS box, enter the name of your spouse. If you checked the HOH or QW box, enter the child's name if the qualifying person is a child but not your dependent

Form fields for personal information: Your first name and middle initial (ALEXANDER), Last name (SHARP IV), Your social security number, Spouse's social security number, Home address (PO BOX 953), City (HOLLISTER), State (FL), ZIP code (32147-), Foreign country name, Foreign province/state/county, Foreign postal code.

At any time during 2021, did you receive, sell, exchange, or otherwise dispose of any financial interest in any virtual currency? [] Yes [X] No

Standard Deduction Someone can claim: [] You as a dependent [] Your spouse as a dependent [] Spouse itemizes on a separate return or you were a dual-status alien

Age/Blindness You: [] Were born before January 2, 1957 [] Are blind Spouse: [] Was born before January 2, 1957 [] Is blind

Table with 5 columns: (1) First name, Last name, (2) Social security number, (3) Relationship to you, (4) Child tax credit, Credit for other dependents. Row 1: ETHAN SHARP, 767-26-5440, SON, [], [X].

Main income and deduction table with 15 rows. Line 1: Wages, salaries, tips, etc. Attach Form(s) W-2. Line 2a: Tax-exempt interest. Line 3a: Qualified dividends. Line 4a: IRA distributions. Line 5a: Pensions and annuities. Line 6a: Social security benefits. Line 7: Capital gain or (loss). Line 8: Other income from Schedule 1, line 10. Line 9: Total income (204,828). Line 10: Adjustments to income. Line 11: Adjusted gross income (204,756). Line 12a: Standard deduction or itemized deductions (25,100). Line 12b: Charitable contributions. Line 12c: Total deductions (25,100). Line 13: Qualified business income deduction. Line 14: Total deductions (25,100). Line 15: Taxable income (179,656).

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see separate instructions.

16	Tax (see instructions). Check if any from Form(s): 1 <input type="checkbox"/> 8814 2 <input type="checkbox"/> 4972 3 <input type="checkbox"/>	16	26,560
17	Amount from Schedule 2, line 3	17	
18	Add lines 16 and 17	18	26,560
19	Nonrefundable child tax credit or credit for other dependents from Schedule 8812	19	250
20	Amount from Schedule 3, line 8	20	
21	Add lines 19 and 20	21	250
22	Subtract line 21 from line 18. If zero or less, enter -0-	22	26,310
23	Other taxes, including self-employment tax, from Schedule 2, line 21	23	143
24	Add lines 22 and 23. This is your total tax	24	26,453
25	Federal income tax withheld from:		
a	Form(s) W-2	25a	8,835
b	Form(s) 1099	25b	1,863
c	Other forms (see instructions)	25c	
d	Add lines 25a through 25c	25d	10,698
26	2021 estimated tax payments and amount applied from 2020 return	26	
27a	Earned income credit (EIC). Check here if you were born after January 1, 1998, and before January 2, 2004, and you satisfy all the other requirements for taxpayers who are at least age 18, to claim the EIC. See instructions	27a	
b	Nontaxable combat pay election	27b	
c	Prior year (2019) earned income	27c	
28	Refundable child tax credit or additional child tax credit from Schedule 8812	28	
29	American opportunity credit from Form 8863, line 8	29	
30	Recovery rebate credit. See instructions	30	
31	Amount from Schedule 3, line 15	31	
32	Add lines 27a and 28 through 31. These are your total other payments and refundable credits	32	
33	Add lines 25d, 26, and 32. These are your total payments	33	10,698
34	If line 33 is more than line 24, subtract line 24 from line 33. This is the amount you overpaid	34	
35a	Amount of line 34 you want refunded to you . If Form 8888 is attached, check here	35a	
b	Routing number	c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings	
d	Account number		
36	Amount of line 34 you want applied to your 2022 estimated tax	36	
37	Amount you owe . Subtract line 33 from line 24. For details on how to pay, see instructions	37	15,914
38	Estimated tax penalty (see instructions)	38	159

If you have a qualifying child, attach Sch. EIC.

Refund

Direct deposit? See instructions.

Amount You Owe

Third Party Designee

Do you want to allow another person to discuss this return with the IRS? See instructions Yes. Complete below. No

Designee's name CAROL SHERMAN Phone no. 386-684-3385 Personal identification number (PIN) 42366

Sign Here

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge. Your signature Date Your occupation ATTORNEY If the IRS sent you an Identity Protection PIN, enter it here (see inst.) Spouse's signature Date Spouse's occupation RESTAURANT If the IRS sent you an Identity Protection PIN, enter it here (see inst.) Phone no. 386-325-9977 Email address

Paid Preparer Use Only

Preparer's name CAROL SHERMAN Preparer's signature CAROL SHERMAN Date PTIN P01038715 Check if: Self-employed Firm's name PROFESSIONAL BUSINESS SERVICES Phone no. 386-684-3385 Firm's address PO BOX 787 INTERLACHEN FL 32148 Firm's EIN 59-1899753

▼ Detach Here and Mail With Your Payment and Return ▼

Department of the Treasury
Internal Revenue Service

2021

Form 1040-V Payment Voucher

- Use this voucher when making a payment with Form 1040
- Do not staple this voucher or your payment to Form 1040
- Make your check or money order payable to the "United States Treasury"
- Write your Social Security Number (SSN) on your check or money order

Amount you are paying
by check or money order ►

Dollars
15,914

1045

ALEXANDER SHARP IV & JEANNIE ELY
PO BOX 953
HOLLISTER FL 32147-

Internal Revenue Service
PO BOX 1214
Charlotte NC 28201-1214

267570410 PT SHAR 30 0 202112 610

SCHEDULE D
(Form 1040)

Capital Gains and Losses

OMB No. 1545-0074

2021

Department of the Treasury
Internal Revenue Service (99)

- ▶ Attach to Form 1040, 1040-SR, or 1040-NR.
- ▶ Go to www.irs.gov/ScheduleD for instructions and the latest information.
- ▶ Use Form 8949 to list your transactions for lines 1b, 2, 3, 8b, 9, and 10.

Attachment
Sequence No. **12**

Name(s) shown on return

ALEXANDER SHARP IV & JEANNIE ELY

Your social security number

██████████

Did you dispose of any investment(s) in a qualified opportunity fund during the tax year? Yes No
If "Yes," attach Form 8949 and see its instructions for additional requirements for reporting your gain or loss.

Part I Short-Term Capital Gains and Losses—Generally Assets Held One Year or Less (see instructions)

See instructions for how to figure the amounts to enter on the lines below.
This form may be easier to complete if you round off cents to whole dollars.

	(d) Proceeds (sales price)	(e) Cost (or other basis)	(g) Adjustments to gain or loss from Form(s) 8949, Part I, line 2, column (g)	(h) Gain or (loss) Subtract column (e) from column (d) and combine the result with column (g)
1a Totals for all short-term transactions reported on Form 1099-B for which basis was reported to the IRS and for which you have no adjustments (see instructions). However, if you choose to report all these transactions on Form 8949, leave this line blank and go to line 1b				
1b Totals for all transactions reported on Form(s) 8949 with Box A checked				
2 Totals for all transactions reported on Form(s) 8949 with Box B checked				
3 Totals for all transactions reported on Form(s) 8949 with Box C checked				
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824				4
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1				5
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet in the instructions				6 ()
7 Net short-term capital gain or (loss) . Combine lines 1a through 6 in column (h). If you have any long-term capital gains or losses, go to Part II below. Otherwise, go to Part III on the back				7

Part II Long-Term Capital Gains and Losses—Generally Assets Held More Than One Year (see instructions)

See instructions for how to figure the amounts to enter on the lines below.
This form may be easier to complete if you round off cents to whole dollars.

	(d) Proceeds (sales price)	(e) Cost (or other basis)	(g) Adjustments to gain or loss from Form(s) 8949, Part II, line 2, column (g)	(h) Gain or (loss) Subtract column (e) from column (d) and combine the result with column (g)
8a Totals for all long-term transactions reported on Form 1099-B for which basis was reported to the IRS and for which you have no adjustments (see instructions). However, if you choose to report all these transactions on Form 8949, leave this line blank and go to line 8b				
8b Totals for all transactions reported on Form(s) 8949 with Box D checked				
9 Totals for all transactions reported on Form(s) 8949 with Box E checked				
10 Totals for all transactions reported on Form(s) 8949 with Box F checked				
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824				11 63,739
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1				12
13 Capital gain distributions. See the instructions				13
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet in the instructions				14 ()
15 Net long-term capital gain or (loss) . Combine lines 8a through 14 in column (h). Then, go to Part III on the back				15 63,739

For Paperwork Reduction Act Notice, see your tax return instructions.

Schedule D (Form 1040) 2021

Part III Summary

<p>16 Combine lines 7 and 15 and enter the result</p> <ul style="list-style-type: none"> ● If line 16 is a gain, enter the amount from line 16 on Form 1040, 1040-SR, or 1040-NR, line 7. Then, go to line 17 below. ● If line 16 is a loss, skip lines 17 through 20 below. Then, go to line 21. Also be sure to complete line 22. ● If line 16 is zero, skip lines 17 through 21 below and enter -0- on Form 1040, 1040-SR, or 1040-NR, line 7. Then, go to line 22. <p>17 Are lines 15 and 16 both gains?</p> <p><input checked="" type="checkbox"/> Yes. Go to line 18.</p> <p><input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.</p> <p>18 If you are required to complete the 28% Rate Gain Worksheet (see instructions), enter the amount, if any, from line 7 of that worksheet ▶</p> <p>19 If you are required to complete the Unrecaptured Section 1250 Gain Worksheet (see instructions), enter the amount, if any, from line 18 of that worksheet ▶</p> <p>20 Are lines 18 and 19 both zero or blank and are you not filing Form 4952?</p> <p><input checked="" type="checkbox"/> Yes. Complete the Qualified Dividends and Capital Gain Tax Worksheet in the instructions for Forms 1040 and 1040-SR, line 16. Don't complete lines 21 and 22 below.</p> <p><input type="checkbox"/> No. Complete the Schedule D Tax Worksheet in the instructions. Don't complete lines 21 and 22 below.</p> <p>21 If line 16 is a loss, enter here and on Form 1040, 1040-SR, or 1040-NR, line 7, the smaller of:</p> <ul style="list-style-type: none"> ● The loss on line 16; or ● (\$3,000), or if married filing separately, (\$1,500) <p>Note: When figuring which amount is smaller, treat both amounts as positive numbers.</p> <p>22 Do you have qualified dividends on Form 1040, 1040-SR, or 1040-NR, line 3a?</p> <p><input type="checkbox"/> Yes. Complete the Qualified Dividends and Capital Gain Tax Worksheet in the instructions for Forms 1040 and 1040-SR, line 16.</p> <p><input type="checkbox"/> No. Complete the rest of Form 1040, 1040-SR, or 1040-NR.</p>	<p>16</p> <p>18</p> <p>19</p> <p>21</p>	<p>63,739</p> <p>()</p>
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US Schedule D

Schedule D Tax Worksheet

2021

Name: ALEXANDER SHARP IV & JEANNIE ELY

SSN: [REDACTED]

1	Taxable income from Form 1040 or Form 1040-NR, line 15, or from the Foreign Earned Income Tax Worksheet				179,656
2	Qualified dividends				
3	Line 4g of Form 4952				
4	Line 4e of Form 4952				
5	Subtract line 4 from line 3				
6	Subtract line 5 from line 2. If -0- or less, enter -0-				
7	Smaller of line 15 or line 16 of Schedule D	63,739			
8	Smaller of line 3 or line 4				
9	Subtract line 8 from line 7. If -0- or less, enter -0-		63,739		
10	Add lines 6 and 9			63,739	
11	Add lines 18 and 19 of Schedule D				
12	Smaller of line 9 or line 11				
13	Subtract line 12 from line 10. If -0- or less, -0-				63,739
14	Subtract line 13 from line 1. If -0- or less, -0-				115,917
15	Applicable amount based on filing status	80,800			
16	Smaller of line 1 or line 15			80,800	
17	Smaller of line 14 or line 16			80,800	
18	Subtract line 10 from line 1. If -0- or less, -0-	115,917			
19	Smaller of line 1 or applicable amount based on filing status	179,656			
20	Smaller of line 14 or 19	115,917			
21	larger of line 18 or line 20			115,917	
22	Subtract line 17 from line 16. This line is taxed at 0%				

**If lines 1 and 16 are the same, skip lines 23 through 43 and go to line 44.
Otherwise, go to line 23.**

23	Smaller of line 1 or line 13	63,739			
24	Amount from line 22				
25	Subtract line 24 from line 23	63,739			
26	Applicable amount based on filing status	501,600			
27	Smaller of line 1 or line 26	179,656			
28	Add lines 21 and 22	115,917			
29	Subtract line 28 from line 27. If -0- or less, -0-	63,739			
30	Smaller of line 25 or line 29			63,739	
31	Multiply line 30 by 15%				9,561
32	Add lines 24 and 30	63,739			

**If lines 1 and 32 are the same, skip lines 33 through 43 and go to line 44.
Otherwise, go to line 33.**

33	Subtract line 32 from line 23				
34	Multiply line 33 by 20%				

**If Schedule D, line 19, is zero, skip lines 35 through 40 and go to line 41.
Otherwise, go to line 35.**

35	Smaller of line 9 above or Schedule D, line 19				
36	Add lines 10 and 21				
37	Amount from line 1				
38	Subtract line 37 from line 36. If -0- or less, -0-				
39	Subtract line 38 from line 35. If -0- or less, -0-				
40	Multiply line 39 by 25%				

**If Schedule D, line 18, is zero, skip lines 41 through 43 and go to line 44.
Otherwise, go to line 41.**

41	Add lines 21, 22, 30, 33 and 39				
42	Subtract line 41 from line 1				
43	Multiply line 42 by 28%				
44	Tax on line 21 amount				16,999
45	Add lines 31, 34, 40, 43, and 44				26,560
46	Tax on line 1 amount				31,159
47	Tax on all taxable income. Smaller of lines 45 or 46				26,560

Name(s) shown on return. Do not enter name and social security number if shown on other side.

Your social security number

ALEXANDER SHARP IV & JEANNIE ELY

Caution: The IRS compares amounts reported on your tax return with amounts shown on Schedule(s) K-1.

Part II Income or Loss From Partnerships and S Corporations — Note: If you report a loss, receive a distribution, dispose of stock, or receive a loan repayment from an S corporation, you must check the box in column (e) on line 28 and attach the required basis computation. If you report a loss from an at-risk activity for which any amount is not at risk, you must check the box in column (f) on line 28 and attach Form 6198. See instructions.

27 Are you reporting any loss not allowed in a prior year due to the at-risk or basis limitations, a prior year unallowed loss from a passive activity (if that loss was not reported on Form 8582), or unreimbursed partnership expenses? If you answered "Yes," see instructions before completing this section. Yes X No

Table with 7 columns: (a) Name, (b) Enter P for partnership; S for S corporation, (c) Check if foreign partnership, (d) Employer identification number, (e) Check if basis computation is required, (f) Check if any amount is not at risk. Rows A-D include HALE REAL ESTATE INC and A & E VENTURES LLC.

Summary table for Part II with columns: (g) Passive loss allowed, (h) Passive income from Schedule K-1, (i) Nonpassive loss from Schedule K-1, (j) Section 179 expense deduction from Form 4562, (k) Nonpassive income from Schedule K-1. Totals: 23,265, 3,994, 1,014.

Part III Income or Loss From Estates and Trusts

Table with 2 columns: (a) Name, (b) Employer identification number. Rows A and B.

Summary table for Part III with columns: (c) Passive deduction or loss allowed, (d) Passive income from Schedule K-1, (e) Deduction or loss from Schedule K-1, (f) Other income from Schedule K-1. Totals: 34a, 34b.

35 Add columns (d) and (f) of line 34a 35
36 Add columns (c) and (e) of line 34b 36 ()
37 Total estate and trust income or (loss). Combine lines 35 and 36. 37

Part IV Income or Loss From Real Estate Mortgage Investment Conduits (REMICs)—Residual Holder

Table with 5 columns: (a) Name, (b) Employer identification number, (c) Excess inclusion from Schedules Q, line 2c (see instructions), (d) Taxable income (net loss) from Schedules Q, line 1b, (e) Income from Schedules Q, line 3b.

39 Combine columns (d) and (e) only. Enter the result here and include in the total on line 41 below 39

Part V Summary

Summary table for Part V with columns: 40 Net farm rental income or (loss) from Form 4835, 41 Total income or (loss), 42 Reconciliation of farming and fishing income, 43 Reconciliation for real estate professionals.

202 K-1 DETAIL REPORT



Entity	P/S	Current Gain/ Loss	Loss Carry Forward	Allowed Gain/ Loss	Sch. B Interest	Short Term Capital Gains	Long Term Capital Gains	Sect. 1231 Gain	Sect. 179	Rental Carryover Sch E	4797	Passive Carryover Sch E	4797	PTP Carryover Sch E	4797
HALE REAL ESTAT S		19271		72093	5483			52822							
A & E VENTURES P		1014		1014											
		-----		-----	-----			-----							
		20285		73107	5483			52822							

SCHEDULE SE
(Form 1040)

Self-Employment Tax

OMB No. 1545-0074

2021

Department of the Treasury
Internal Revenue Service (99)

▶ Go to www.irs.gov/ScheduleSE for instructions and the latest information.
▶ Attach to Form 1040, 1040-SR, or 1040-NR.

Attachment
Sequence No. **17**

Name of person with self-employment income (as shown on Form 1040, 1040-SR, or 1040-NR)
ALEXANDER SHARP IV

Social security number of person
with self-employment income ▶

Part I Self-Employment Tax

Note: If your only income subject to self-employment tax is **church employee income**, see instructions for how to report your income and the definition of church employee income.

A If you are a minister, member of a religious order, or Christian Science practitioner **and** you filed Form 4361, but you had \$400 or more of **other** net earnings from self-employment, check here and continue with Part I.

Skip lines 1a and 1b if you use the farm optional method in Part II. See instructions.

1a Net farm profit or (loss) from Schedule F, line 34, and farm partnerships, Schedule K-1 (Form 1065), box 14, code A. **1a**

b If you received social security retirement or disability benefits, enter the amount of Conservation Reserve Program payments included on Schedule F, line 4b, or listed on Schedule K-1 (Form 1065), box 20, code AH. **1b** ()

Skip line 2 if you use the nonfarm optional method in Part II. See instructions.

2 Net profit or (loss) from Schedule C, line 31; and Schedule K-1 (Form 1065), box 14, code A (other than farming). See instructions for other income to report or if you are a minister or member of a religious order. **2** 1,014

3 Combine lines 1a, 1b, and 2. **3** 1,014

4a If line 3 is more than zero, multiply line 3 by 92.35% (0.9235). Otherwise, enter amount from line 3. **Note:** If line 4a is less than \$400 due to Conservation Reserve Program payments on line 1b, see instructions. **4a** 936

b If you elect one or both of the optional methods, enter the total of lines 15 and 17 here. **4b**

c Combine lines 4a and 4b. If less than \$400, **stop**; you don't owe self-employment tax. **Exception:** If less than \$400 and you had **church employee income**, enter -0- and continue. ▶ **4c** 936

5a Enter your **church employee income** from Form W-2. See instructions for definition of church employee income. **5a**

b Multiply line 5a by 92.35% (0.9235). If less than \$100, enter -0-. **5b**

6 Add lines 4c and 5b. **6** 936

7 Maximum amount of combined wages and self-employment earnings subject to social security tax or the 6.2% portion of the 7.65% railroad retirement (tier 1) tax for 2021. **7** 142,800

8a Total social security wages and tips (total of boxes 3 and 7 on Form(s) W-2) and railroad retirement (tier 1) compensation. If \$142,800 or more, skip lines 8b through 10, and go to line 11. **8a** 69,302

b Unreported tips subject to social security tax from Form 4137, line 10. **8b**

c Wages subject to social security tax from Form 8919, line 10. **8c**

d Add lines 8a, 8b, and 8c. **8d** 69,302

9 Subtract line 8d from line 7. If zero or less, enter -0- here and on line 10 and go to line 11. ▶ **9** 73,498

10 Multiply the **smaller** of line 6 or line 9 by 12.4% (0.124). **10** 116

11 Multiply line 6 by 2.9% (0.029). **11** 27

12 **Self-employment tax.** Add lines 10 and 11. Enter here and on **Schedule 2 (Form 1040), line 4**. **12** 143

13 **Deduction for one-half of self-employment tax.** Multiply line 12 by 50% (0.50). Enter here and on **Schedule 1 (Form 1040), line 15**. **13** 72

Part II Optional Methods To Figure Net Earnings (see instructions)

Farm Optional Method. You may use this method **only** if **(a)** your gross farm income¹ wasn't more than \$8,820, **or (b)** your net farm profits² were less than \$6,367.

14 Maximum income for optional methods. **14** 5,880

15 Enter the **smaller** of: two-thirds (2/3) of gross farm income¹ (not less than zero) **or** \$5,880. Also include this amount on line 4b above. **15**

Nonfarm Optional Method. You may use this method **only** if **(a)** your net nonfarm profits³ were less than \$6,367 and also less than 72.189% of your gross nonfarm income,⁴ **and (b)** you had net earnings from self-employment of at least \$400 in 2 of the prior 3 years. **Caution:** You may use this method no more than five times.

16 Subtract line 15 from line 14. **16**

17 Enter the **smaller** of: two-thirds (2/3) of gross nonfarm income⁴ (not less than zero) **or** the amount on line 16. Also, include this amount on line 4b above. **17**

¹ From Sch. F, line 9; and Sch. K-1 (Form 1065), box 14, code B.

³ From Sch. C, line 31; and Sch. K-1 (Form 1065), box 14, code A.

² From Sch. F, line 34; and Sch. K-1 (Form 1065), box 14, code A-minus the amount you would have entered on line 1b had you not used the optional method.

⁴ From Sch. C, line 7; and Sch. K-1 (Form 1065), box 14, code C.

W-2 DETAIL REPORT - 2021



Employer	EIN	TP SP	Gross Wages	Federal With.	FICA	Medicare	St	State Wages	State With.	Locality	Local With.
PUTNAM COUNTY SHERIFFS O	59-6000819	X	67132	6437	4297	1005					
CLERK OF COURTS PUTNAM C	59-6000817	X	20864	2398	1330	311					
			87996	8835	5627	1316					

1099-R DETAIL REPORT - 2021



Payer	EIN	T S	Box 7	IRA/SEP Simple	Fed. With.	State With.	Gross	1099R Taxable	Roll/ Exclude	Net	Cost	Cost Bal.
TRUIST BANK	59-3482833	T	2				410	387		387		
PALATKA POLICE OFFIC	59-3680517	T	7		1863		13828	13278		13278		
					-----		-----	-----		-----		
					1863		14238	13665		13665		

Credits for Qualifying Children and Other Dependents

2021

▶ **Attach to Form 1040, 1040-SR, or 1040-NR.**

Department of the Treasury
Internal Revenue Service (99)

▶ **Go to www.irs.gov/Schedule8812 for instructions and the latest information.**

Attachment
Sequence No. **47**

Name(s) shown on return

Your social security number

ALEXANDER SHARP IV & JEANNIE ELY

Part I-A Child Tax Credit and Credit for Other Dependents

1	Enter the amount from line 11 of your Form 1040, 1040-SR, or 1040-NR	1	204,756
2a	Enter income from Puerto Rico that you excluded	2a	
b	Enter the amounts from lines 45 and 50 of your Form 2555	2b	
c	Enter the amount from line 15 of your Form 4563	2c	
d	Add lines 2a through 2c	2d	
3	Add lines 1 and 2d	3	204,756
4a	Number of qualifying children under age 18 with the required social security number	4a	
b	Number of children included on line 4a who were under age 6 at the end of 2021	4b	
c	Subtract line 4b from line 4a	4c	
5	If line 4a is more than zero, enter the amount from the Line 5 Worksheet ; otherwise, enter -0-	5	
6	Number of other dependents, including any qualifying children who are not under age 18 or who do not have the required social security number	6	1
Caution: Do not include yourself, your spouse, or anyone who is not a U.S. citizen, U.S. national, or U.S. resident alien. Also, do not include anyone you included on line 4a.			
7	Multiply line 6 by \$500	7	500
8	Add lines 5 and 7	8	500
9	Enter the amount shown below for your filing status. • Married filing jointly—\$400,000 } • All other filing statuses—\$200,000 }	9	400,000
10	Subtract line 9 from line 3. • If zero or less, enter -0-. • If more than zero and not a multiple of \$1,000, enter the next multiple of \$1,000. For example, if the result is \$425, enter \$1,000; if the result is \$1,025, enter \$2,000, etc.	10	
11	Multiply line 10 by 5% (0.05)	11	
12	Subtract line 11 from line 8. If zero or less, enter -0-	12	500
13	Check all the boxes that apply to you (or your spouse if married filing jointly). A Check here if you (or your spouse if married filing jointly) had a principal place of abode in the United States for more than half of 2021 <input checked="" type="checkbox"/> B Check here if you (or your spouse if married filing jointly) were a bona fide resident of Puerto Rico for 2021 <input type="checkbox"/>		

Part I-B Filers Who Check a Box on Line 13

Caution: If you did not check a box on line 13, do not complete Part I-B; instead, skip to Part I-C.

14a	Enter the smaller of line 7 or line 12	14a	500
b	Subtract line 14a from line 12	14b	
c	If line 14a is zero, enter -0-; otherwise, enter the amount from the Credit Limit Worksheet A	14c	26,560
d	Enter the smaller of line 14a or line 14c	14d	500
e	Add lines 14b and 14d	14e	500
f	Enter the aggregate amount of advance child tax credit payments you (and your spouse if filing jointly) received for 2021. See your Letter(s) 6419 for the amounts to include on this line. If you are missing Letter 6419, see the instructions before entering an amount on this line	14f	250
Caution: If the amount on this line doesn't match the aggregate amounts reported to you (and your spouse if filing jointly) on your Letter(s) 6419, the processing of your return will be delayed.			
g	Subtract line 14f from line 14e. If zero or less, enter -0- on lines 14g through 14i and go to Part III	14g	250
h	Enter the smaller of line 14d or line 14g. This is your credit for other dependents. Enter this amount on line 19 of your Form 1040, 1040-SR, or 1040-NR	14h	250
i	Subtract line 14h from line 14g. This is your refundable child tax credit. Enter this amount on line 28 of your Form 1040, 1040-SR, or 1040-NR	14i	

Name: ALEXANDER SHARP IV & JEANNIE ELY

SSN: [REDACTED]

Line 5 Worksheet

1	Multiply Schedule 8812, line 4b, by \$3,600	
2	Multiply Schedule 8812, line 4c, by \$3,000	
3	Add line 1 and line 2	
4	Multiply Schedule 8812, line 4a, by \$2,000	
5	Subtract line 4 from line 3	
6	Applicable amount based on the filing status	12,500
7	Smaller of line 5 or 6	
8	Applicable amount based on the filing status	150,000
9	Subtract line 8 from Schedule 8812, line 3, rounded up to the next \$1,000	55,000
10	Multiply line 9 by 5%	2,750
11	Smaller of line 7 or line 10	
12	Subtract line 11 from line 3	

Credit Limit Worksheet A

1	Amount from Form 1040 or Form 1040-NR, line 18		26,560
2	Amount from: Schedule 3, line 1		
	Schedule 3, line 2		
	Schedule 3, line 3		
	Schedule 3, line 4		
	Schedule 3, line 6l		
	Form 5695, line 30		
	Form 8910, line 15		
	Form 8936, line 23		
	Schedule R, line 22		
	Total		
3	Subtract line 2 from line 1		26,560
	Complete the Credit Limit Worksheet B only if you meet all of the following.		
	• You are completing Part I-C of Schedule 8812		
	• You are claiming the mortgage interest credit (Form 8936), adoption credit (form 8839), residential energy efficient property credit (Form 5695, Part 1), or District of Columbia first-time homebuyer credit (Form 8859).		
	• You are not filing Form 2555		
	• Line 4a of Schedule 8812 is more than zero.		
4	Amount from Credit Limit Worksheet B, if required		
5	Subtract line 4 from line 3		26,560

Credit Limit Worksheet B

1	Amount from Schedule 8812, line 12		
2	Number of qualifying children under 18 with the required social security number multiplied by \$1,400		
3	Earned income		
4	Subtract \$2,500 from line 3		
5	Multiply line 4 by 15%		
6	Is the amount on line 2 \$4,200 or more?		
	<input type="checkbox"/> No. If line 2 or line 5 above is zero, the amount from line 1 is entered on line 14. <input type="checkbox"/> Yes. If line 5 is equal to or more than line 1, skip lines 7 through 11 and go to line 12. Otherwise, go to line 7.		
7	Social security or RR tier 1 plus Medicare		
8	Total of Schedule 1, line 15; Schedule 2, line 5; Schedule 2, line 6; and Schedule 2, line 13		
9	Add lines 7 and 8		
10	Total of Form 1040, line 27a and Schedule 3, line 11		
11	Subtract line 10 from line 9		
12	Larger of line 5 or line 11		
13	Smaller of line 2 or line 12		
14	Subtract line 13 from line 1, but not less than -0		
15	Total of adoption credit, mortgage interest credit, DC first-time homebuyer credit, and residential energy credits		

Form **4797**

Sales of Business Property
(Also Involuntary Conversions and Recapture Amounts Under Sections 179 and 280F(b)(2))

OMB No. 1545-0184

2021

Department of the Treasury
Internal Revenue Service

▶ **Attach to your tax return.**

Attachment

Sequence No. **27**

▶ **Go to www.irs.gov/Form4797 for instructions and the latest information.**

Name(s) shown on return

ALEXANDER SHARP IV & JEANNIE ELY

Identifying number

- 1a** Enter the gross proceeds from sales or exchanges reported to you for 2021 on Form(s) 1099-B or 1099-S (or substitute statement) that you are including on line 2, 10, or 20. See instructions
- b** Enter the total amount of gain that you are including on lines 2, 10, and 24 due to the partial dispositions of MACRS assets
- c** Enter the total amount of loss that you are including on lines 2 and 10 due to the partial dispositions of MACRS assets

1a

1b

1c

Part I Sales or Exchanges of Property Used in a Trade or Business and Involuntary Conversions From Other Than Casualty or Theft—Most Property Held More Than 1 Year (see instructions)

2	(a) Description of property	(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)	(d) Gross sales price	(e) Depreciation allowed or allowable since acquisition	(f) Cost or other basis, plus improvements and expense of sale	(g) Gain or (loss) Subtract (f) from the sum of (d) and (e)
	FROM K-1						52,822

- 3** Gain, if any, from Form 4684, line 39
- 4** Section 1231 gain from installment sales from Form 6252, line 26 or 37
- 5** Section 1231 gain or (loss) from like-kind exchanges from Form 8824
- 6** Gain, if any, from line 32, from other than casualty or theft
- 7** Combine lines 2 through 6. Enter the gain or (loss) here and on the appropriate line as follows

3

4

5

6

7

6,612

59,434

Partnerships and S corporations. Report the gain or (loss) following the instructions for Form 1065, Schedule K, line 10, or Form 1120-S, Schedule K, line 9. Skip lines 8, 9, 11, and 12 below.

Individuals, partners, S corporation shareholders, and all others. If line 7 is zero or a loss, enter the amount from line 7 on line 11 below and skip lines 8 and 9. If line 7 is a gain and you didn't have any prior year section 1231 losses, or they were recaptured in an earlier year, enter the gain from line 7 as a long-term capital gain on the Schedule D filed with your return and skip lines 8, 9, 11, and 12 below.

- 8** Nonrecaptured net section 1231 losses from prior years. See instructions
- 9** Subtract line 8 from line 7. If zero or less, enter -0-. If line 9 is zero, enter the gain from line 7 on line 12 below. If line 9 is more than zero, enter the amount from line 8 on line 12 below and enter the gain from line 9 as a long-term capital gain on the Schedule D filed with your return. See instructions

8

9

Part II Ordinary Gains and Losses (see instructions)

10 Ordinary gains and losses not included on lines 11 through 16 (include property held 1 year or less):

- 11** Loss, if any, from line 7
- 12** Gain, if any, from line 7 or amount from line 8, if applicable
- 13** Gain, if any, from line 31
- 14** Net gain or (loss) from Form 4684, lines 31 and 38a
- 15** Ordinary gain from installment sales from Form 6252, line 25 or 36
- 16** Ordinary gain or (loss) from like-kind exchanges from Form 8824
- 17** Combine lines 10 through 16

11

12

13

14

15

16

17

()

18 For all except individual returns, enter the amount from line 17 on the appropriate line of your return and skip lines a and b below. For individual returns, complete lines a and b below.

- a** If the loss on line 11 includes a loss from Form 4684, line 35, column (b)(ii), enter that part of the loss here. Enter the loss from income-producing property on Schedule A (Form 1040), line 16. (Do not include any loss on property used as an employee.) Identify as from "Form 4797, line 18a." See instructions
- b** Redetermine the gain or (loss) on line 17 excluding the loss, if any, on line 18a. Enter here and on Schedule 1 (Form 1040), Part I, line 4

18a

18b

For Paperwork Reduction Act Notice, see separate instructions.

Form **4797** (2021)

Installment Sale Income

2021

Attachment
 Sequence No. **67**

▶ **Attach to your tax return.**
 ▶ Use a separate form for each sale or other disposition of property on the installment method.
 ▶ Go to www.irs.gov/Form6252 for the latest information.

Name(s) shown on return

ALEXANDER SHARP IV & JEANNIE ELY

Identifying number

[REDACTED]

- 1** Description of property ▶ 4 MINNICK
- 2a** Date acquired (mm/dd/yyyy) ▶ 08/20/2003 **b** Date sold (mm/dd/yyyy) ▶ 10/22/2004
- 3** Was the property sold to a related party (see instructions) after May 14, 1980? If "No," skip line 4 Yes No
- 4** Was the property you sold to a related party a marketable security? If "Yes," complete Part III. If "No," complete Part III for the year of sale and the 2 years after the year of sale Yes No

Part I Gross Profit and Contract Price. Complete this part for all years of the installment agreement.

5	Selling price including mortgages and other debts. Don't include interest, whether stated or unstated	5	
6	Mortgages, debts, and other liabilities the buyer assumed or took the property subject to (see instructions)	6	
7	Subtract line 6 from line 5	7	
8	Cost or other basis of property sold	8	
9	Depreciation allowed or allowable	9	
10	Adjusted basis. Subtract line 9 from line 8	10	
11	Commissions and other expenses of sale	11	
12	Income recapture from Form 4797, Part III (see instructions)	12	
13	Add lines 10, 11, and 12	13	
14	Subtract line 13 from line 5. If zero or less, don't complete the rest of this form. See instructions	14	
15	If the property described on line 1 above was your main home, enter the amount of your excluded gain. See instructions. Otherwise, enter -0-	15	
16	Gross profit. Subtract line 15 from line 14	16	
17	Subtract line 13 from line 6. If zero or less, enter -0-	17	
18	Contract price. Add line 7 and line 17	18	

Part II Installment Sale Income. Complete this part for all years of the installment agreement.

19	Gross profit percentage (expressed as a decimal amount). Divide line 16 by line 18. (For years after the year of sale, see instructions.)	19	0.22870
20	If this is the year of sale, enter the amount from line 17. Otherwise, enter -0-	20	
21	Payments received during year (see instructions). Don't include interest, whether stated or unstated	21	263
22	Add lines 20 and 21	22	263
23	Payments received in prior years (see instructions). Don't include interest, whether stated or unstated	23	1,763
24	Installment sale income. Multiply line 22 by line 19	24	60
25	Enter the part of line 24 that is ordinary income under the recapture rules. See instructions	25	
26	Subtract line 25 from line 24. Enter here and on Schedule D or Form 4797. See instructions	26	60

Part III Related Party Installment Sale Income. **Don't** complete if you received the final payment this tax year.

27 Name, address, and taxpayer identifying number of related party ▶ _____

28 Did the related party resell or dispose of the property ("second disposition") during this tax year? Yes No

29 If the answer to question 28 is "Yes," complete lines 30 through 37 below unless one of the following conditions is met.

Check the box that applies.

- a** The second disposition was more than 2 years after the first disposition (other than dispositions of marketable securities). If this box is checked, enter the date of disposition (mm/dd/yyyy) . . . ▶ _____
- b** The first disposition was a sale or exchange of stock to the issuing corporation.
- c** The second disposition was an involuntary conversion and the threat of conversion occurred after the first disposition.
- d** The second disposition occurred after the death of the original seller or buyer.
- e** It can be established to the satisfaction of the IRS that tax avoidance wasn't a principal purpose for either of the dispositions. If this box is checked, attach an explanation. See instructions.

30	Selling price of property sold by related party (see instructions)	30	
31	Enter contract price from line 18 for year of first sale	31	
32	Enter the smaller of line 30 or line 31	32	
33	Total payments received by the end of your 2021 tax year (see instructions)	33	
34	Subtract line 33 from line 32. If zero or less, enter -0-	34	
35	Multiply line 34 by the gross profit percentage on line 19 for year of first sale	35	
36	Enter the part of line 35 that is ordinary income under the recapture rules. See instructions	36	
37	Subtract line 36 from line 35. Enter here and on Schedule D or Form 4797. See instructions	37	

Installment Sale Income

2021

Attachment
 Sequence No. **67**

▶ **Attach to your tax return.**
 ▶ **Use a separate form for each sale or other disposition of property on the installment method.**
 ▶ **Go to www.irs.gov/Form6252 for the latest information.**

Name(s) shown on return: **ALEXANDER SHARP IV & JEANNIE ELY** Identifying number: **0**

- 1** Description of property ▶ 4 SHAHAN 108 CHICKADEE ST
- 2a** Date acquired (mm/dd/yyyy) ▶ 06/10/2010 **b** Date sold (mm/dd/yyyy) ▶ 04/21/2015
- 3** Was the property sold to a related party (see instructions) after May 14, 1980? If "No," skip line 4. . . . Yes No
- 4** Was the property you sold to a related party a marketable security? If "Yes," complete Part III. If "No," complete Part III for the year of sale and the 2 years after the year of sale. . . . Yes No

Part I Gross Profit and Contract Price. Complete this part for all years of the installment agreement.

5	Selling price including mortgages and other debts. Don't include interest, whether stated or unstated	5	
6	Mortgages, debts, and other liabilities the buyer assumed or took the property subject to (see instructions)	6	
7	Subtract line 6 from line 5	7	
8	Cost or other basis of property sold	8	
9	Depreciation allowed or allowable	9	
10	Adjusted basis. Subtract line 9 from line 8	10	
11	Commissions and other expenses of sale	11	
12	Income recapture from Form 4797, Part III (see instructions)	12	
13	Add lines 10, 11, and 12	13	
14	Subtract line 13 from line 5. If zero or less, don't complete the rest of this form. See instructions	14	
15	If the property described on line 1 above was your main home, enter the amount of your excluded gain. See instructions. Otherwise, enter -0-	15	
16	Gross profit. Subtract line 15 from line 14	16	
17	Subtract line 13 from line 6. If zero or less, enter -0-	17	
18	Contract price. Add line 7 and line 17	18	

Part II Installment Sale Income. Complete this part for all years of the installment agreement.

19	Gross profit percentage (expressed as a decimal amount). Divide line 16 by line 18. (For years after the year of sale, see instructions.)	19	0.49910
20	If this is the year of sale, enter the amount from line 17. Otherwise, enter -0-	20	
21	Payments received during year (see instructions). Don't include interest, whether stated or unstated	21	1,716
22	Add lines 20 and 21	22	1,716
23	Payments received in prior years (see instructions). Don't include interest, whether stated or unstated	23	12,568
24	Installment sale income. Multiply line 22 by line 19	24	856
25	Enter the part of line 24 that is ordinary income under the recapture rules. See instructions	25	
26	Subtract line 25 from line 24. Enter here and on Schedule D or Form 4797. See instructions	26	856

Part III Related Party Installment Sale Income. **Don't** complete if you received the final payment this tax year.

27 Name, address, and taxpayer identifying number of related party ▶ _____

28 Did the related party resell or dispose of the property ("second disposition") during this tax year? . . . Yes No

29 If the answer to question 28 is "Yes," complete lines 30 through 37 below unless one of the following conditions is met.

Check the box that applies.

- a** The second disposition was more than 2 years after the first disposition (other than dispositions of marketable securities). If this box is checked, enter the date of disposition (mm/dd/yyyy) . . . ▶ _____
- b** The first disposition was a sale or exchange of stock to the issuing corporation.
- c** The second disposition was an involuntary conversion and the threat of conversion occurred after the first disposition.
- d** The second disposition occurred after the death of the original seller or buyer.
- e** It can be established to the satisfaction of the IRS that tax avoidance wasn't a principal purpose for either of the dispositions. If this box is checked, attach an explanation. See instructions.

30	Selling price of property sold by related party (see instructions)	30	
31	Enter contract price from line 18 for year of first sale	31	
32	Enter the smaller of line 30 or line 31	32	
33	Total payments received by the end of your 2021 tax year (see instructions)	33	
34	Subtract line 33 from line 32. If zero or less, enter -0-	34	
35	Multiply line 34 by the gross profit percentage on line 19 for year of first sale	35	
36	Enter the part of line 35 that is ordinary income under the recapture rules. See instructions	36	
37	Subtract line 36 from line 35. Enter here and on Schedule D or Form 4797. See instructions	37	

Installment Sale Income

2021

Attachment
 Sequence No. **67**

▶ **Attach to your tax return.**
 ▶ **Use a separate form for each sale or other disposition of property on the installment method.**
 ▶ **Go to www.irs.gov/Form6252 for the latest information.**

Name(s) shown on return: **ALEXANDER SHARP IV & JEANNIE ELY** Identifying number: XXXXXXXXXX

- 1** Description of property ▶ 4 ZIMMERMAN 720 ST JOHNS AVE
- 2a** Date acquired (mm/dd/yyyy) ▶ 06/13/2012 **b** Date sold (mm/dd/yyyy) ▶ 02/27/2017
- 3** Was the property sold to a related party (see instructions) after May 14, 1980? If "No," skip line 4. Yes No
- 4** Was the property you sold to a related party a marketable security? If "Yes," complete Part III. If "No," complete Part III for the year of sale and the 2 years after the year of sale. Yes No

Part I Gross Profit and Contract Price. Complete this part for all years of the installment agreement.

5	Selling price including mortgages and other debts. Don't include interest, whether stated or unstated	5	25,000
6	Mortgages, debts, and other liabilities the buyer assumed or took the property subject to (see instructions)	6	
7	Subtract line 6 from line 5	7	25,000
8	Cost or other basis of property sold	8	17,298
9	Depreciation allowed or allowable	9	
10	Adjusted basis. Subtract line 9 from line 8	10	17,298
11	Commissions and other expenses of sale	11	
12	Income recapture from Form 4797, Part III (see instructions)	12	
13	Add lines 10, 11, and 12	13	17,298
14	Subtract line 13 from line 5. If zero or less, don't complete the rest of this form. See instructions	14	7,702
15	If the property described on line 1 above was your main home, enter the amount of your excluded gain. See instructions. Otherwise, enter -0-	15	
16	Gross profit. Subtract line 15 from line 14	16	7,702
17	Subtract line 13 from line 6. If zero or less, enter -0-	17	
18	Contract price. Add line 7 and line 17	18	25,000

Part II Installment Sale Income. Complete this part for all years of the installment agreement.

19	Gross profit percentage (expressed as a decimal amount). Divide line 16 by line 18. (For years after the year of sale, see instructions.)	19	0.30808
20	If this is the year of sale, enter the amount from line 17. Otherwise, enter -0-	20	
21	Payments received during year (see instructions). Don't include interest, whether stated or unstated	21	11,000
22	Add lines 20 and 21	22	11,000
23	Payments received in prior years (see instructions). Don't include interest, whether stated or unstated	23	14,000
24	Installment sale income. Multiply line 22 by line 19	24	3,389
25	Enter the part of line 24 that is ordinary income under the recapture rules. See instructions	25	
26	Subtract line 25 from line 24. Enter here and on Schedule D or Form 4797. See instructions	26	3,389

Part III Related Party Installment Sale Income. **Don't** complete if you received the final payment this tax year.

27 Name, address, and taxpayer identifying number of related party ▶ _____

28 Did the related party resell or dispose of the property ("second disposition") during this tax year? Yes No

29 If the answer to question 28 is "Yes," complete lines 30 through 37 below unless one of the following conditions is met.

Check the box that applies.

- a** The second disposition was more than 2 years after the first disposition (other than dispositions of marketable securities). If this box is checked, enter the date of disposition (mm/dd/yyyy) . . . ▶ _____
- b** The first disposition was a sale or exchange of stock to the issuing corporation.
- c** The second disposition was an involuntary conversion and the threat of conversion occurred after the first disposition.
- d** The second disposition occurred after the death of the original seller or buyer.
- e** It can be established to the satisfaction of the IRS that tax avoidance wasn't a principal purpose for either of the dispositions. If this box is checked, attach an explanation. See instructions.

30	Selling price of property sold by related party (see instructions)	30	
31	Enter contract price from line 18 for year of first sale	31	
32	Enter the smaller of line 30 or line 31	32	
33	Total payments received by the end of your 2021 tax year (see instructions)	33	
34	Subtract line 33 from line 32. If zero or less, enter -0-	34	
35	Multiply line 34 by the gross profit percentage on line 19 for year of first sale	35	
36	Enter the part of line 35 that is ordinary income under the recapture rules. See instructions	36	
37	Subtract line 36 from line 35. Enter here and on Schedule D or Form 4797. See instructions	37	

Installment Sale Income

▶ **Attach to your tax return.**
 ▶ Use a separate form for each sale or other disposition of property on the installment method.
 ▶ Go to www.irs.gov/Form6252 for the latest information.

2021

Attachment
 Sequence No. **67**

Name(s) shown on return

ALEXANDER SHARP IV & JEANNIE ELY

Identifying number

- 1** Description of property ▶ 4 919 ST JOHNS AVE PALATKA FL 32177
- 2a** Date acquired (mm/dd/yyyy) ▶ 01/01/2018 **b** Date sold (mm/dd/yyyy) ▶ 07/01/2020
- 3** Was the property sold to a related party (see instructions) after May 14, 1980? If "No," skip line 4. . . . Yes No
- 4** Was the property you sold to a related party a marketable security? If "Yes," complete Part III. If "No," complete Part III for the year of sale and the 2 years after the year of sale. . . . Yes No

Part I Gross Profit and Contract Price. Complete this part for all years of the installment agreement.

5	Selling price including mortgages and other debts. Don't include interest, whether stated or unstated	5	300,000
6	Mortgages, debts, and other liabilities the buyer assumed or took the property subject to (see instructions)	6	
7	Subtract line 6 from line 5	7	300,000
8	Cost or other basis of property sold	8	250,000
9	Depreciation allowed or allowable	9	61,340
10	Adjusted basis. Subtract line 9 from line 8	10	188,660
11	Commissions and other expenses of sale	11	1,898
12	Income recapture from Form 4797, Part III (see instructions)	12	
13	Add lines 10, 11, and 12	13	190,558
14	Subtract line 13 from line 5. If zero or less, don't complete the rest of this form. See instructions	14	109,442
15	If the property described on line 1 above was your main home, enter the amount of your excluded gain. See instructions. Otherwise, enter -0-	15	
16	Gross profit. Subtract line 15 from line 14	16	109,442
17	Subtract line 13 from line 6. If zero or less, enter -0-	17	
18	Contract price. Add line 7 and line 17	18	300,000

Part II Installment Sale Income. Complete this part for all years of the installment agreement.

19	Gross profit percentage (expressed as a decimal amount). Divide line 16 by line 18. (For years after the year of sale, see instructions.)	19	0.36481
20	If this is the year of sale, enter the amount from line 17. Otherwise, enter -0-	20	
21	Payments received during year (see instructions). Don't include interest, whether stated or unstated	21	18,125
22	Add lines 20 and 21	22	18,125
23	Payments received in prior years (see instructions). Don't include interest, whether stated or unstated	23	7,289
24	Installment sale income. Multiply line 22 by line 19	24	6,612
25	Enter the part of line 24 that is ordinary income under the recapture rules. See instructions	25	
26	Subtract line 25 from line 24. Enter here and on Schedule D or Form 4797. See instructions	26	6,612

Part III Related Party Installment Sale Income. **Don't** complete if you received the final payment this tax year.

27 Name, address, and taxpayer identifying number of related party ▶

28 Did the related party resell or dispose of the property ("second disposition") during this tax year? . . . Yes No

29 If the answer to question 28 is "Yes," complete lines 30 through 37 below unless one of the following conditions is met.

Check the box that applies.

- a** The second disposition was more than 2 years after the first disposition (other than dispositions of marketable securities). If this box is checked, enter the date of disposition (mm/dd/yyyy) . . . ▶
- b** The first disposition was a sale or exchange of stock to the issuing corporation.
- c** The second disposition was an involuntary conversion and the threat of conversion occurred after the first disposition.
- d** The second disposition occurred after the death of the original seller or buyer.
- e** It can be established to the satisfaction of the IRS that tax avoidance wasn't a principal purpose for either of the dispositions. If this box is checked, attach an explanation. See instructions.

30	Selling price of property sold by related party (see instructions)	30	
31	Enter contract price from line 18 for year of first sale	31	
32	Enter the smaller of line 30 or line 31	32	
33	Total payments received by the end of your 2021 tax year (see instructions)	33	
34	Subtract line 33 from line 32. If zero or less, enter -0-	34	
35	Multiply line 34 by the gross profit percentage on line 19 for year of first sale	35	
36	Enter the part of line 35 that is ordinary income under the recapture rules. See instructions	36	
37	Subtract line 36 from line 35. Enter here and on Schedule D or Form 4797. See instructions	37	

Paid Preparer's Due Diligence Checklist

Earned Income Credit (EIC), American Opportunity Tax Credit (AOTC),
Child Tax Credit (CTC) (including the Additional Child Tax Credit (ACTC) and
Credit for Other Dependents (ODC)), and Head of Household (HOH) Filing Status

▶ To be completed by preparer and filed with Form 1040, 1040-SR, 1040-NR, 1040-PR, or 1040-SS.
▶ Go to www.irs.gov/Form8867 for instructions and the latest information.

Taxpayer name(s) shown on return

ALEXANDER SHARP IV & JEANNIE ELY

Taxpayer identification number

Enter preparer's name and PTIN

CAROL SHERMAN

P01038715

Part I Due Diligence Requirements

Please check the appropriate box for the credit(s) and/or HOH filing status claimed on the return and complete the related Parts I-V for the benefit(s) claimed (check all that apply). EIC CTC/ACTC/ODC AOTC HOH

- 1 Did you complete the return based on information for the applicable tax year provided by the taxpayer or reasonably obtained by you? (See instructions if relying on prior year earned income.)
 - 2 If credits are claimed on the return, did you complete the applicable EIC and/or CTC/ACTC/ODC worksheets found in the Form 1040, 1040-SR, 1040-NR, 1040-PR, 1040-SS, or Schedule 8812 (Form 1040) instructions, and/or the AOTC worksheet found in the Form 8863 instructions, or your own worksheet(s) that provides the same information, and all related forms and schedules for each credit claimed?
 - 3 Did you satisfy the knowledge requirement? To meet the knowledge requirement, you must do both of the following.
 - Interview the taxpayer, ask questions, and contemporaneously document the taxpayer's responses to determine that the taxpayer is eligible to claim the credit(s) and/or HOH filing status.
 - Review information to determine that the taxpayer is eligible to claim the credit(s) and/or HOH filing status and to figure the amount(s) of any credit(s)
 - 4 Did any information provided by the taxpayer or a third party for use in preparing the return, or information reasonably known to you, appear to be incorrect, incomplete, or inconsistent? (If "Yes," answer questions 4a and 4b. If "No," go to question 5.)
 - a Did you make reasonable inquiries to determine the correct, complete, and consistent information?
 - b Did you contemporaneously document your inquiries? (Documentation should include the questions you asked, whom you asked, when you asked, the information that was provided, and the impact the information had on your preparation of the return.)
 - 5 Did you satisfy the record retention requirement? To meet the record retention requirement, you must keep a copy of your documentation referenced in question 4b, a copy of this Form 8867, a copy of any applicable worksheet(s), a record of how, when, and from whom the information used to prepare Form 8867 and any applicable worksheet(s) was obtained, and a copy of any document(s) provided by the taxpayer that you relied on to determine eligibility for the credit(s) and/or HOH filing status or to figure the amount(s) of the credit(s)
- List those documents provided by the taxpayer, if any, that you relied on:
 REQUIRED DOCUMENTATION

- 6 Did you ask the taxpayer whether he/she could provide documentation to substantiate eligibility for the credit(s) and/or HOH filing status and the amount(s) of any credit(s) claimed on the return if his/her return is selected for audit?
 - 7 Did you ask the taxpayer if any of these credits were disallowed or reduced in a previous year?
(If credits were disallowed or reduced, go to question 7a; if not, go to question 8.)
 - a Did you complete the required recertification Form 8862?
 - 8 If the taxpayer is reporting self-employment income, did you ask questions to prepare a complete and correct Schedule C (Form 1040)?

	Yes	No	N/A
1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4a	<input type="checkbox"/>	<input type="checkbox"/>	
4b	<input type="checkbox"/>	<input type="checkbox"/>	
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Part II Due Diligence Questions for Returns Claiming EIC (If the return does not claim EIC, go to Part III.)

	Yes	No	N/A
9a Have you determined that the taxpayer is eligible to claim the EIC for the number of qualifying children claimed, or is eligible to claim the EIC without a qualifying child? (If the taxpayer is claiming the EIC and does not have a qualifying child, go to question 10.)	<input type="checkbox"/>	<input type="checkbox"/>	
b Did you ask the taxpayer if the child lived with the taxpayer for over half of the year, even if the taxpayer has supported the child the entire year?	<input type="checkbox"/>	<input type="checkbox"/>	
c Did you explain to the taxpayer the rules about claiming the EIC when a child is the qualifying child of more than one person (tiebreaker rules)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Part III Due Diligence Questions for Returns Claiming CTC/ACTC/ODC (If the return does not claim CTC, ACTC, or ODC, go to Part IV.)

	Yes	No	N/A
10 Have you determined that each qualifying person for the CTC/ACTC/ODC is the taxpayer's dependent who is a citizen, national, or resident of the United States?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11 Did you explain to the taxpayer that he/she may not claim the CTC/ACTC if the child has not lived with the taxpayer for over half of the year, even if the taxpayer has supported the child, unless the child's custodial parent has released a claim to exemption for the child?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12 Did you explain to the taxpayer the rules about claiming the CTC/ACTC/ODC for a child of divorced or separated parents (or parents who live apart), including any requirement to attach a Form 8332 or similar statement to the return?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Part IV Due Diligence Questions for Returns Claiming AOTC (If the return does not claim AOTC, go to Part V.)

	Yes	No
13 Did the taxpayer provide substantiation for the credit, such as a Form 1098-T and/or receipts for the qualified tuition and related expenses for the claimed AOTC?	<input type="checkbox"/>	<input type="checkbox"/>

Part V Due Diligence Questions for Claiming HOH (If the return does not claim HOH filing status, go to Part VI.)

	Yes	No
14 Have you determined that the taxpayer was unmarried or considered unmarried on the last day of the tax year and provided more than half of the cost of keeping up a home for the year for a qualifying person?	<input type="checkbox"/>	<input type="checkbox"/>

Part VI Eligibility Certification

- ▶ **You will have complied with all due diligence requirements for claiming the applicable credit(s) and/or HOH filing status on the return of the taxpayer identified above if you:**
 - A. Interview the taxpayer, ask adequate questions, contemporaneously document the taxpayer's responses on the return or in your notes, review adequate information to determine if the taxpayer is eligible to claim the credit(s) and/or HOH filing status and to figure the amount(s) of the credit(s);
 - B. Complete this Form 8867 truthfully and accurately and complete the actions described in this checklist for any applicable credit(s) claimed and HOH filing status, if claimed;
 - C. Submit Form 8867 in the manner required; **and**
 - D. Keep all five of the following records for 3 years from the latest of the dates specified in the Form 8867 instructions under *Document Retention*.
 1. A copy of this Form 8867.
 2. The applicable worksheet(s) or your own worksheet(s) for any credit(s) claimed.
 3. Copies of any documents provided by the taxpayer on which you relied to determine the taxpayer's eligibility for the credit(s) and/or HOH filing status and to figure the amount(s) of the credit(s).
 4. A record of how, when, and from whom the information used to prepare this form and the applicable worksheet(s) was obtained.
 5. A record of any additional information you relied upon, including questions you asked and the taxpayer's responses, to determine the taxpayer's eligibility for the credit(s) and/or HOH filing status and to figure the amount(s) of the credit(s).

▶ **If you have not complied with all due diligence requirements, you may have to pay a penalty for each failure to comply related to a claim of an applicable credit or HOH filing status (see instructions for more information).**

	Yes	No
15 Do you certify that all of the answers on this Form 8867 are, to the best of your knowledge, true, correct, and complete?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IRS e-file Signature Authorization

▶ ERO must obtain and retain completed Form 8879.
▶ Go to www.irs.gov/Form8879 for the latest information.

Submission Identification Number (SID) ▶ 5030082022107b000061

Taxpayer's name ALEXANDER SHARP IV	Social security number [REDACTED]
Spouse's name JEANNIE ELY	Spouse's social security number [REDACTED]

Part I Tax Return Information — Tax Year Ending December 31, 2021 (Enter year you are authorizing.)

Enter whole dollars only on lines 1 through 5.

Note: Form 1040-SS filers use line 4 only. Leave lines 1, 2, 3, and 5 blank.

1 Adjusted gross income	1	204,756
2 Total tax	2	26,453
3 Federal income tax withheld from Form(s) W-2 and Form(s) 1099	3	10,698
4 Amount you want refunded to you	4	
5 Amount you owe	5	15,914

Part II Taxpayer Declaration and Signature Authorization (Be sure you get and keep a copy of your return)

Under penalties of perjury, I declare that I have examined a copy of the income tax return (original or amended) I am now authorizing, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that the amounts in Part I above are the amounts from the income tax return (original or amended) I am now authorizing. I consent to allow my intermediate service provider, transmitter, or electronic return originator (ERO) to send my return to the IRS and to receive from the IRS (a) an acknowledgement of receipt or reason for rejection of the transmission, (b) the reason for any delay in processing the return or refund, and (c) the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an ACH electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of my federal taxes owed on this return and/or a payment of estimated tax, and the financial institution to debit the entry to this account. This authorization is to remain in full force and effect until I notify the U.S. Treasury Financial Agent to terminate the authorization. To revoke (cancel) a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537. Payment cancellation requests must be received no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I further acknowledge that the personal identification number (PIN) below is my signature for the income tax return (original or amended) I am now authorizing and, if applicable, my Electronic Funds Withdrawal Consent.

Taxpayer's PIN: check one box only

I authorize PROFESSIONAL BUSINESS SERVICES to enter or generate my PIN 11967 as my signature on the income tax return (original or amended) I am now authorizing. **Enter five digits, but don't enter all zeros**

I will enter my PIN as my signature on the income tax return (original or amended) I am now authorizing. Check this box **only** if you are entering your own PIN **and** your return is filed using the Practitioner PIN method. The ERO must complete Part III below.

Your signature ▶ _____ Date ▶ 03/10/2022

Spouse's PIN: check one box only

I authorize PROFESSIONAL BUSINESS SERVICES to enter or generate my PIN 82270 as my signature on the income tax return (original or amended) I am now authorizing. **Enter five digits, but don't enter all zeros**

I will enter my PIN as my signature on the income tax return (original or amended) I am now authorizing. Check this box **only** if you are entering your own PIN **and** your return is filed using the Practitioner PIN method. The ERO must complete Part III below.

Spouse's signature ▶ _____ Date ▶ 03/10/2022

Practitioner PIN Method Returns Only—continue below

Part III Certification and Authentication—Practitioner PIN Method Only

ERO's EFIN/PIN. Enter your six-digit EFIN followed by your five-digit self-selected PIN. 50300842366
Don't enter all zeros

I certify that the above numeric entry is my PIN, which is my signature for the electronic individual income tax return (original or amended) I am now authorized to file for tax year indicated above for the taxpayer(s) indicated above. I confirm that I am submitting this return in accordance with the requirements of the Practitioner PIN method and **Pub. 1345**, Handbook for Authorized IRS e-file Providers of Individual Income Tax Returns.

ERO's signature ▶ CAROL SHERMAN Date ▶ 03/10/2022

**ERO Must Retain This Form — See Instructions
Don't Submit This Form to the IRS Unless Requested To Do So**

ALEXANDER SHARP IV & JEANNIE ELY

PO BOX 953
HOLLISTER FL 32147-

INVOICE DATE: 04/17/2022

SS NUMBER: [REDACTED]
TELEPHONE: 386-325-9977
INVOICE NO.: 9

2021 INVOICE

Description

- 1 Form 1040
- 1 Form 1040V, Payment Voucher for Balance Due Returns
- 2 Schedule 1, Additional Income and Adjustments to Income
- 2 Schedule 2, Additional Taxes
- 1 Schedule B, Interest and Dividend Income
- 1 Schedule D, Capital Gains and Losses
- 1 Schedule E, Supplemental Income and Loss
- 1 Schedule SE, Self-Employment Tax
- 2 Form W-2 and W-2PR, Wage and Tax Statement
- 2 Form 1099R, Pension, Annuity, Profit Sharing Distributions
- 1 Form 2210, Underpayment of Estimated Tax
- 1 Form 4797, Sale of Business Assets
- 4 Form 6252, Installment Sale Income
- 1 Form 8812, Additional Child Tax Credit
- 1 Form 8867, Paid Preparer's Due Diligence Checklist
- 2 K-1 Worksheet
- 1 Recovery Rebate Credit Worksheet
- 1 Electronic Filing Fee

Remarks:

Total Charges	250.00
Discount	
Sales Tax	
Payments	
Amount Due	250.00

U.S. Income Tax Return for an S Corporation

2021

Department of the Treasury Internal Revenue Service

Do not file this form unless the corporation has filed or is attaching Form 2553 to elect to be an S corporation. Go to www.irs.gov/Form1120S for instructions and the latest information.

For calendar year 2021 or tax year beginning 12/01/2001, ending
A S election effective date 12/01/2001
B Business activity code number (see instructions) 531210
C Check if Sch. M-3 attached
D Employer identification number 59-3758252
E Date incorporated 12/01/2001
F Total assets (see instructions) \$ 380,596
TYPE OR PRINT
Name HALE REAL ESTATE INC
Number, street, and room or suite no. If a P.O. box, see instructions. PO BOX 953
City or town HOLLISTER State FL ZIP code 32147-
Foreign country name Foreign province/state/county Foreign postal code

G Is the corporation electing to be an S corporation beginning with this tax year? See instructions. Yes No
H Check if: (1) Final return (2) Name change (3) Address change (4) Amended return (5) S election termination
I Enter the number of shareholders who were shareholders during any part of the tax year 1
J Check if corporation: (1) Aggregated activities for section 465 at-risk purposes (2) Grouped activities for section 469 passive activity purposes

Caution: Include only trade or business income and expenses on lines 1a through 21. See the instructions for more information.

Table with 27 rows and 3 columns (Description, Sub-description, Amount). Rows include: 1a Gross receipts or sales, 1b Returns and allowances, 1c Balance, 2 Cost of goods sold, 3 Gross profit, 4 Net gain (loss), 5 Other income (loss), 6 Total income (loss), 7-21 Ordinary business income (loss) items, 22a-22c Excess net passive income or LIFO recapture tax, 23a-23c 2021 estimated tax payments and 2020 overpayment credited to 2021, 24 Estimated tax penalty, 25 Amount owed, 26 Overpayment, 27 Enter amount from line 26.

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.
Sign Here
Signature of officer Date Title
May the IRS discuss this return with the preparer shown below? See instructions. Yes No

Paid Preparer Use Only
Print/Type preparer's name CAROL SHERMAN
Preparer's signature CAROL SHERMAN
Date 03/07/2022
Check if self-employed Yes
PTIN P01038715
Firm's name PROFESSIONAL BUSINESS SERVICES
Firm's EIN 59-1899753
Firm's address PO BOX 787
Phone no. 386-684-3385
City INTERLACHEN State FL ZIP code 32148

Schedule B Other Information (see instructions) <i>(continued)</i>		Yes	No
12	During the tax year, did the corporation have any non-shareholder debt that was canceled, was forgiven, or had the terms modified so as to reduce the principal amount of the debt? If "Yes," enter the amount of principal reduction ▶ \$ _____		X
13	During the tax year, was a qualified subchapter S subsidiary election terminated or revoked? If "Yes," see instructions		X
14a	Did the corporation make any payments in 2021 that would require it to file Form(s) 1099?		X
b	If "Yes," did the corporation file or will it file required Form(s) 1099?		
15	Is the corporation attaching Form 8996 to certify as a Qualified Opportunity Fund? If "Yes," enter the amount from Form 8996, line 15 ▶ \$ _____		X

Schedule K Shareholders' Pro Rata Share Items		Total amount	
1	Ordinary business income (loss) (page 1, line 21)	1	-3,994
2	Net rental real estate income (loss) (attach Form 8825)	2	23,265
3a	Other gross rental income (loss) 3a		
b	Expenses from other rental activities (attach statement) 3b		
c	Other net rental income (loss). Subtract line 3b from line 3a 3c		
4	Interest income	4	5,483
5	Dividends: a Ordinary dividends 5a		
	b Qualified dividends 5b		
6	Royalties	6	
7	Net short-term capital gain (loss) (attach Schedule D (Form 1120-S))	7	
8a	Net long-term capital gain (loss) (attach Schedule D (Form 1120-S))	8a	
b	Collectibles (28%) gain (loss) 8b		
c	Unrecaptured section 1250 gain (attach statement) 8c		
9	Net section 1231 gain (loss) (attach Form 4797)	9	52,822
10	Other income (loss) (see instructions) Type ▶	10	
11	Section 179 deduction (attach Form 4562)	11	
12a	Charitable contributions	12a	
b	Investment interest expense	12b	
c	Section 59(e)(2) expenditures Type ▶	12c	
d	Other deductions (see instructions) Type ▶	12d	
13a	Low-income housing credit (section 42(j)(5))	13a	
b	Low-income housing credit (other)	13b	
c	Qualified rehabilitation expenditures (rental real estate) (attach Form 3468, if applicable)	13c	
d	Other rental real estate credits (see instructions) Type ▶	13d	
e	Other rental credits (see instructions) Type ▶	13e	
f	Biofuel producer credit (attach Form 6478)	13f	
g	Other credits (see instructions) Type ▶	13g	
14	Attach Schedule K-2 (Form 1120-S), Shareholders' Pro Rata Share Items—International, and check this box to indicate you are reporting items of international tax relevance ▶ <input type="checkbox"/>		
15a	Post-1986 depreciation adjustment	15a	
b	Adjusted gain or loss	15b	
c	Depletion (other than oil and gas)	15c	
d	Oil, gas, and geothermal properties—gross income	15d	
e	Oil, gas, and geothermal properties—deductions	15e	
f	Other AMT items (attach statement)	15f	
16a	Tax-exempt interest income	16a	
b	Other tax-exempt income	16b	
c	Nondeductible expenses	16c	
d	Distributions (attach statement if required) (see instructions)	16d	
e	Repayment of loans from shareholders	16e	
f	Foreign taxes paid or accrued	16f	

Schedule K Shareholders' Pro Rata Share Items (continued)		Total amount	
17a	Investment income	17a	
b	Investment expenses	17b	
c	Dividend distributions paid from accumulated earnings and profits	17c	
d	Other items and amounts (attach statement)		
18	Income (loss) reconciliation. Combine the amounts on lines 1 through 10 in the far right column. From the result, subtract the sum of the amounts on lines 11 through 12d and 16f .	18	77,576

Schedule L Balance Sheets per Books		Beginning of tax year		End of tax year	
Assets		(a)	(b)	(c)	(d)
1	Cash		60,463		67,969
2a	Trade notes and accounts receivable				
b	Less allowance for bad debts				
3	Inventories				
4	U.S. government obligations				
5	Tax-exempt securities (see instructions)				
6	Other current assets (attach statement)				
7	Loans to shareholders				
8	Mortgage and real estate loans		139,142		45,486
9	Other investments (attach statement)	SEE STMT			5,000
10a	Buildings and other depreciable assets	348,551		348,551	
b	Less accumulated depreciation	77,583	270,968	86,410	262,141
11a	Depletable assets				
b	Less accumulated depletion				
12	Land (net of any amortization)				
13a	Intangible assets (amortizable only)				
b	Less accumulated amortization				
14	Other assets (attach statement)				
15	Total assets		470,573		380,596
Liabilities and Shareholders' Equity					
16	Accounts payable				
17	Mortgages, notes, bonds payable in less than 1 year				
18	Other current liabilities (attach statement)				
19	Loans from shareholders		66,400		66,400
20	Mortgages, notes, bonds payable in 1 year or more		231,719		116,595
21	Other liabilities (attach statement)				
22	Capital stock		100		100
23	Additional paid-in capital		165,806		190,190
24	Retained earnings		-36,265		7,311
25	Adjustments to shareholders' equity (attach statement)				
26	Less cost of treasury stock				
27	Total liabilities and shareholders' equity		427,760		380,596

Schedule M-1 Reconciliation of Income (Loss) per Books With Income (Loss) per Return

Note: The corporation may be required to file Schedule M-3. See instructions.

1	Net income (loss) per books	77,576	5	Income recorded on books this year not included on Schedule K, lines 1 through 10 (itemize):	
2	Income included on Schedule K, lines 1, 2, 3c, 4, 5a, 6, 7, 8a, 9, and 10, not recorded on books this year (itemize) -----		a	Tax-exempt interest \$ -----	
3	Expenses recorded on books this year not included on Schedule K, lines 1 through 12 and 16f (itemize):		6	Deductions included on Schedule K, lines 1 through 12 and 16f, not charged against book income this year (itemize):	
a	Depreciation \$ -----		a	Depreciation \$ -----	
b	Travel and entertainment \$ -----		7	Add lines 5 and 6	
4	Add lines 1 through 3	77,576	8	Income (loss) (Schedule K, line 18). Subtract line 7 from line 4	77,576

Schedule M-2 Analysis of Accumulated Adjustments Account, Shareholders' Undistributed Taxable Income Previously Taxed, Accumulated Earnings and Profits, and Other Adjustments Account (see instructions)

	(a) Accumulated adjustments account	(b) Shareholders' undistributed taxable income previously taxed	(c) Accumulated earnings and profits	(d) Other adjustments account
1 Balance at beginning of tax year	-36,265			
2 Ordinary income from page 1, line 21				
3 Other additions	81,570			
4 Loss from page 1, line 21	3,994			
5 Other reductions				
6 Combine lines 1 through 5	41,311			
7 Distributions				
8 Balance at end of tax year. Subtract line 7 from line 6	41,311			

**Schedule K-1
(Form 1120-S)**

Department of the Treasury
Internal Revenue Service

2021

For calendar year 2021, or tax year

beginning ending

**Shareholder's Share of Income, Deductions,
Credits, etc.**

▶ See separate instructions.

Part III Shareholder's Share of Current Year Income, Deductions, Credits, and Other Items			
1	Ordinary business income (loss)	13	Credits
	- 3,994		
2	Net rental real estate income (loss)		
	23,265		
3	Other net rental income (loss)		
4	Interest income		
	5,483		
5a	Ordinary dividends		
5b	Qualified dividends	14	Schedule K-3 is attached if checked <input type="checkbox"/>
6	Royalties	15	Alternative minimum tax (AMT) items
7	Net short-term capital gain (loss)		
8a	Net long-term capital gain (loss)		
8b	Collectibles (28%) gain (loss)		
8c	Unrecaptured section 1250 gain		
9	Net section 1231 gain (loss)	16	Items affecting shareholder basis
	52,822		
10	Other income (loss)		
		17	Other information
11	Section 179 deduction		
12	Other deductions		
18	<input type="checkbox"/> More than one activity for at-risk purposes*		
19	<input type="checkbox"/> More than one activity for passive activity purposes*		
* See attached statement for additional information.			

Part I Information About the Corporation

A Corporation's employer identification number
59-3758252

B Corporation's name, address, city, state, and ZIP code

HALE REAL ESTATE INC

PO BOX 953
HOLLISTER FL 32147-

C IRS Center where corporation filed return
Cincinnati

D Corporation's total number of shares
Beginning of tax year 100
End of tax year 100

Part II Information About the Shareholder

E Shareholder's identifying number
[REDACTED]

F Shareholder's name, address, city, state, and ZIP code

JEANNIE L ELY

PO BOX 2798
Palatka FL 32177

G Current year allocation percentage 100.000 %

H Shareholder's number of shares
Beginning of tax year 100
End of tax year 100

I Loans from shareholder
Beginning of tax year \$ _____
End of tax year \$ _____

US 1120S

K-1 Attachment

2021

Shareholder: JEANNIE L ELY		100.000 %	ID: [REDACTED]
9a	Unrecaptured 1250 gain included in line 9 and 10b		
10	Other income (loss)		
a	Other portfolio income (loss)		
b	Involuntary conversions		
	Form 4684, gain at 28%		
c	1256 contracts and straddles		
d	Mining exploration costs and recapture		
e	Section 951A income		
f	Section 965(a) inclusion		
g	Subpart F income other than sections 951A and 965 inclusion		
h	Other income (loss). Type and amount		
11a	Section 179 deduction for ordinary income or loss		
b	Section 179 deduction for rental real estate income or loss		
12	Other deductions		
a	Cash contributions-50%		
b	Cash contributions-30%		
c	Noncash contributions-50%		
d	Noncash contributions-30%		
e	Cap. gain property to a 50% org.-30%		
f	Capital gain property-20%		
g	Contributions 100%		
h	Investment interest expense		
i	Deductions - royalty income		
j	Section 59(e)(2) expenditures		
k	Section 965(c) deduction		
		l Deductions - portfolio (other)	
		m Preproductive period expenses	
		n Commercial revitalization deduction from rental real estate activities	
		o Reforestation expense deduction	
		p Reserved	
		q Reserved	
		r Reserved	
		s Other deductions	
		Form 4684, line 32	
13	Credits and credit recapture		
a	Low-income housing credit - section 42(j)(5)), from post-2007 buildings		
b	Low-income housing credit - other, from post-2007 buildings		
c	Reserved		
d	Reserved		
e	Qualified rehabilitation expenditures, rental real estate		
f	Other rental real estate credits		
g	Other rental credits		
h	Undistributed capital gains credit		
i	Alcohol and cellulosic biofuel fuels credit		
j	Work opportunity credit		
k	Disabled access credit		
l	Empowerment zone and renewal community employment credit		
m	Credit for increasing research activities	If Checked, credit is from an eligible small business: <input type="checkbox"/>	
n	Credit for employer social security and Medicare taxes		
o	Backup withholding		
p	Other credits - see information below		
	Reserved		
	Form 3468, line 9 and 13, credit from cooperatives		
	Form 5884B		
	Form 8820		
	Form 8835		
	Form 8845		
	Form 8874		
	Form 8881 Part I and Part II		
	Form 8882		
	Form 8908		
	Form 8910		
	Form 8936		
	Form 8941		
	Other credits		

Depreciation and Amortization (Including Information on Listed Property)

Department of the Treasury
Internal Revenue Service (99)

▶ Attach to your tax return.

▶ Go to www.irs.gov/Form4562 for instructions and the latest information.

Attachment
Sequence No. **179**

Name(s) shown on return HALE REAL ESTATE INC	Business or activity to which this form relates FORM 8825	Identifying number 59-3758252
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Part I Election To Expense Certain Property Under Section 179

Note: If you have any listed property, complete Part V before you complete Part I.

1 Maximum amount (see instructions)	1	
2 Total cost of section 179 property placed in service (see instructions)	2	
3 Threshold cost of section 179 property before reduction in limitation (see instructions)	3	
4 Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	
5 Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions	5	
6	(a)	(b)
Description of property		Cost (business use only)
		(c) Elected cost
		7
7 Listed property. Enter the amount from line 29		7
8 Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7		8
9 Tentative deduction. Enter the smaller of line 5 or line 8		9
10 Carryover of disallowed deduction from line 13 of your 2020 Form 4562.		10
11 Business income limitation. Enter the smaller of business income (not less than zero) or line 5. See instructions		11
12 Section 179 expense deduction. Add lines 9 and 10, but don't enter more than line 11		12
13 Carryover of disallowed deduction to 2022. Add lines 9 and 10, less line 12 ▶		13

Note: Don't use Part II or Part III below for listed property. Instead, use Part V.

Part II Special Depreciation Allowance and Other Depreciation (Don't include listed property. See instructions.)

14 Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year. See instructions	14	
15 Property subject to section 168(f)(1) election	15	
16 Other depreciation (including ACRS)	16	

Part III MACRS Depreciation (Don't include listed property. See instructions.)

Section A

17 MACRS deductions for assets placed in service in tax years beginning before 2021	17	8,827
18 If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here ▶ <input type="checkbox"/>		

Section B - Assets Placed in Service During 2021 Tax Year Using the General Depreciation System

(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only—see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19 a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property						
e 15-year property						
f 20-year property						
g 25-year property			25 yrs.		S/L	
h Residential rental property			27.5 yrs.	MM	S/L	
			27.5 yrs.	MM	S/L	
i Nonresidential real property			39 yrs.	MM	S/L	
			0.0	MM	S/L	

Section C - Assets Placed in Service During 2021 Tax Year Using the Alternative Depreciation System

20 a Class life					S/L
b 12-year			12 yrs.		S/L
c 30-year			30 yrs.	MM	S/L
d 40-year			40 yrs.	MM	S/L

Part IV Summary (See instructions.)

21 Listed property. Enter amount from line 28	21	
22 Total. Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21. Enter here and on the appropriate lines of your return. Partnerships and S corporations—see instructions	22	8,827
23 For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

For Paperwork Reduction Act Notice, see separate instructions.

2021 ASSET DETAIL REPORT

Description	Date Acqd	Cost	Bus. Use	179+ Spec.	Basis	Method	Rec. Per.	Cv	Prior Depr.	Current Depr.	Next Year	Prior AMT	Current AMT	Gain/Price	Sales Price	Date Sold
Form: FORM 8825																
Rental Property: N/A																
Depreciation Class: Furniture and fixtures rental																
In Service Year: 2013																
900-908 ST J	03/13	1600	100		1600	MACRS	5.0	HY	1599				1600			
Depreciation Class: Real property nonresidential																
In Service Year: 2013																
210/212 ST J	01/13	98425	100		98425	MACRS	39.0	MM	20086	2524	2524	20086	2524			
900-908 ST J	01/13	209197	100		209197	MACRS	39.0	MM	42688	5364	5364	42688	5364			
1005 ST JOHN	01/13	36618	100		36618	MACRS	39.0	MM	7473	939	939	7473	939			
		-----			-----				-----	-----	-----	-----	-----			
		344240			344240				70247	8827	8827	70247	8827			
		-----			-----				-----	-----	-----	-----	-----			
Form Totals:		345840			345840				71846	8827	8827	71847	8827			

Form **4797**

Sales of Business Property
(Also Involuntary Conversions and Recapture Amounts
Under Sections 179 and 280F(b)(2))

OMB No. 1545-0184

2021

Department of the Treasury
Internal Revenue Service

▶ **Attach to your tax return.**

Attachment

Sequence No. **27**

▶ **Go to www.irs.gov/Form4797 for instructions and the latest information.**

Name(s) shown on return HALE REAL ESTATE INC		Identifying number 59-3758252
1a	Enter the gross proceeds from sales or exchanges reported to you for 2021 on Form(s) 1099-B or 1099-S (or substitute statement) that you are including on line 2, 10, or 20. See instructions	
b	Enter the total amount of gain that you are including on lines 2, 10, and 24 due to the partial dispositions of MACRS assets	
c	Enter the total amount of loss that you are including on lines 2 and 10 due to the partial dispositions of MACRS assets	

Part I Sales or Exchanges of Property Used in a Trade or Business and Involuntary Conversions From Other Than Casualty or Theft—Most Property Held More Than 1 Year (see instructions)

2	(a) Description of property	(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)	(d) Gross sales price	(e) Depreciation allowed or allowable since acquisition	(f) Cost or other basis, plus improvements and expense of sale	(g) Gain or (loss) Subtract (f) from the sum of (d) and (e)	
3	Gain, if any, from Form 4684, line 39						3	
4	Section 1231 gain from installment sales from Form 6252, line 26 or 37						4	52,822
5	Section 1231 gain or (loss) from like-kind exchanges from Form 8824						5	
6	Gain, if any, from line 32, from other than casualty or theft						6	
7	Combine lines 2 through 6. Enter the gain or (loss) here and on the appropriate line as follows						7	52,822
Partnerships and S corporations. Report the gain or (loss) following the instructions for Form 1065, Schedule K, line 10, or Form 1120-S, Schedule K, line 9. Skip lines 8, 9, 11, and 12 below.								
Individuals, partners, S corporation shareholders, and all others. If line 7 is zero or a loss, enter the amount from line 7 on line 11 below and skip lines 8 and 9. If line 7 is a gain and you didn't have any prior year section 1231 losses, or they were recaptured in an earlier year, enter the gain from line 7 as a long-term capital gain on the Schedule D filed with your return and skip lines 8, 9, 11, and 12 below.								
8	Nonrecaptured net section 1231 losses from prior years. See instructions						8	
9	Subtract line 8 from line 7. If zero or less, enter -0-. If line 9 is zero, enter the gain from line 7 on line 12 below. If line 9 is more than zero, enter the amount from line 8 on line 12 below and enter the gain from line 9 as a long-term capital gain on the Schedule D filed with your return. See instructions						9	

Part II Ordinary Gains and Losses (see instructions)

10	Ordinary gains and losses not included on lines 11 through 16 (include property held 1 year or less):							
11	Loss, if any, from line 7						11	()
12	Gain, if any, from line 7 or amount from line 8, if applicable						12	
13	Gain, if any, from line 31						13	
14	Net gain or (loss) from Form 4684, lines 31 and 38a						14	
15	Ordinary gain from installment sales from Form 6252, line 25 or 36						15	
16	Ordinary gain or (loss) from like-kind exchanges from Form 8824						16	
17	Combine lines 10 through 16						17	
18	For all except individual returns, enter the amount from line 17 on the appropriate line of your return and skip lines a and b below. For individual returns, complete lines a and b below.							
a	If the loss on line 11 includes a loss from Form 4684, line 35, column (b)(ii), enter that part of the loss here. Enter the loss from income-producing property on Schedule A (Form 1040), line 16. (Do not include any loss on property used as an employee.) Identify as from "Form 4797, line 18a." See instructions						18a	
b	Redetermine the gain or (loss) on line 17 excluding the loss, if any, on line 18a. Enter here and on Schedule 1 (Form 1040), Part I, line 4						18b	

Installment Sale Income

2021

Attachment
 Sequence No. **67**

▶ **Attach to your tax return.**
 ▶ **Use a separate form for each sale or other disposition of property on the installment method.**
 ▶ **Go to www.irs.gov/Form6252 for the latest information.**

Name(s) shown on return: **HALE REAL ESTATE INC** Identifying number: **59-3758252**

- 1** Description of property ▶ **4 COMMERCIAL PROPERTY 114 S 3RD ST PALATKA FL**
- 2a** Date acquired (mm/dd/yyyy) ▶ **01/05/2015** **b** Date sold (mm/dd/yyyy) ▶ **12/13/2019**
- 3** Was the property sold to a related party (see instructions) after May 14, 1980? If "No," skip line 4. . . . Yes No
- 4** Was the property you sold to a related party a marketable security? If "Yes," complete Part III. If "No," complete Part III for the year of sale and the 2 years after the year of sale. . . . Yes No

Part I Gross Profit and Contract Price. Complete this part for all years of the installment agreement.

5	Selling price including mortgages and other debts. Don't include interest, whether stated or unstated	5	130,000
6	Mortgages, debts, and other liabilities the buyer assumed or took the property subject to (see instructions)	6	
7	Subtract line 6 from line 5	7	130,000
8	Cost or other basis of property sold	8	66,052
9	Depreciation allowed or allowable	9	10,654
10	Adjusted basis. Subtract line 9 from line 8	10	55,398
11	Commissions and other expenses of sale	11	3,940
12	Income recapture from Form 4797, Part III (see instructions)	12	
13	Add lines 10, 11, and 12	13	59,338
14	Subtract line 13 from line 5. If zero or less, don't complete the rest of this form. See instructions	14	70,662
15	If the property described on line 1 above was your main home, enter the amount of your excluded gain. See instructions. Otherwise, enter -0-	15	
16	Gross profit. Subtract line 15 from line 14	16	70,662
17	Subtract line 13 from line 6. If zero or less, enter -0-	17	
18	Contract price. Add line 7 and line 17	18	130,000

Part II Installment Sale Income. Complete this part for all years of the installment agreement.

19	Gross profit percentage (expressed as a decimal amount). Divide line 16 by line 18. (For years after the year of sale, see instructions.)	19	0.54355
20	If this is the year of sale, enter the amount from line 17. Otherwise, enter -0-	20	
21	Payments received during year (see instructions). Don't include interest, whether stated or unstated	21	54,926
22	Add lines 20 and 21	22	54,926
23	Payments received in prior years (see instructions). Don't include interest, whether stated or unstated	23	74,858
24	Installment sale income. Multiply line 22 by line 19	24	29,855
25	Enter the part of line 24 that is ordinary income under the recapture rules. See instructions	25	
26	Subtract line 25 from line 24. Enter here and on Schedule D or Form 4797. See instructions	26	29,855

Part III Related Party Installment Sale Income. **Don't** complete if you received the final payment this tax year.

27 Name, address, and taxpayer identifying number of related party ▶

28 Did the related party resell or dispose of the property ("second disposition") during this tax year? . . . Yes No

29 If the answer to question 28 is "Yes," complete lines 30 through 37 below unless one of the following conditions is met.

Check the box that applies.

- a** The second disposition was more than 2 years after the first disposition (other than dispositions of marketable securities). If this box is checked, enter the date of disposition (mm/dd/yyyy) . . . ▶
- b** The first disposition was a sale or exchange of stock to the issuing corporation.
- c** The second disposition was an involuntary conversion and the threat of conversion occurred after the first disposition.
- d** The second disposition occurred after the death of the original seller or buyer.
- e** It can be established to the satisfaction of the IRS that tax avoidance wasn't a principal purpose for either of the dispositions. If this box is checked, attach an explanation. See instructions.

30	Selling price of property sold by related party (see instructions)	30	
31	Enter contract price from line 18 for year of first sale	31	
32	Enter the smaller of line 30 or line 31	32	
33	Total payments received by the end of your 2021 tax year (see instructions)	33	
34	Subtract line 33 from line 32. If zero or less, enter -0-	34	
35	Multiply line 34 by the gross profit percentage on line 19 for year of first sale	35	
36	Enter the part of line 35 that is ordinary income under the recapture rules. See instructions	36	
37	Subtract line 36 from line 35. Enter here and on Schedule D or Form 4797. See instructions	37	

Installment Sale Income

2021

Attachment
 Sequence No. **67**

▶ **Attach to your tax return.**
 ▶ **Use a separate form for each sale or other disposition of property on the installment method.**
 ▶ **Go to www.irs.gov/Form6252 for the latest information.**

Name(s) shown on return: **HALE REAL ESTATE INC** Identifying number: **59-3758252**

1 Description of property ▶ **4 1023 STATE ROAD 20 INTERLACHEN FL 32148**
2a Date acquired (mm/dd/yyyy) ▶ **01/01/2013** **b** Date sold (mm/dd/yyyy) ▶ **11/12/2020**
3 Was the property sold to a related party (see instructions) after May 14, 1980? If "No," skip line 4. . . . Yes No
4 Was the property you sold to a related party a marketable security? If "Yes," complete Part III. If "No," complete Part III for the year of sale and the 2 years after the year of sale. . . . Yes No

Part I Gross Profit and Contract Price. Complete this part for all years of the installment agreement.

5	Selling price including mortgages and other debts. Don't include interest, whether stated or unstated	5	124,000
6	Mortgages, debts, and other liabilities the buyer assumed or took the property subject to (see instructions)	6	
7	Subtract line 6 from line 5	7	124,000
8	Cost or other basis of property sold	8	50,523
9	Depreciation allowed or allowable	9	12,749
10	Adjusted basis. Subtract line 9 from line 8	10	37,774
11	Commissions and other expenses of sale	11	4,923
12	Income recapture from Form 4797, Part III (see instructions)	12	
13	Add lines 10, 11, and 12	13	42,697
14	Subtract line 13 from line 5. If zero or less, don't complete the rest of this form. See instructions	14	81,303
15	If the property described on line 1 above was your main home, enter the amount of your excluded gain. See instructions. Otherwise, enter -0-	15	
16	Gross profit. Subtract line 15 from line 14	16	81,303
17	Subtract line 13 from line 6. If zero or less, enter -0-	17	
18	Contract price. Add line 7 and line 17	18	124,000

Part II Installment Sale Income. Complete this part for all years of the installment agreement.

19	Gross profit percentage (expressed as a decimal amount). Divide line 16 by line 18. (For years after the year of sale, see instructions.)	19	0.65567
20	If this is the year of sale, enter the amount from line 17. Otherwise, enter -0-	20	
21	Payments received during year (see instructions). Don't include interest, whether stated or unstated	21	35,028
22	Add lines 20 and 21	22	35,028
23	Payments received in prior years (see instructions). Don't include interest, whether stated or unstated	23	84,000
24	Installment sale income. Multiply line 22 by line 19	24	22,967
25	Enter the part of line 24 that is ordinary income under the recapture rules. See instructions	25	
26	Subtract line 25 from line 24. Enter here and on Schedule D or Form 4797. See instructions	26	22,967

Part III Related Party Installment Sale Income. **Don't** complete if you received the final payment this tax year.

27 Name, address, and taxpayer identifying number of related party ▶

28 Did the related party resell or dispose of the property ("second disposition") during this tax year? . . . Yes No

29 If the answer to question 28 is "Yes," complete lines 30 through 37 below unless one of the following conditions is met.

Check the box that applies.

- a** The second disposition was more than 2 years after the first disposition (other than dispositions of marketable securities). If this box is checked, enter the date of disposition (mm/dd/yyyy) ▶
- b** The first disposition was a sale or exchange of stock to the issuing corporation.
- c** The second disposition was an involuntary conversion and the threat of conversion occurred after the first disposition.
- d** The second disposition occurred after the death of the original seller or buyer.
- e** It can be established to the satisfaction of the IRS that tax avoidance wasn't a principal purpose for either of the dispositions. If this box is checked, attach an explanation. See instructions.

30	Selling price of property sold by related party (see instructions)	30	
31	Enter contract price from line 18 for year of first sale	31	
32	Enter the smaller of line 30 or line 31	32	
33	Total payments received by the end of your 2021 tax year (see instructions)	33	
34	Subtract line 33 from line 32. If zero or less, enter -0-	34	
35	Multiply line 34 by the gross profit percentage on line 19 for year of first sale	35	
36	Enter the part of line 35 that is ordinary income under the recapture rules. See instructions	36	
37	Subtract line 36 from line 35. Enter here and on Schedule D or Form 4797. See instructions	37	

Application for Automatic Extension of Time To File Certain Business Income Tax, Information, and Other Returns

► **File a separate application for each return.**

► **Go to www.irs.gov/Form7004 for instructions and the latest information.**

Print or Type	Name	Identifying number
	HALE REAL ESTATE INC	59-3758252
	Number, street, and room or suite no. (If P.O. box, see instructions.)	
	PO BOX 953	
	City, town, state, and ZIP code (If a foreign address, enter city, province or state, and country (follow the country's practice for entering postal code).)	
	HOLLISTER FL 32147-	

Note: File request for extension by the due date of the return. See instructions before completing this form.

Part I Automatic Extension for Certain Business Income Tax, Information, and Other Returns. See instructions.

1 Enter the form code for the return listed below that this application is for. 25

Application Is For:	Form Code	Application Is For:	Form Code
Form 706-GS(D)	01	Form 1120-ND (section 4951 taxes)	20
Form 706-GS(T)	02	Form 1120-PC	21
Form 1041 (bankruptcy estate only)	03	Form 1120-POL	22
Form 1041 (estate other than a bankruptcy estate)	04	Form 1120-REIT	23
Form 1041 (trust)	05	Form 1120-RIC	24
Form 1041-N	06	Form 1120S	25
Form 1041-QFT	07	Form 1120-SF	26
Form 1042	08	Form 3520-A	27
Form 1065	09	Form 8612	28
Form 1066	11	Form 8613	29
Form 1120	12	Form 8725	30
Form 1120-C	34	Form 8804	31
Form 1120-F	15	Form 8831	32
Form 1120-FSC	16	Form 8876	33
Form 1120-H	17	Form 8924	35
Form 1120-L	18	Form 8928	36
Form 1120-ND	19		

Part II All Filers Must Complete This Part

2 If the organization is a foreign corporation that does not have an office or place of business in the United States, check here.

3 If the organization is a corporation and is the common parent of a group that intends to file a consolidated return, check here.
If checked, attach a statement listing the name, address, and employer identification number (EIN) for each member covered by this application.

4 If the organization is a corporation or partnership that qualifies under Regulations section 1.6081-5, check here. . .

5a The application is for calendar year 20 21, or tax year beginning _____, 20____, and ending _____, 20____

b **Short tax year.** If this tax year is less than 12 months, check the reason: Initial return Final return
 Change in accounting period Consolidated return to be filed Other (See instructions—attach explanation.)

6 Tentative total tax	6	0
7 Total payments and credits. See instructions	7	0
8 Balance due. Subtract line 7 from line 6. See instructions	8	0

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.

Rental Real Estate Income and Expenses of a Partnership or an S Corporation

▶ Attach to Form 1065 or Form 1120S.

▶ Go to www.irs.gov/Form8825 for the latest information.

Name: **HALE REAL ESTATE INC** Employer identification number: **59-3758252**

1	Show the type and address of each property. For each rental real estate property listed, report the number of days rented at fair rental value and days with personal use. See instructions. See page 2 to list additional properties.			
	Physical address of each property—street, city, state, ZIP code	Type—Enter code 1–8; see page 2 for list	Fair Rental Days	Personal Use Days
A	210/212 ST JOHNS AVENUE PALATKA FL 32177	4	365	
B	900-908 ST JOHNS AVENUE PALATKA FL 32177	4	365	
C	1005 ST JOHNS AVENUE PALATKA FL 32177	4	365	
D				

		Properties			
		A	B	C	D
2	Rental Real Estate Income Gross rents	2 15,915	33,540	22,934	
3	Rental Real Estate Expenses Advertising	3			
4	Auto and travel	4			
5	Cleaning and maintenance	5			
6	Commissions	6			
7	Insurance	7	2,803	2,195	
8	Legal and other professional fees	8			
9	Interest (see instructions)	9 2,167	3,064	8,474	
10	Repairs	10	7,605		
11	Taxes	11 2,117	3,019	2,784	
12	Utilities	12	1,648		
13	Wages and salaries	13			
14	Depreciation (see instructions)	14 2,524	5,364	939	
15	Other (list) ▶ Sales tax Lawn care	15 1,007	1,707 479	1,228	
16	Total expenses for each property. Add lines 3 through 15	16 7,815	25,689	15,620	
17	Income or (loss) from each property. Subtract line 16 from line 2	17 8,100	7,851	7,314	
18a	Total gross rents. Add gross rents from line 2, columns A through H				18a 72,389
18b	Total expenses. Add total expenses from line 16, columns A through H				18b (49,124)
19	Net gain (loss) from Form 4797, Part II, line 17, from the disposition of property from rental real estate activities				19
20a	Net income (loss) from rental real estate activities from partnerships, estates, and trusts in which this partnership or S corporation is a partner or beneficiary (from Schedule K-1)				20a
b	Identify below the partnerships, estates, or trusts from which net income (loss) is shown on line 20a. Attach a schedule if more space is needed.				
	(1) Name (2) Employer identification number				
21	Net rental real estate income (loss). Combine lines 18a through 20a. Enter the result here and on: • Form 1065 or 1120S: Schedule K, line 2				21 23,265

▶ ERO must obtain and retain completed Form 8879-S.
▶ Go to www.irs.gov/Form8879S for the latest information.

2021

Department of the Treasury
Internal Revenue Service

For calendar year 2021, or tax year beginning _____, 2021, and ending _____, 20_____.

Name of corporation
HALE REAL ESTATE INC

Employer identification number
59-3758252

Part I Tax Return Information (whole dollars only)

1	Gross receipts or sales less returns and allowances (Form 1120-S, line 1c)	1	0
2	Gross profit (Form 1120-S, line 3)	2	0
3	Ordinary business income (loss) (Form 1120-S, line 21)	3	-3,994
4	Net rental real estate income (loss) (Form 1120-S, Schedule K, line 2)	4	23,265
5	Income (loss) reconciliation (Form 1120-S, Schedule K, line 18)	5	77,576

Part II Declaration and Signature Authorization of Officer (Be sure to get a copy of the corporation's return)

Under penalties of perjury, I declare that I am an officer of the above corporation and that I have examined a copy of the corporation's 2021 electronic income tax return and accompanying schedules and statements and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that the amounts in Part I above are the amounts shown on the copy of the corporation's electronic income tax return. I consent to allow my electronic return originator (ERO), transmitter, or intermediate service provider to send the corporation's return to the IRS and to receive from the IRS (a) an acknowledgement of receipt or reason for rejection of the transmission, (b) the reason for any delay in processing the return or refund, and (c) the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the corporation's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at **888-353-4537** no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I have selected a personal identification number (PIN) as my signature for the corporation's electronic income tax return and, if applicable, the corporation's consent to electronic funds withdrawal.

Officer's PIN: check one box only

I authorize PROFESSIONAL BUSINESS SERVICES to enter my PIN 82270 as my signature
ERO firm name Don't enter all zeros
on the corporation's 2021 electronically filed income tax return.

As an officer of the corporation, I will enter my PIN as my signature on the corporation's 2021 electronically filed income tax return.

Officer's signature ▶ _____ Date ▶ 04/15/2022 Title ▶ PRESIDENT

Part III Certification and Authentication

ERO's EFIN/PIN. Enter your six-digit EFIN followed by your five-digit self-selected PIN. 50300842366
Don't enter all zeros

I certify that the above numeric entry is my PIN, which is my signature on the 2021 electronically filed income tax return for the corporation indicated above. I confirm that I am submitting this return in accordance with the requirements of **Pub. 3112**, IRS e-file Application and Participation, and **Pub. 4163**, Modernized e-File (MeF) Information for Authorized IRS e-file Providers for Business Returns.

ERO's signature ▶ CAROL SHERMAN Date ▶ 04/17/2022

**ERO Must Retain This Form — See Instructions
Don't Submit This Form to the IRS Unless Requested To Do So**

HALE REAL ESTATE INC

PO BOX 953
HOLLISTER FL 32147-

INVOICE DATE: 04/17/2022

ID NUMBER: 59-3758252

TELEPHONE: 386-385-3416

INVOICE NO.: 10

2021 INVOICE

Description

- 1 Form 1120S
- 1 Schedule K-1, Shareholder's Share of Income, Credits, etc.
- 1 Form 1125-A, Cost of Goods Sold
- 1 Form 4562, Depreciation and Amortization
- 1 Form 4797, Sale of Business Assets
- 2 Form 6252, Installment Sale Income
- 1 Form 7004, Automatic Extension of Time to File
- 3 Form 8825, Rental Real Estate Income or Loss
- 1 Form 8879S, IRS e-file Signature Authorization
- 4 Depreciation Worksheet
- 3 Detail Sheets
- 1 Other Deductions Worksheet
- 1 Schedule L Worksheet

Remarks:

Total Charges	250.00
Discount	
Sales Tax	
Payments	
Amount Due	250.00

Name: HALE REAL ESTATE INC

EIN: 59-3758252

ASSETS		LIABILITIES and EQUITY	
Cash.....	67,969.	Accounts payable.....	
Receivables.....		Mortgages, loans, etc.	
less bad debts.....		payable less than 1 yr.	
Inventories.....		Other current liability.	
U.S. govt obligations....		Loans from stockholders.	66,400.
Tax-exempt securities....		Mortgages, loans, etc	
Other current assets.....		payable more than 1 yr.	116,595.
Loans to stockholders....		Other liabilities.....	
Mortgage/real estate loan	45,486.	Capital stock.....	100.
Other investments.....	SEE STMT	Addl paid-in capital....	190,190.
Depreciable assets.....		Retained earnings.....	7,311.
less accum depreciation.		Distributions from	
Depletable assets.....		K-1s.....	
less accum depletion....		Adj to shrhldrs equity..	
Land.....		Less cost of treasury	
Intangible assets.....		stock.....	
less accum amortization.		Total liabilities and	
Other assets.....		stockholders' equity...	380,596.
Total assets.....	118,455.		
INCOME		EXPENSE	
Gross receipts or sales..		Cost of goods	
less returns/allowances.		Purchases.....	
		Cost of labor.....	
		Other costs.....	
Rental income		Accounting.....	
Gross rent from real		Advertising.....	
estate activities.....	72,389.	Amortization per books..	
Expenses.....	40,297.	Answering service.....	
		Auto and truck expense..	
Gross rent from other		Bad debts.....	
rental activities.....		Bank charges.....	
Expenses.....		Charitable contributions	
		Commissions.....	
Farm		Computer expense.....	
Gross.....		Delivery and freight....	
Expenses.....		Depletion per books.....	
		Depreciation per books..	
Gains or losses from		Dues and subscriptions..	941.
asset sales.....		Employee benefits.....	
		Promotion.....	
		Gifts.....	
		Insurance.....	
		Interest (business)....	
		Interest (investment)...	
		Janitorial.....	
		Laundry and cleaning....	
State tax refund.....		Legal and professional..	210.
		Licenses and permits....	227.
		Meals to be reduced.....	
Other income.....		Miscellaneous.....	

INCOME		EXPENSE	
		Nondeductible expense...	
		Office expense.....	2,538.
		Outside services.....	
Interest		Parking fees and tolls..	
Taxable.....	5,483.	Pension/profit sharing..	
Portion of above amount		Portfolio deductions....	
from US government		Postage.....	55.
obligations..		Printing.....	
Tax-exempt.....		Rent paid.....	
Portion of above amount		Repairs and maintenance.	
to be added to __ state		Salaries and wages	
income.....		Other.....	
		Officers.....	
		Sales expense.....	
Dividend income.....		Security.....	
		Supplies.....	
		Taxes not listed below..	
Royalty income.....		Federal tax paid.....	
		State income tax paid..	
		Telephone.....	
Other portfolio income		Temporary help.....	
or loss.....		Tools.....	
		Trade show expense.....	
		Training and seminars...	
Other nontaxable income..		Travel.....	
		Uniforms.....	
		Utilities.....	
		Continuing Education	23.
Total income.....	77,872.		
Total expense.....	44,291.		
Profit or loss.....	33,581.		

US	Schedule L, Line 9: Other Investments	2021
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Description	Beginning of the year	End of the year
LOAN TO A & E VENTURES		5,000 5,000

U.S. Return of Partnership Income

2021

For calendar year 2021, or tax year beginning _____, ending _____

▶ Go to www.irs.gov/Form1065 for instructions and the latest information.

A Principal business activity RETAIL SALES	Type or Print	Name of partnership NEEDFUL THINGS A & E VENTURES LLC	D Employer identification number 86-3915214
B Principal product or service USED BOOKS		Number, street, and room or suite no. If a P.O. box, see instructions. PO BOX 953	E Date business started 05/10/2021
C Business code number 453310		City or town State ZIP code HOLLISTER FL 32147-	F Total assets (see instructions) \$ 0
		Foreign country name Foreign province/state/county Foreign postal code	

G Check applicable boxes: (1) Initial return (2) Final return (3) Name change (4) Address change (5) Amended return

H Check accounting method: (1) Cash (2) Accrual (3) Other (specify) ▶ _____

I Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year. ▶ 2

J Check if Schedules C and M-3 are attached. ▶

K Check if partnership: (1) Aggregated activities for section 465 at-risk purposes (2) Grouped activities for section 469 passive activity purposes

Caution: Include **only** trade or business income and expenses on lines 1a through 22 below. See instructions for more information.

1a Gross receipts or sales	1a	3,875	
b Returns and allowances	1b		
c Balance. Subtract line 1b from line 1a	1c	3,875	
2 Cost of goods sold (attach Form 1125-A)	2	241	
3 Gross profit. Subtract line 2 from line 1c	3	3,634	
4 Ordinary income (loss) from other partnerships, estates, and trusts (attach statement)	4		
5 Net farm profit (loss) (attach Schedule F (Form 1040))	5		
6 Net gain (loss) from Form 4797, Part II, line 17 (attach Form 4797)	6		
7 Other income (loss) (attach statement)	7		
8 Total income (loss). Combine lines 3 through 7	8	3,634	
9 Salaries and wages (other than to partners) (less employment credits)	9		
10 Guaranteed payments to partners	10		
11 Repairs and maintenance	11		
12 Bad debts	12		
13 Rent	13		
14 Taxes and licenses	14		
15 Interest (see instructions)	15		
16a Depreciation (if required, attach Form 4562)	16a		
b Less depreciation reported on Form 1125-A and elsewhere on return	16b		
16c	16c		
17 Depletion (Do not deduct oil and gas depletion.)	17		
18 Retirement plans, etc.	18		
19 Employee benefit programs	19		
20 Other deductions (attach statement)	20	2,507	
21 Total deductions. Add the amounts shown in the far right column for lines 9 through 20	21	2,507	
22 Ordinary business income (loss). Subtract line 21 from line 8	22	1,127	
23 Interest due under the look-back method—completed long-term contracts (attach Form 8697)	23		
24 Interest due under the look-back method—income forecast method (attach Form 8866)	24		
25 BBA AAR imputed underpayment (see instructions)	25		
26 Other taxes (see instructions)	26		
27 Total balance due. Add lines 23 through 26	27		
28 Payment (see instructions)	28		
29 Amount owed. If line 28 is smaller than line 27, enter amount owed	29		
30 Overpayment. If line 28 is larger than line 27, enter overpayment	30		

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than partner or limited liability company member) is based on all information of which preparer has any knowledge.

Sign Here

▶ _____ ▶ _____
Signature of partner or limited liability company member Date

May the IRS discuss this return with the preparer shown below? See instructions. Yes No

Paid Preparer Use Only	Print/Type preparer's name CAROL SHERMAN	Preparer's signature CAROL SHERMAN	Date 03/10/2022	Check <input checked="" type="checkbox"/> if self-employed	PTIN P01038715
	Firm's name ▶ PROFESSIONAL BUSINESS SERVICES				Firm's EIN ▶ 59-1899753
	Firm's address ▶ PO BOX 787				Phone no. 386-684-3385
	City INTERLACHEN State FL				ZIP code 32148

Schedule B Other Information

1 What type of entity is filing this return? Check the applicable box:	Yes	No
a <input type="checkbox"/> Domestic general partnership		
b <input type="checkbox"/> Domestic limited partnership		
c <input checked="" type="checkbox"/> Domestic limited liability company		
d <input type="checkbox"/> Domestic limited liability partnership		
e <input type="checkbox"/> Foreign partnership		
f <input type="checkbox"/> Other ▶		

2 At the end of the tax year:		
a Did any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, or tax-exempt organization, or any foreign government own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership? For rules of constructive ownership, see instructions. If "Yes," attach Schedule B-1, Information on Partners Owning 50% or More of the Partnership		X
b Did any individual or estate own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership? For rules of constructive ownership, see instructions. If "Yes," attach Schedule B-1, Information on Partners Owning 50% or More of the Partnership	X	

3 At the end of the tax year, did the partnership:		
a Own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of stock entitled to vote of any foreign or domestic corporation? For rules of constructive ownership, see instructions. If "Yes," complete (i) through (iv) below		X

(i) Name of Corporation	(ii) Employer Identification Number (if any)	(iii) Country of Incorporation	(iv) Percentage Owned in Voting Stock
			0.000
			0.000
			0.000
			0.000
			0.000

b Own directly an interest of 20% or more, or own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital in any foreign or domestic partnership (including an entity treated as a partnership) or in the beneficial interest of a trust? For rules of constructive ownership, see instructions. If "Yes," complete (i) through (v) below		X
--	--	---

(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Type of Entity	(iv) Country of Organization	(v) Maximum Percentage Owned in Profit, Loss, or Capital
				0.000
				0.000
				0.000
				0.000
				0.000

4 Does the partnership satisfy all four of the following conditions?		
a The partnership's total receipts for the tax year were less than \$250,000.		
b The partnership's total assets at the end of the tax year were less than \$1 million.		
c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return.		
d The partnership is not filing and is not required to file Schedule M-3 If "Yes," the partnership is not required to complete Schedules L, M-1, and M-2; item F on page 1 of Form 1065; or item L on Schedule K-1.	X	

5 Is this partnership a publicly traded partnership, as defined in section 469(k)(2)?		X
--	--	---

6 During the tax year, did the partnership have any debt that was canceled, was forgiven, or had the terms modified so as to reduce the principal amount of the debt?		X
--	--	---

7 Has this partnership filed, or is it required to file, Form 8918, Material Advisor Disclosure Statement, to provide information on any reportable transaction?		X
---	--	---

8 At any time during calendar year 2021, did the partnership have an interest in or a signature or other authority over financial account in a foreign country (such as a bank account, securities account, or other financial account)? See instructions for exceptions and filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR). If "Yes," enter the name of the foreign country ▶		X
--	--	---

9 At any time during the tax year, did the partnership receive a distribution from, or was it the grantor of, or transferor to, a foreign trust? If "Yes," the partnership may have to file Form 3520, Annual Return To Report Transactions With Foreign Trusts and Receipt of Certain Foreign Gifts. See instructions		X
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10a Is the partnership making, or had it previously made (and not revoked), a section 754 election? See instructions for details regarding a section 754 election.		X
--	--	---

b Did the partnership make for this tax year an optional basis adjustment under section 743(b) or 734(b)? If "Yes," attach a statement showing the computation and allocation of the basis adjustment. See instructions		X
--	--	---

Schedule B Other Information (continued)

	Yes	No
c Is the partnership required to adjust the basis of partnership assets under section 743(b) or 734(b) because of a substantial built-in loss (as defined under section 743(d)) or substantial basis reduction (as defined under section 734(d))? If "Yes," attach a statement showing the computation and allocation of the basis adjustment. See instructions		X
11 Check this box if, during the current or prior tax year, the partnership distributed any property received in a like-kind exchange or contributed such property to another entity (other than disregarded entities wholly owned by the partnership throughout the tax year) <input type="checkbox"/>		
12 At any time during the tax year, did the partnership distribute to any partner a tenancy-in-common or other undivided interest in partnership property?		X
13 If the partnership is required to file Form 8858, Information Return of U.S. Persons With Respect To Foreign Disregarded Entities (FDEs) and Foreign Branches (FBs), enter the number of Forms 8858 attached. See instructions <input type="checkbox"/> 0		
14 Does the partnership have any foreign partners? If "Yes," enter the number of Forms 8805, Foreign Partner's Information Statement of Section 1446 Withholding Tax, filed for this partnership. <input type="checkbox"/> 0		X
15 Enter the number of Forms 8865, Return of U.S. Persons With Respect to Certain Foreign Partnerships, attached to this return. <input type="checkbox"/> 0		
16a Did you make any payments in 2021 that would require you to file Form(s) 1099? See instructions		X
b If "Yes," did you or will you file required Form(s) 1099?		
17 Enter the number of Forms 5471, Information Return of U.S. Persons With Respect To Certain Foreign Corporations, attached to this return. <input type="checkbox"/> 0		
18 Enter the number of partners that are foreign governments under section 892. . . <input type="checkbox"/> 0		
19 During the partnership's tax year, did the partnership make any payments that would require it to file Forms 1042 and 1042-S under chapter 3 (sections 1441 through 1464) or chapter 4 (sections 1471 through 1474)?		X
20 Was the partnership a specified domestic entity required to file Form 8938 for the tax year? See the Instructions for Form 8938		X
21 Is the partnership a section 721(c) partnership, as defined in Regulations section 1.721(c)-1(b)(14)?		X
22 During the tax year, did the partnership pay or accrue any interest or royalty for which one or more partners are not allowed a deduction under section 267A? See instructions <input type="checkbox"/> If "Yes," enter the total amount of the disallowed deductions <input type="checkbox"/> \$		X
23 Did the partnership have an election under section 163(j) for any real property trade or business or any farming business in effect during the tax year? See instructions		X
24 Does the partnership satisfy one or more of the following? See instructions a The partnership owns a pass-through entity with current, or prior year carryover, excess business interest expense. b The partnership's aggregate average annual gross receipts (determined under section 448(c)) for the 3 tax years preceding the current tax year are more than \$26 million and the partnership has business interest. c The partnership is a tax shelter (see instructions) and the partnership has business interest expense. If "Yes" to any, complete and attach Form 8990.		X
25 Is the partnership attaching Form 8996 to certify as a Qualified Opportunity Fund? <input type="checkbox"/> If "Yes," enter the amount from Form 8996, line 15 <input type="checkbox"/> \$		X
26 Enter the number of foreign partners subject to section 864(c)(8) as a result of transferring all or a portion of an interest in the partnership or of receiving a distribution from the partnership <input type="checkbox"/> Complete Schedule K-3 (Form 1065), Part XIII, for each foreign partner subject to section 864(c)(8) on a transfer or distribution.		
27 At any time during the tax year, were there any transfers between the partnership and its partners subject to the disclosure requirements of Regulations section 1.707-8?		X
28 Since December 22, 2017, did a foreign corporation directly or indirectly acquire substantially all of the properties constituting a trade or business of your partnership, and was the ownership percentage (by vote or value) for purposes of section 7874 greater than 50% (for example, the partners held more than 50% of the stock of the foreign corporation)? If "Yes," list the ownership percentage by vote and by value. See instructions. Percentage: <input type="checkbox"/> By Vote <input type="checkbox"/> By Value		X
29 Is the partnership electing out of the centralized partnership audit regime under section 6221(b)? See instructions. If "Yes," the partnership must complete Schedule B-2 (Form 1065). Enter the total from Schedule B-2, Part III, line <input type="checkbox"/> If "No," complete Designation of Partnership Representative below.		X

Designation of Partnership Representative (see instructions)

Enter below the information for the partnership representative (PR) for the tax year covered by this return.

Name of PR <input type="checkbox"/> ALEXANER SHARP	
U.S. address of PR <input type="checkbox"/> PO BOX 953 HOLLISTER FL 32147-	U.S. phone number of PR <input type="checkbox"/> 386-325-9977
If the PR is an entity, name of the designated individual for the PR <input type="checkbox"/>	
U.S. address of designated individual <input type="checkbox"/>	U.S. phone number of designated individual <input type="checkbox"/>

Schedule K Partners' Distributive Share Items		Total amount	
1	Ordinary business income (loss) (page 1, line 22)	1	1,127
2	Net rental real estate income (loss) (attach Form 8825)	2	
3a	Other gross rental income (loss)	3a	
b	Expenses from other rental activities (attach statement)	3b	
c	Other net rental income (loss). Subtract line 3b from line 3a	3c	
4	Guaranteed payments: a Services 4a b Capital 4b	4c	
c	Total. Add lines 4a and 4b	4c	
5	Interest income	5	
6	Dividends and dividend equivalents: a Ordinary dividends	6a	
b	Qualified dividends 6b c Dividend equivalents 6c	6c	
7	Royalties	7	
8	Net short-term capital gain (loss) (attach Schedule D (Form 1065))	8	
9a	Net long-term capital gain (loss) (attach Schedule D (Form 1065))	9a	
b	Collectibles (28%) gain (loss)	9b	
c	Unrecaptured section 1250 gain (attach statement)	9c	
10	Net section 1231 gain (loss) (attach Form 4797)	10	
11	Other income (loss) (see instructions) Type ▶	11	
12	Section 179 deduction (attach Form 4562)	12	
13a	Contributions	13a	
b	Investment interest expense	13b	
c	Section 59(e)(2) expenditures: (1) Type ▶ (2) Amount ▶	13c(2)	
d	Other deductions (see instructions) Type ▶	13d	
14a	Net earnings (loss) from self-employment	14a	1,127
b	Gross farming or fishing income	14b	
c	Gross nonfarm income	14c	3,634
15a	Low-income housing credit (section 42(j)(5))	15a	
b	Low-income housing credit (other)	15b	
c	Qualified rehabilitation expenditures (rental real estate) (attach Form 3468, if applicable)	15c	
d	Other rental real estate credits (see instructions) Type ▶	15d	
e	Other rental credits (see instructions) Type ▶	15e	
f	Other credits (see instructions) Type ▶	15f	
16	Attach Schedule K-2 (Form 1065), Partners' Distributive Share Items-International, and check this box to indicate that you are reporting items of international tax relevance. <input type="checkbox"/>		
17a	Post-1986 depreciation adjustment	17a	
b	Adjusted gain or loss	17b	
c	Depletion (other than oil and gas)	17c	
d	Oil, gas, and geothermal properties—gross income	17d	
e	Oil, gas, and geothermal properties—deductions	17e	
f	Other AMT items (attach statement)	17f	
18a	Tax-exempt interest income	18a	
b	Other tax-exempt income	18b	
c	Nondeductible expenses	18c	2
19a	Distributions of cash and marketable securities	19a	
b	Distributions of other property	19b	
20a	Investment income	20a	
b	Investment expenses	20b	
c	Other items and amounts (attach statement)		
21	Total foreign taxes paid or accrued	21	

Analysis of Net Income (Loss)

1 Net income (loss). Combine Schedule K, lines 1 through 11. From the result, subtract the sum of Schedule K, lines 12 through 13d, and 21					1	1,127
2 Analysis by partner type:	(i) Corporate	(ii) Individual (active)	(iii) Individual (passive)	(iv) Partnership	(v) Exempt Organization	(vi) Nominee/Other
a General partners		1,127				
b Limited partners						

Schedule L Balance Sheets per Books	Beginning of tax year		End of tax year	
	(a)	(b)	(c)	(d)
Assets				
1 Cash				
2a Trade notes and accounts receivable				
b Less allowance for bad debts				
3 Inventories				
4 U.S. government obligations				
5 Tax-exempt securities				
6 Other current assets (attach statement)				
7a Loans to partners (or persons related to partners)				
b Mortgage and real estate loans				
8 Other investments (attach statement)				
9a Buildings and other depreciable assets				
b Less accumulated depreciation				
10a Depletable assets				
b Less accumulated depletion				
11 Land (net of any amortization)				
12a Intangible assets (amortizable only)				
b Less accumulated amortization				
13 Other assets (attach statement)				
14 Total assets				
Liabilities and Capital				
15 Accounts payable				
16 Mortgages, notes, bonds payable in less than 1 year				
17 Other current liabilities (attach statement)				
18 All nonrecourse loans				
19a Loans from partners (or persons related to partners)				
b Mortgages, notes, bonds payable in 1 year or more				
20 Other liabilities (attach statement)				
21 Partners' capital accounts				
22 Total liabilities and capital				

Schedule M-1 Reconciliation of Income (Loss) per Books With Income (Loss) per Return

Note: The partnership may be required to file Schedule M-3. See instructions.

1 Net income (loss) per books		6 Income recorded on books this year not included on Schedule K, lines 1 through 11 (itemize):	
2 Income included on Schedule K, lines 1, 2, 3c, 5, 6a, 7, 8, 9a, 10, and 11, not recorded on books this year (itemize):		a Tax-exempt interest \$	
3 Guaranteed payments (other than health insurance)		7 Deductions included on Schedule K, lines 1 through 13d, and 21, not charged against book income this year (itemize):	
4 Expenses recorded on books this year not included on Schedule K, lines 1 through 13d, and 21 (itemize):		a Depreciation \$	
a Depreciation \$		8 Add lines 6 and 7	
b Travel and entertainment \$		9 Income (loss) (Analysis of Net Income (Loss), line 1). Subtract line 8 from line 5	
5 Add lines 1 through 4			

Schedule M-2 Analysis of Partners' Capital Accounts

1 Balance at beginning of year		6 Distributions:	a Cash	
2 Capital contributed:			b Property	
a Cash		7 Other decreases (itemize):		
b Property				
3 Net income (loss) per books		8 Add lines 6 and 7		
4 Other increases (itemize):		9 Balance at end of year. Subtract line 8 from line 5		
5 Add lines 1 through 4				

**SCHEDULE B-1
(Form 1065)**

(Rev. August 2019)
Department of the Treasury
Internal Revenue Service

**Information on Partners Owning 50% or
More of the Partnership**

▶ **Attach to Form 1065.**

▶ **Go to www.irs.gov/Form1065 for the latest information.**

OMB No. 1545-0123

Name of partnership A & E VENTURES LLC	Employer identification number (EIN) 86-3915214
---	--

Part I **Entities Owning 50% or More of the Partnership** (Form 1065, Schedule B, Question 2a (Question 3a for 2009 through 2017))

Complete columns (i) through (v) below for any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, tax-exempt organization, or any foreign government that owns, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership (see instructions).

(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Type of Entity	(iv) Country of Organization	(v) Maximum Percentage Owned in Profit, Loss, or Capital
				0.000
				0.000
				0.000
				0.000
				0.000
				0.000
				0.000
				0.000

Part II **Individuals or Estates Owning 50% or More of the Partnership** (Form 1065, Schedule B, Question 2b (Question 3b for 2009 through 2017))

Complete columns (i) through (iv) below for any individual or estate that owns, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership (see instructions).

(i) Name of Individual or Estate	(ii) Identifying Number (if any)	(iii) Country of Citizenship (see instructions)	(iv) Maximum Percentage Owned in Profit, Loss, or Capital
ALEXANDER SHARP	██████████	US	90.000
			0.000
			0.000
			0.000
			0.000
			0.000
			0.000
			0.000

For Paperwork Reduction Act Notice, see the Instructions for Form 1065.

Schedule B-1 (Form 1065) (Rev. 8-2019)

**Schedule K-1
(Form 1065)**

2021

Department of the Treasury
Internal Revenue Service

For calendar year 2021, or tax year

beginning

ending

Partner's Share of Income, Deductions, Credits, etc.

▶ See back of form and separate instructions.

Part I Information About the Partnership

A Partnership's employer identification number
86-3915214

B Partnership's name, address, city, state, and ZIP code
A & E VENTURES LLC
PO BOX 953
HOLLISTER FL 32147-

C IRS center where partnership filed return ▶ OGDEN

D Check if this is a publicly traded partnership (PTP)

Part II Information About the Partner

E Partner's SSN or TIN (Do not use TIN of a disregarded entity. See instructions.)
[REDACTED]

F Name, address, city, state, and ZIP code for partner entered in E. See instructions.
ALEXANDER SHARP IV
PO BOX 953
HOLLISTER FL 32147-

G General partner or LLC member-manager Limited partner or other LLC member

H1 Domestic partner Foreign partner

H2 If the partner is a disregarded entity (DE), enter the partner's:
TIN _____ Name _____

I1 What type of entity is this partner? Individual

I2 If this partner is a retirement plan (IRA/SEP/Keogh/etc.), check here

J Partner's share of profit, loss, and capital (see instructions):

	Beginning	Ending
Profit	90.000	90.000
Loss	90.000	90.000
Capital	0.000	89.964

Check if decrease is due to sale or exchange of partnership interest . . . ▶

K Partner's share of liabilities:

	Beginning	Ending
Nonrecourse . . . \$		\$
Qualified nonrecourse financing . . . \$		\$
Recourse . . . \$		\$

Check this box if Item K includes liability amounts from lower tier partnerships. ▶

L Partner's Capital Account Analysis

Beginning capital account \$ _____

Capital contributed during the year . . . \$ _____

Current year net income (loss) \$ _____

Other increase (decrease) (attach explanation) \$ _____

Withdrawals and distributions \$ (_____)

Ending capital account \$ _____

M Did the partner contribute property with a built-in gain (loss)?
 Yes No If "Yes," attach statement. See instructions.

N Partner's Share of Net Unrecognized Section 704(c) Gain or (Loss)

Beginning \$ _____

Ending \$ _____

Part III Partner's Share of Current Year Income, Deductions, Credits, and Other Items

1	Ordinary business income (loss) 1,014	14	Self-employment earnings (loss) 1,014
2	Net rental real estate income (loss)	C	3,271
3	Other net rental income (loss)	15	Credits
4a	Guaranteed payments for services		
4b	Guaranteed payments for capital	16	Schedule K-3 is attached if checked <input type="checkbox"/>
4c	Total guaranteed payments	17	Alternative minimum tax (AMT) items
5	Interest income		
6a	Ordinary dividends		
6b	Qualified dividends	18	Tax-exempt income and nondeductible expenses
6c	Dividend equivalents	C	2
7	Royalties		
8	Net short-term capital gain (loss)	19	Distributions
9a	Net long-term capital gain (loss)		
9b	Collectibles (28%) gain (loss)	20	Other information
9c	Unrecaptured section 1250 gain		
10	Net section 1231 gain (loss)		
11	Other income (loss)		
12	Section 179 deduction	21	Foreign taxes paid or accrued
13	Other deductions		

22 More than one activity for at-risk purposes*

23 More than one activity for passive activity purposes*

*See attached statement for additional information.

Partner: ALEXANDER SHARP IV		90.000 %	ID: [REDACTED]
17 a	Post-1986 depreciation adjustment		
	Ordinary income		
	Rental		
b	Adjusted gain or loss		
	Ordinary income		
	Rental		
c	Depletion other than oil and gas		
d	Oil, gas, and geothermal properties - gross income		
e	Oil, gas, and geothermal properties - deductions		
f	Other AMT items. Pre-1987 depreciation adjustment included in line 17f		
	Ordinary income		
	Rental		
	Other - type	Amount	
18	Tax-exempt interest income and nondeductible expenses		
a	Tax-exempt interest income		
b	Other tax-exempt interest income		
c	Nondeductible expenses		2
19 a	Distributions of cash and marketable securities		
b	Distribution subject to section 737		
c	Distributions of other property		

Partner: ALEXANDER SHARP IV

90.000 %

ID: XXXXXXXXXX

Compute partner's interest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Amount
A Beginning balance	
B Partner's contributions	
C Increase in share of partnership liabilities	
D Ordinary income	1,014
E Separately stated income	
F Subtotal	1,014
G Distributions	
H Decrease in share of partnership liabilities	
I Ordinary loss	
J Separately stated losses and deductions	
K Nondeductible expenses	2
L Other adjustments	
M Ending balance	1,012

Supplemental information for page 2, lines 20d and 20e

20d Qualified rehabilitation expenses, other than rental real estate		
Rehabilitation credit (Part III)		
Form 3468, line 11e, qualified rehabilitation expenditures		
Form 3468, line 11f, qualified rehabilitation expenditures		
Form 3468, line 11g, qualified rehabilitation expenditures		
20e Basis of energy property		
Qualifying advanced coal project credit		
Form 3468, line 5a, qualified investment		
Form 3468, line 5b, qualified investment		
Form 3468, line 5c, qualified investment		
Qualifying gasification project credit		
Form 3468, line 6a, qualified investment		
Form 3468, line 6b, qualified investment		
Qualifying advanced energy project credit		
Form 3468, line 7, qualified investment		
Reserved		
Energy credit (Part III)		
Form 3468, line 12a, qualified basis		Form 3468, line 12r, kilowatt capacity
Form 3468, line 12b, qualified basis		Form 3468, line 12t, qualified basis
Form 3468, line 12c, qualified basis		Form 3468, line 12w, qualified basis
Reserved		Form 3468, line 12y, qualified basis
Form 3468, line 12e, qualified basis		Form 3468, line 12z, qualified basis
Form 3468, line 12f, kilowatt capacity		Form 3468, line 12bb, qualified basis
Form 3468, line 12h, qualified basis		Form 3468, line 12cc, qualified basis
Form 3468, line 12i, kilowatt capacity		Form 3468, line 12dd, qualified basis
Form 3468, line 12k, qualified basis		Form 3468, line 12ee, qualified basis
Form 3468, line 12l, kilowatt capacity		Form 3468, line 12ff, qualified basis
Reserved		Form 3468, line 12gg, qualified basis
Reserved		Form 3468, line 12hh, qualified basis
Form 3468, line 12q, qualified basis		

**Schedule K-1
(Form 1065)**

2021

Department of the Treasury
Internal Revenue Service

For calendar year 2021, or tax year

beginning

ending

Partner's Share of Income, Deductions, Credits, etc.

▶ See back of form and separate instructions.

Part I Information About the Partnership

A Partnership's employer identification number
86-3915214

B Partnership's name, address, city, state, and ZIP code
A & E VENTURES LLC
PO BOX 953
HOLLISTER FL 32147-

C IRS center where partnership filed return ▶ OGDEN

D Check if this is a publicly traded partnership (PTP)

Part II Information About the Partner

E Partner's SSN or TIN (Do not use TIN of a disregarded entity. See instructions.)
[REDACTED]

F Name, address, city, state, and ZIP code for partner entered in E. See instructions.
ETHAN SHARP
PO BOX 953
HOLLISTER FL 32147-

G General partner or LLC member-manager Limited partner or other LLC member

H1 Domestic partner Foreign partner

H2 If the partner is a disregarded entity (DE), enter the partner's:
TIN _____ Name _____

I1 What type of entity is this partner? Individual

I2 If this partner is a retirement plan (IRA/SEP/Keogh/etc.), check here

J Partner's share of profit, loss, and capital (see instructions):

	Beginning	Ending
Profit	10.000	10.000
Loss	10.000	10.000
Capital	0.000	10.036

Check if decrease is due to sale or exchange of partnership interest . . .

K Partner's share of liabilities:

	Beginning	Ending
Nonrecourse . . . \$		\$
Qualified nonrecourse financing . . . \$		\$
Recourse . . . \$		\$

Check this box if Item K includes liability amounts from lower tier partnerships. ▶

L Partner's Capital Account Analysis

Beginning capital account \$ _____

Capital contributed during the year . . \$ _____

Current year net income (loss) \$ _____

Other increase (decrease) (attach explanation) \$ _____

Withdrawals and distributions \$ (_____)

Ending capital account \$ _____

M Did the partner contribute property with a built-in gain (loss)?
 Yes No If "Yes," attach statement. See instructions.

N Partner's Share of Net Unrecognized Section 704(c) Gain or (Loss)

Beginning \$ _____

Ending \$ _____

Part III Partner's Share of Current Year Income, Deductions, Credits, and Other Items

1	Ordinary business income (loss)	14	Self-employment earnings (loss)
	113	A	113
2	Net rental real estate income (loss)	C	363
3	Other net rental income (loss)	15	Credits
4a	Guaranteed payments for services		
4b	Guaranteed payments for capital	16	Schedule K-3 is attached if checked <input type="checkbox"/>
4c	Total guaranteed payments	17	Alternative minimum tax (AMT) items
5	Interest income		
6a	Ordinary dividends		
6b	Qualified dividends	18	Tax-exempt income and nondeductible expenses
6c	Dividend equivalents		
7	Royalties		
8	Net short-term capital gain (loss)	19	Distributions
9a	Net long-term capital gain (loss)		
9b	Collectibles (28%) gain (loss)	20	Other information
9c	Unrecaptured section 1250 gain		
10	Net section 1231 gain (loss)		
11	Other income (loss)		
12	Section 179 deduction	21	Foreign taxes paid or accrued
13	Other deductions		
22	<input type="checkbox"/> More than one activity for at-risk purposes*		
23	<input type="checkbox"/> More than one activity for passive activity purposes*		

*See attached statement for additional information.

Partner: ETHAN SHARP

10.000 %

ID:

[REDACTED]

10 a	Unrecaptured section 1250 gain for lines 10 and 11b			
11 a	Other portfolio income (loss)			
b	Involuntary conversions			
	(1) Form 4684 at 28% rate			
c	1256 contracts and straddles			
d	Mining exploration costs recapture			
e	Cancellation of debt			
f	Other income (loss)			
	(1) Type and amount			
	(2) PTP income from other partnerships			
12 a	Section 179 deduction for ordinary income or loss			
b	Section 179 deduction for rental real estate income or loss			
13	Other deductions			
a	Cash contributions - 50%			
b	Cash contributions - 30%			
c	Noncash contributions - 50%			
d	Noncash contributions - 30%			
e	Cap. gain property to a 50% org. - 30%			
f	Capital gain property - 20%			
g	Contributions - 100%			
h	Investment interest expense			
i	Deductions - royalty income			
j	Section 59(e)(2) expenditures			
k	Excess business interest expense			
l	Deductions - portfolio - other			
m	Amounts paid for medical insurance			
n	Educational assistance benefits			
o	Dependent care benefits			
p	Preproductive period expenses			
q	Commercial revitalization deduction from rental real estate			
r	Pensions and IRAs			
s	Reforestation expense deduction			
t	Reserved			
u	Reserved			
v	Reserved			
w	Penalty on early withdrawal of savings			
	(1) Form 4684, line 32			
	(2) Other. Type and amount			
14 a	Net earnings (loss) from self-employment			113
b	Gross farming or fishing income			
c	Gross nonfarm income			363
15	Credits and credit recapture			
a	Low-income housing credit - section 42(j)(5)), Form 8586			
b	Low-income housing credit - other, Form 8588			
c	Reserved			
d	Reserved			
e	Qualified rehabilitation expenditures - rental real estate			
f	Other rental real estate credits			
g	Other rental credits			
h	Undistributed capital gains credit			
i	Alcohol and cellulosic biofuel fuels credit			
j	Work opportunity credit			
k	Disabled access credit			
l	Empowerment zone and renewal community employment credit			
m	Credit for increasing research activities		If Checked, credit is from an eligible small business: <input type="checkbox"/>	
n	Credit for employer social security and Medicare taxes			
o	Backup withholding			
p	Other credits - see information below			
	RESERVED			
	Form 3468, lines 9 and 13, credit from cooperatives			
	RESERVED			
	Form 8820		Form 8881, Part I	
	RESERVED		Form 8881, Part II	
	RESERVED		Form 8882	
	Form 8835		Form 8908	
	Form 8845		Form 8910	
	Form 8874		Form 8936	
			Form 8941	
			Other credits	

Partner: ETHAN SHARP

10.000 %

ID: 767-26-5440

Compute partner's interest? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Amount
A Beginning balance	
B Partner's contributions	
C Increase in share of partnership liabilities	
D Ordinary income	113
E Separately stated income	
F Subtotal	113
G Distributions	
H Decrease in share of partnership liabilities	
I Ordinary loss	
J Separately stated losses and deductions	
K Nondeductible expenses	
L Other adjustments	
M Ending balance	113

Supplemental information for page 2, lines 20d and 20e

20d Qualified rehabilitation expenses, other than rental real estate		
Rehabilitation credit (Part III)		
Form 3468, line 11e, qualified rehabilitation expenditures		
Form 3468, line 11f, qualified rehabilitation expenditures		
Form 3468, line 11g, qualified rehabilitation expenditures		
20e Basis of energy property		
Qualifying advanced coal project credit		
Form 3468, line 5a, qualified investment		
Form 3468, line 5b, qualified investment		
Form 3468, line 5c, qualified investment		
Qualifying gasification project credit		
Form 3468, line 6a, qualified investment		
Form 3468, line 6b, qualified investment		
Qualifying advanced energy project credit		
Form 3468, line 7, qualified investment		
Reserved		
Energy credit (Part III)		
Form 3468, line 12a, qualified basis		Form 3468, line 12r, kilowatt capacity
Form 3468, line 12b, qualified basis		Form 3468, line 12t, qualified basis
Form 3468, line 12c, qualified basis		Form 3468, line 12w, qualified basis
Reserved		Form 3468, line 12y, qualified basis
Form 3468, line 12e, qualified basis		Form 3468, line 12z, qualified basis
Form 3468, line 12f, kilowatt capacity		Form 3468, line 12bb, qualified basis
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Form 3468, line 12l, kilowatt capacity		Form 3468, line 12ff, qualified basis
Reserved		Form 3468, line 12gg, qualified basis
Reserved		Form 3468, line 12hh, qualified basis
Form 3468, line 12q, qualified basis		

Application for Automatic Extension of Time To File Certain Business Income Tax, Information, and Other Returns

► **File a separate application for each return.**
► **Go to www.irs.gov/Form7004 for instructions and the latest information.**

Print or Type	Name	Identifying number
	A & E VENTURES LLC	86-3915214
	Number, street, and room or suite no. (If P.O. box, see instructions.)	
	PO BOX 953 NEEDFUL THINGS	
	City, town, state, and ZIP code (If a foreign address, enter city, province or state, and country (follow the country's practice for entering postal code).)	
	HOLLISTER FL 32147-	

Note: File request for extension by the due date of the return. See instructions before completing this form.

Part I Automatic Extension for Certain Business Income Tax, Information, and Other Returns. See instructions.

1 Enter the form code for the return listed below that this application is for. 09

Application Is For:	Form Code	Application Is For:	Form Code
Form 706-GS(D)	01	Form 1120-ND (section 4951 taxes)	20
Form 706-GS(T)	02	Form 1120-PC	21
Form 1041 (bankruptcy estate only)	03	Form 1120-POL	22
Form 1041 (estate other than a bankruptcy estate)	04	Form 1120-REIT	23
Form 1041 (trust)	05	Form 1120-RIC	24
Form 1041-N	06	Form 1120S	25
Form 1041-QFT	07	Form 1120-SF	26
Form 1042	08	Form 3520-A	27
Form 1065	09	Form 8612	28
Form 1066	11	Form 8613	29
Form 1120	12	Form 8725	30
Form 1120-C	34	Form 8804	31
Form 1120-F	15	Form 8831	32
Form 1120-FSC	16	Form 8876	33
Form 1120-H	17	Form 8924	35
Form 1120-L	18	Form 8928	36
Form 1120-ND	19		

Part II All Filers Must Complete This Part

2 If the organization is a foreign corporation that does not have an office or place of business in the United States, check here.

3 If the organization is a corporation and is the common parent of a group that intends to file a consolidated return, check here.
If checked, attach a statement listing the name, address, and employer identification number (EIN) for each member covered by this application.

4 If the organization is a corporation or partnership that qualifies under Regulations section 1.6081-5, check here. . .

5a The application is for calendar year 20 21, or tax year beginning _____, 20____, and ending _____, 20____

b **Short tax year.** If this tax year is less than 12 months, check the reason: Initial return Final return
 Change in accounting period Consolidated return to be filed Other (See instructions—attach explanation.)

6 Tentative total tax	6	0
7 Total payments and credits. See instructions	7	0
8 Balance due. Subtract line 7 from line 6. See instructions	8	0

For Privacy Act and Paperwork Reduction Act Notice, see separate instructions.

Form **8879-PE**

E-file Authorization for Form 1065

OMB No. 1545-0123

(For return of partnership income or administrative adjustment request)

- ▶ ERO must obtain and retain completed Form 8879-PE.
- ▶ Go to www.irs.gov/Form8879PE for the latest information.

2021

Department of the Treasury
Internal Revenue Service

For calendar year 2021, or tax year beginning _____, 2021, and ending _____, 20____.

Name of partnership A & E VENTURES LLC	Employer identification number 86-3915214
--	---

Part I Form 1065 Information (Whole dollars only)		
1 Gross receipts or sales less returns and allowances (Form 1065, line 1c)	1	3,875
2 Gross profit (Form 1065, line 3)	2	3,634
3 Ordinary business income (loss) (Form 1065, line 22)	3	1,127
4 Net rental real estate income (loss) (Form 1065, Schedule K, line 2)	4	
5 Other net rental income (loss) (Form 1065, Schedule K, line 3c)	5	

Part II Declaration and Signature Authorization of Partner or Member or Partnership Representative

I declare under penalties of perjury that:

- If the Form 1065 is being transmitted as part of a return of partnership income, I am a partner or member of the named partnership.
- If the Form 1065 is being transmitted as part of an administrative adjustment request (AAR), I am the partnership representative representative(PR) of the named partnership.
- I have examined a copy of the partnership's electronic Form 1065 (whether used as return or AAR) and accompanying forms, schedules, and statements, and to the best of my knowledge and belief, it/they is/are true, correct, and complete.
- I am fully authorized to sign the return or AAR on behalf of the partnership.
- The amounts shown in Part I above are the amounts shown on the electronic copy of the partnership's Form 1065.
- I consent to allow my electronic return originator (ERO), transmitter, or intermediate service provider to transmit the partnership's return or AAR to the IRS and to receive from the IRS (a) an acknowledgment of receipt or reason for rejection of the transmission and (b) the reason for any delay in processing the return or AAR.
- I have selected a personal identification number (PIN) as my signature for the partnership's electronic return of partnership income or AAR.

Partner or Member or PR PIN: check one box only

- I authorize PROFESSIONAL BUSINESS SERVICES to enter my PIN 11967 as my signature
ERO firm name Don't enter all zeros
 on the partnership's 2021 electronically filed return of partnership income or AAR.
- As a Partner or Member or PR of the partnership, I will enter my PIN as my signature on the partnership's 2021 electronically filed return of partnership income or AAR.

Partner or Member or PR signature ▶ _____
 Title ▶ AMBR Date ▶ 04/15/2022

Part III Certification and Authentication

ERO's EFIN/PIN. Enter your six-digit EFIN followed by your five-digit self-selected PIN. 50300842366
Don't enter all zeros

I certify that the above numeric entry is my PIN, which is my signature on the 2021 electronically filed return of partnership income or AAR for the partnership indicated above. I confirm that I am submitting this return or AAR in accordance with the requirements of **Pub. 3112**, IRS e-file Application and Participation, and **Pub. 4163**, Modernized e-File (MeF) Information for Authorized IRS e-file Providers for Business Returns.

ERO's signature ▶ CAROL SHERMAN Date ▶ 04/17/2022

**ERO Must Retain This Form — See Instructions
 Don't Submit This Form to the IRS Unless Requested To Do So**

A & E VENTURES LLC
 NEEDFUL THINGS
 PO BOX 953
 HOLLISTER FL 32147-

INVOICE DATE: 04/17/2022
 ID NUMBER: 86-3915214
 TELEPHONE: 386-916-0838
 INVOICE NO.: 13

2021 INVOICE

Description

- 1 Form 1065
- 1 Schedule B1, Information on Partners Owning 50% or More
- 2 Form 1065 K-1, Partner's Share of Income, Credits, etc.
- 1 Form 1125A, Cost of Goods Sold
- 1 Form 7004, Automatic Extension
- 1 Form 8879PE, IRS e-File Signature Authorization
- 1 Other Deductions Worksheet
- 2 Detail Sheets

Remarks:

Total Charges	200.00
Discount	
Sales Tax	
Payments	
Amount Due	200.00

Name: A & E VENTURES LLC

EIN: 86-3915214

ASSETS		LIABILITIES and EQUITY	
Cash.....	6,264.	Accounts payable.....	
Receivables.....		Mortgages, loans, etc.	
less bad debts.....		payable less than 1 year.	5,000.
Inventories.....		Other current liabilities.	
U.S. govt obligations....		All nonrecourse loans.....	
Tax-exempt securities....		Loans from partners and	
Other current assets.....		related persons.....	
Loans to partners/related		Mortgages, loans, etc.	
Mortgage and real		payable 1 yr or more.....	
estate loans.....		Other liabilities.....	
Other investments.....		Partners capital accts....	
Depreciable assets.....		Distributions from	
less accum depreciation.		K-1s.....	
Depletable assets.....		Total liabilities and	
less accum depletion....		capital.....	5,000.
Land.....			
Intangible assets.....			
less accum amortization.			
Other assets.....			
Total assets.....	6,264.		

INCOME		EXPENSE	
Gross receipts or sales..	3,875.	Cost of goods	
less returns and		Purchases.....	241.
allowances.....		Cost of labor.....	
Rental income		Other costs.....	
Gross rent from real		Accounting.....	
estate activities.....		Advertising.....	419.
Expenses.....		Amortization per books....	
Gross rent from other		Answering service.....	
rental activities.....		Auto and truck expense....	
Expenses.....		Bad debts.....	
Farm		Bank charges.....	33.
Gross.....		Charitable contributions..	
Expenses.....		Commissions.....	
Ordinary income (loss)		Computer expense.....	
from other partnerships,		Delivery and freight.....	
estates or trusts. If		Depletion per books.....	
you use the K-1 wkt, do		Depreciation per books....	
not enter amount here...		Dues and subscriptions....	75.
Gains or losses from		Employee benefits.....	
asset sales.....		Promotion.....	
		Gifts.....	
		Insurance.....	
		Interest (business).....	
		Interest (investment).....	
		Janitorial.....	
		Laundry and cleaning.....	
		Legal and professional....	
		Licenses and permits.....	164.
		Meals to be reduced.....	4.

INCOME		EXPENSE	
State tax refund.....		Miscellaneous.....	
Other income.....		Nondeductible expense.....	
Interest		Office expense.....	431.
Taxable.....		Outside services.....	
Portion of above amount		Parking fees and tolls....	
from US government		Portfolio deductions.....	
obligations.._____		Postage.....	
Tax-exempt.....		Printing.....	
Portion of above amount		Rent paid.....	
to be added to __ state		Repairs and maintenance...	
income..... _____		Retirement plans, etc.....	
Dividend income.....		Salaries and wages	
Royalty income.....		Other.....	
Other portfolio income		Partners.....	
or loss.....		Sales expense.....	
Other nontaxable income..		Security.....	
		Supplies.....	444.
		Taxes not listed below....	
		State income tax paid....	
		Telephone.....	
		Temporary help.....	
		Tools.....	
		Trade show expense.....	
		Training and seminars.....	
		Travel.....	
		Uniforms.....	
		Utilities.....	848.
		SALES TAX ..	91.
Total income.....	3,875.		
Total expense.....	2,750.		
Profit or loss.....	1,125.		

Personal Letters of Reference

Sheriff

H.D. "Gator" DeLoach
Putnam County Sheriff's Office



130 Oriole Griffin Blvd.
Palatka, FL 32177
(386) 329-0800
www.putnamsheriff.org

January 19, 2023

Terrance White, Esq.
1400 Hand Avenue, Suite D
Ormond Beach, FL 32174

Dear Mr. White,

I met Alex Sharp about 30 years ago following a court case involving a traffic stop. I was in high school and he was a Sergeant with Palatka Police Department and one of his officers wrote me a traffic infraction. I ended up taking the case to court and winning, a fact I do remind him of on occasion. However, it would be decades later before Alex and I would truly interact again as he decided to leave law enforcement full-time, create several successful business ventures and pursue a law degree.

The second time I met Alex, he was working for the Seventh Judicial Circuit State Attorney's Office and had taken over as the prosecutor of drug cases in Putnam County. I had moved on from high school, pursued my own career in law enforcement and was a lieutenant. At the time there was tension between the sheriff's office and the state attorney's office as it pertained to drug cases. Alex's professionalism and first-hand law enforcement knowledge helped bring balance and trust between both groups and led to a partnership that saw many successful verdicts in putting away prolific drug dealers.

When I became Sheriff, the general counsel for the office, Robin Strickler, informed me of his intent to retire. Robin recommended Alex to replace him as general counsel due to his prior working relationship with Alex while he was a law enforcement officer. The recommendation proved very beneficial for the sheriff's office as Alex's work ethic, knowledge of law enforcement and his work as an Assistant State Attorney gives him insight into both sides of the aisle. As general counsel, Alex has worked to seek alternative means of detention for those with medical and mental health issues. He has sought to work to move patients suffering from mental health to facilities and programs that would benefit them. He has also worked to release inmates awaiting trial for non-violent charges with physical medical issues to be supervised through ankle monitors while they seek out medical help. This not only places fragile inmates out of an environment that could further hinder their recovery, but also saves money on medical expenses. Additionally, when risk protection orders were statutorily required, Alex became an expert in the field, not only educating our deputies on the correct procedures, but also provided consultation for other agencies.

Outside of work, Alex works passionately for the community through his service to others. He has encouraged small business ventures, using his own experience as a successful business owner,

West District Office
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helping others attain their dream. He has served in the Rotary as well as coached youth soccer. Whenever called upon, he steps up to help those in need. He has acted as a relative placement foster parent for several years. I can't think of anyone who would work harder for our community if selected for appointment to the County Bench. Alex has a wealth of knowledge of the community, a willingness to serve and the heart and conviction to do the job well.

I thank you for your consideration of my letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "H.D. DeLoach, III". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

H.D. "Gator" DeLoach, III
Sheriff of Putnam County

OFFICE OF THE STATE ATTORNEY

SEVENTH JUDICIAL CIRCUIT OF FLORIDA
VOLUSIA, FLAGLER, PUTNAM & ST. JOHNS COUNTIES

R.J. Larizza
STATE ATTORNEY



251 North Ridgewood Avenue
Daytona Beach, FL 32114-7509
Phone (386) 239-7710
Fax (386) 239-7716

January 4, 2023

Terrance White, Esq.
1400 Hand Avenue, Suite D
Ormond Beach, FL 32174

Dear Mr. White,

I have known Alex Sharp for more than 25 years. When I first met Alex, he was an Officer with the Palatka Police Department. I was an adjunct professor with Columbia College and Alex was seeking his undergraduate degree. He attended classes while raising his family and working full-time as a Law Enforcement Officer. He was an excellent Student. He graduated and received his B.A. After his graduation, I watched Alex create and grow several successful businesses including a Pizza Restaurant, Real Estate Office, and Property Rental and Management Office. All of his businesses flourished. Additionally, Alex became very active in the community of Putnam County. As a member of Rotary and other civic organizations, he worked hard to improve the quality of life and opportunities for all Putnam County Residents.

After I was elected State Attorney, Alex informed me that he planned to attend Law School and obtain his Juris Doctorate. He attended Florida Coastal Law School, received his J.D. and passed the Florida Bar – all while continuing to manage his several successful Businesses. I hired Alex as an Assistant State Attorney and he began working in the Daytona Office as a Misdemeanor Prosecutor. He was promoted to the Felony Division and transferred to his native Putnam County. While in Putnam County he was promoted to the Drug Unit where he prosecuted high level Drug Trafficking cases. He worked hand in hand with the Putnam County Sheriffs Office Drug Unit and made significant progress in cleaning up the drug trade in Putnam County. He was so well liked by the PCSO that they offered him the job of General Counsel – which he accepted. He has distinguished himself in that capacity for the last several years.

Alex is passionate, dependable and reliable. He is dedicated, diligent and demonstrates a work ethic second to none. I trust his Judgement and I rely upon his advice. He is Humble, respectful and down to earth. Alex is an exceptional Husband and Father who cherishes and protects the sanctity of Family. I am confident he would serve the Citizens Of Putnam County with Dignity and Grace as a County Court Judge. He was born and raised in Putnam County – it is his Home. He cares about the folks who live there -and he knows and understands the County and its Citizens in a way few folks can. He has the intellectual ability to understand the complexities of the Law, the integrity to follow the Law, and the common sense to apply the law in a fair and equitable manner. The depth and breadth of Alex's life experience makes him uniquely,

specifically, and exceptionally qualified to be Putnam County's next County Court Judge. I have no doubt that should Alex be selected for Appointment to the County Bench he will carry out his duties in an exemplary and inspirational manner. It is without hesitation or reservation that I recommend Alex Sharp for Appointment to the vacant County Court position in Putnam County.

Sincerely,

A handwritten signature in black ink, appearing to read 'R.J. Larizza', written in a cursive style.

R.J. Larizza
State Attorney
Seventh Judicial Circuit



PUTNAM COUNTY

2509 Crill Avenue, Suite 200
Palatka, Florida 32177
(386) 329-0212

BOARD OF COUNTY COMMISSIONERS

Larry Harvey
County Commissioner, District 4

January 19, 2023

To whom it may concern;

I write this letter in support of Alex Sharp.

Mr. Sharp has risen through the ranks of the law enforcement, attorney (both private and public) and is the current General Counsel to the Sheriff of Putnam County. Mr. Sharp is active in our community with Rotary and many charitable organizations.

It's with great honor to always support local people for local positions and the current opening we have in Putnam County as our local judge. Since the elevation of Judge Boatwright we have our local judgeship open and I recommend Alex Sharp for that position.

Sincerely,

A handwritten signature in blue ink, appearing to be "L. Harvey", is written over the word "Sincerely,".

Larry Harvey,
Putnam County Board of Commissioners

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Reverend Karl N. Flagg, Senior Pastor

Email: church@mttabor-palatka.org Website: www.mttabor-palatka.org

January 17, 2023

Re: Gubernatorial Appointment for Mr. Alex Sharp

Putnam County Judge, Seventh Judicial Circuit, State of Florida

Honorable Governor Ron Desantis:

Thanks for the opportunity to provide this transitory note on behalf of Mr. Alex Sharp concerning our open County Judgeship. I remain confident that you will thoroughly evaluate numerous eligible candidates for the open judgeship in Putnam County and select the finest one. Mr. Sharp's credentials are very extensive and his public service record speaks volumes about his passion for Putnam County. His myriad professional skills are an indicator of his ambitious goals to maximize his talents for the benefit of our citizens. Please call me for any additional details you may need during your decision-making process.

Respectfully,

A handwritten signature in blue ink that reads "Karl N. Flagg". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Rev. Karl N. Flagg

Senior Pastor, Mt. Tabor First Baptist Church

KNF/da

Philip L. Leary, AICP
Putnam County School Board Member District 5



6052 Silver Lake Dr ♦ Palatka, FL 32177



January 19, 2023

To whom it may concern:

This letter serves as my personal and professional recommendation of Alex Sharp for appointment as Putnam County Judge. I have had the pleasure of knowing Alex for over thirty years and the unique opportunity to work with him in my current capacity as a Putnam County School Board Member and formally as Crescent City, City Manager and also as a Palatka City Commissioner.

His broad knowledge of the Law, professionalism and communication skills uniquely qualify him for the Judgeship, and I am honored to submit this letter of recommendation on his behalf.

Sincerely,

Philip L Leary

Philip L. Leary, AICP
Putnam County School Board
District 5

January 17, 2023

To Whom It May Concern,

I recommend Attorney Alex Sharp for the position of Putnam County Judge.

Having recently retired as the Inspector General of the Putnam County Sheriff's Office, I have worked directly with Alex for the last six years in his position as General Counsel for the Sheriff's Office. I found Alex to be professional, knowledgeable, impartial, and fair in all our dealings.

Alex's position as President of the Putnam County Bar Association demonstrates the confidence of other attorneys in Alex.

As a permanent resident of Putnam County, Alex's involvement in civic and charitable organizations speaks volumes of his patience, humility, and integrity.

Alex's experience as an Assistant States Attorney and General Counsel to the Sheriff's Office and his judicial temperament will be an asset to the court and the citizens of Putnam County.

Please feel free to contact me if any additional information is needed.

Sincerely,



John M. Zagar Sr



Phone: 

January 13, 2023

To Whom It May Concern:

I have known Alex Sharp since he was a very young man. He has worked extremely hard to dedicate his life to make Putnam County a safer and better place. His background in private business and law enforcement would be of tremendous benefit to continue his desire to enhance the lives of the people of our home town.

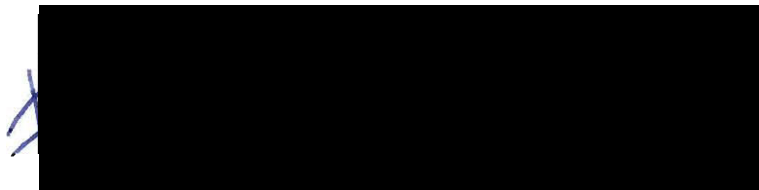
Alex is currently seeking the judicial vacancy open after the appointment of Judge Boatwright to the appellate court by Governor DeSantis. Please rule positively on his behalf and contact me if you need any additional information.

Thank you and please consider this as my letter of recommendation.

Sincerely,



David Buckles
Putnam County School Board
District 2





January 18, 2023

To Whom It May Concern:

The Putnam Republican Club enthusiastically supports Alexander M. Sharp, Esquire's appointment as Judge in the 7th Judicial Circuit of Florida. As President of the Club, I strongly believe that Mr. Sharp will serve our community well in this capacity.

I've had the privilege of knowing Mr. Sharp for many years and I've watched his interactions with people in many situations that includes friendly dinner conversation to concise decision-making to the effective handling of a volatile situation with a man threatening the safety of our State Senator, Travis Hutson. In the latter situation, Mr. Sharp deescalated the situation and Senator Hutson remained safe while speaking at a large political gathering.

Mr. Sharp is a well-respected member of the Putnam Republican Club and our community. His years of education, training and community engagement has given him the background as well as the life experience to serve as a judge. When reviewing the qualities of a great judge I find traits such as patience, humility, integrity, courage, clear eyes, a steady demeanor, alertness, and the ability to think creatively. I believe that Mr. Sharp possesses an abundance of each of these qualities. I also believe that Mr. Sharp has the temperament serve in the role of Judge. He has demonstrated over the years his open-mindedness, courtesy, tact, punctuality, firmness, understanding, compassion, humility, and most of all common sense.

I strongly support Alexander M. Sharp's appointment for Judge of the 7th Judicial Circuit of Florida.

Respectfully,

Rhonda D. Williams

Rhonda Drackett Williams
President, Putnam Republican Club

Personal Letter of Recommendation

1-20-23

To Whom it May Concern,

My name is T.J. Smith, I am a life long resident and business owner in Putnam County. I would like to recommend Alex Sharp for the newly vacant seat for county judge. I have known Alex for nearly twenty years as a fellow business owner and friend. I find him to be a very honest, competent and conservative person. I believe he would be a good fit because he has seen our county through many different points of view.

Please consider him for this position. Thank you and please do not hesitate to to contact me if you should require any further information.

T.J. Smith



(386) 972-9799

Tannerjayce10@gmail.com