

CLASSIFICATION: FELONY

STATE OF FLORIDA

VS.

IN THE CIRCUIT COURT OF THE SEVENTH
JUDICIAL CIRCUIT, IN AND FOR VOLUSIA
COUNTY, FLORIDA, IN THE YEAR TWO
THOUSAND TWENTY ONE

CASE NO: 2021 3039920 PDB

AGENCY: VCSO

NICOLE MARIE JACKSON-MALDONADO
W/F; DOB: 02/08/2007 SS#

INFORMATION

CHARGE(S):

- I) ATTEMPTED 1ST DEGREE MURDER OF A LAW ENFORCEMENT OFFICER (FIREARM)
- II) BURGLARY OF A DWELLING WHILE ARMED WITH A FIREARM
- III) CRIMINAL MISCHIEF (\$1000.00 or MORE)

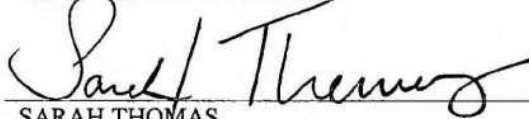
R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of the State of Florida and as such prosecuting attorney for this Court, in the name of and by the authority of the State of Florida charges that:

COUNT I: NICOLE MARIE JACKSON-MALDONADO on or about June 1, 2021, in the County of VOLUSIA and State of Florida, did unlawfully attempt to commit murder in the first degree upon Deputy Anthony Ray and/or Deputy Donald Gray and/or Deputy Michael Sawicki and/or Deputy Nicole Richardson and/or Deputy Anthony Zimmerer and/or Sergeant Omar Bello and/or Sergeant William Maxwell and/or Deputy David Winhoven, knowing that Deputy Anthony Ray and/or Deputy Donald Gray and/or Deputy Michael Sawicki and/or Deputy Nicole Richardson and/or Deputy Anthony Zimmerer and/or Sergeant Omar Bello and/or Sergeant William Maxwell and/or Deputy David Winhoven, was a law enforcement officer, while Deputy Anthony Ray and/or Deputy Donald Gray and/or Deputy Michael Sawicki and/or Deputy Nicole Richardson and/or Deputy Anthony Zimmerer and/or Sergeant Omar Bello and/or Sergeant William Maxwell and/or Deputy David Winhoven was engaged in the lawful performance of a duty or when the motivation for such attempt was related, all or in part, to the lawful duties of Deputy Anthony Ray and/or Deputy Donald Gray and/or Deputy Michael Sawicki and/or Deputy Nicole Richardson and/or Deputy Anthony Zimmerer and/or Sergeant Omar Bello and/or Sergeant William Maxwell and/or Deputy David Winhoven, by discharging and/or attempting to discharge a firearm towards Deputy Anthony Ray and/or Deputy Donald Gray and/or Deputy Michael Sawicki and/or Deputy Nicole Richardson and/or Deputy Anthony Zimmerer and/or Sergeant Omar Bello and/or Sergeant William Maxwell and/or Deputy David Winhoven, and in the course of committing said attempted murder did have in her actual possession a firearm, contrary to Florida Statutes 775.087, 782.04(1)(a)(1), 775.0823(2), and 777.04(1). (LIFE FELONY) (10/20 LIFE)

COUNT II: NICOLE MARIE JACKSON-MALDONADO, on or about June 1, 2021, in the County of VOLUSIA and State of Florida, while in actual possession of a firearm, did knowingly enter or remain in a dwelling, which was property owned by or in the possession of AJ BEDIZEL, and NICOLE MARIE JACKSON-MALDONADO was armed, or became armed, within such dwelling with a firearm, a dangerous weapon or explosive, with the intent to commit an offense therein, contrary to Florida Statutes 810.02(2)(b), 810.02(1), and 775.087(2). (1 DEG FEL, PBL)

COUNT III: NICOLE MARIE JACKSON-MALDONADO, on or about June 1, 2021, in the County of VOLUSIA and State of Florida, did unlawfully, willfully and maliciously, injure or damage, or place graffiti thereon or commit an act of vandalism to the property of AJ BEDIZEL, such damage being one thousand (\$1,000.00) dollars or more, contrary to Florida Statute 806.13(1)(b)3. (3 DEG FEL)

FOR THE STATE ATTORNEY


SARAH THOMAS

Bar No: 119419

ASSISTANT STATE ATTORNEY
SEVENTH JUDICIAL CIRCUIT OF THE

FILED
2021 JUN 17 PM 1:11
CLERK OF THE CIRCUIT
JUDICIAL CIRCUIT
VOLUSIA COUNTY
FLORIDA
CC 45

STATE OF FLORIDA
251 NORTH RIDGEWOOD AVENUE
DAYTONA BEACH, FL 32114
(386) 239-7710
ESERVICEVOLUSIA@SAO7.ORG

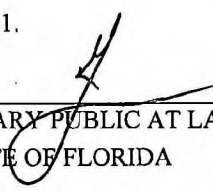
COUNTY OF VOLUSIA

STATE OF FLORIDA

Personally, appeared before me SARAH THOMAS, Assistant State Attorney, for the Seventh Judicial Circuit of the State of Florida, known to me to be the foregoing prosecuting officer, who being duly sworn, says that the allegations set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged. Subscribed in good faith. Said facts based on testimony of material witnesses.

SWORN to and subscribed before me this 17 day of June, 2021.

Submitted to the Clerk of the CIRCUIT
Court, Seventh Judicial Circuit, in and
For VOLUSIA County, Florida, on the
17 day of June, 2021.



NOTARY PUBLIC AT LARGE
STATE OF FLORIDA



EXHIBIT

2

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

STATE OF FLORIDA,

v.

NICOLE MARIE JACKSON
MALDONADO,

Defendant.

CASE NO.: 2021 303222 CFDB
JUDGE SANDRA C. UPCHURCH

**NOTICE OF APPEARANCE
AND WRITTEN PLEA OF NOT GUILTY**

The Public Defender for the Seventh Judicial Circuit, Matthew J. Metz, by and through the undersigned Assistant Public Defender, Larry Avallone, files this Notice of Appearance and Written Plea of Not Guilty on behalf of defendant, Nicole Marie Jackson Maldonado, in the above-referenced cause of action, and in so doing moves this Honorable Court to permit thirty (30) days for the filing of any defensive objections, motions or defenses.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by delivery to: Daytona State Attorney Office, Sarah Thomas, Assistant State Attorney, at eservicevolusia@sao7.org, on June 22, 2021.

/s/ Larry Avallone

LARRY AVALLONE
ASSISTANT PUBLIC DEFENDER
Florida Bar Number: 25697
251 N. Ridgewood Avenue
Daytona Beach, FL 32114
(386) 239-7730
Avallone.larry@pd7.org

EXHIBIT

3

CLASSIFICATION: FELONY

STATE OF FLORIDA

VS.

IN THE CIRCUIT COURT OF THE SEVENTH
JUDICIAL CIRCUIT, IN AND FOR VOLUSIA
COUNTY, FLORIDA, IN THE YEAR TWO
THOUSAND TWENTY THREE

CASE NO: 2021 303222 CFDB

AGENCY: VCSO [REDACTED]

NICOLE MARIE JACKSON-MALDONADO

W/F; DOB: 02/08/2007 SS#

AMENDED INFORMATION

CHARGE(S):

ATTEMPTED 1ST DEGREE MURDER WITH A FIREARM

BURGLARY OF A DWELLING WHILE ARMED WITH A FIREARM

CRIMINAL MISCHIEF (\$1000.00 OR MORE)

R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of the State of Florida and as such prosecuting attorney for this Court, in the name of and by the authority of the State of Florida charges that:

COUNT I: IN THAT NICOLE MARIE JACKSON-MALDONADO on or about June 1, 2021, in the County of VOLUSIA and State of Florida, did unlawfully attempt to commit murder in the first degree upon Deputy Anthony Ray and/or Deputy Donald Gray and/or Deputy Michael Sawicki and/or Deputy Nicole Richardson and/or Deputy Anthony Zimmerer and/or Sergeant Omar Bello and/or Sergeant William Maxwell and/or Deputy David Winhoven, by discharging and/or attempting to discharge a firearm towards/at Deputy Anthony Ray and/or Deputy Donald Gray and/or Deputy Michael Sawicki and/or Deputy Nicole Richardson and/or Deputy Anthony Zimmerer and/or Sergeant Omar Bello and/or Sergeant William Maxwell and/or Deputy David Winhoven, and in the course of committing said attempted murder did have in her actual possession a firearm which was discharged, contrary to Florida Statutes 782.04(1)(a)(1), 775.0823(2), 777.04(1), and 775.087 (1 DEG FELONY) (10-20 LIFE)

COUNT II: IN THAT NICOLE MARIE JACKSON-MALDONADO, on or about June 1, 2021, in the County of VOLUSIA and State of Florida, while in possession of a firearm, did knowingly enter or remain in a dwelling, which was property owned by or in the possession of AJ BEDIZEL, and NICOLE MARIE JACKSON-MALDONADO armed, or became armed within such dwelling with a firearm, a dangerous weapon or explosive, with the intent to commit an offense therein, and while such offense was committed did actually possess and discharge the firearm, contrary to Florida Statutes 810.02(2)(b) and 810.02(1) and 775.087(2). (1 DEG FEL, PBL)

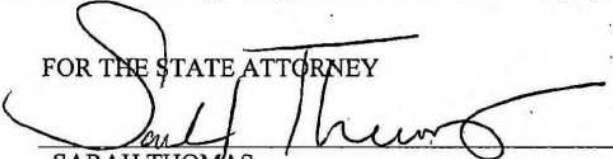
COUNT III: IN THAT NICOLE MARIE JACKSON-MALDONADO, on or about June 1, 2021, in the County of VOLUSIA and State of Florida, did unlawfully, willfully and maliciously, injure or damage, or place graffiti thereon or commit an act of vandalism to the home of/ house belonging to of AJ BEDIZEL, the property of AJ BEDIZEL, such damage being more than one thousand (\$1,000.00) dollars, contrary to Florida Statute 806.13(1)(b)3. (3 DEG FEL)

FILED
IN OPEN COURT

JAN 27 2023

Clerk Circuit & County
Court Volusia County, FL

FOR THE STATE ATTORNEY


SARAH THOMAS
ASSISTANT STATE ATTORNEY
FL BAR NO. 119419
SEVENTH JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA
251 NORTH RIDGEWOOD AVENUE
DAYTONA BEACH, FL 32114
(386) 239-7710
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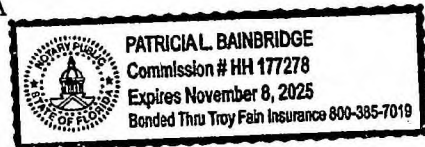
COUNTY OF VOLUSIA

STATE OF FLORIDA

Personally appeared before me SARAH THOMAS Assistant State Attorney, for the Seventh Judicial Circuit of the State of Florida, known to me to be the foregoing prosecuting officer, who being duly sworn, says that the allegations set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged. Subscribed in good faith. Said facts based on testimony of material witnesses. SWORN to and subscribed before me this 27 day of January, 2023.

Submitted to the Clerk of the CIRCUIT
Court, Seventh Judicial Circuit, in and
For VOLUSIA County, Florida, on the
27 day of January, 2023.


NOTARY PUBLIC AT LARGE
STATE OF FLORIDA



EXHIBIT

4

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

STATE OF FLORIDA

VS.

NICOLE MARIE JACKSON-MALDONADO /

CASE NO.: 2021 303222 CFDB

JUDGE: ELIZABETH A BLACKBURN

DEFENDANT

PLEA

2021-00722-CFA

1. I, NICOLE MARIE JACKSON-MALDONADO the defendant herein, withdraw my previously entered plea(s) of Not Guilty, and enter a plea(s) as follows:

- I. () Guilty (X) Nolo Contendere 775.0823 2 ATTEMPTED 1ST DEGREE MURDER OF LAW ENFORCEMENT OFFICER 1 F
II. () Guilty (X) Nolo Contendere 810.02 2b BURGLARY OF A DWELLING WHILE ARMED WITH A FIREARM 1 F
III. () Guilty (X) Nolo Contendere 806.13 1b3 CRIMINAL MISCHIEF (\$1000.00 OR MORE) 3 F

2. I understand that if the Court accepts my Plea(s) I give up my right to trial, at which I would have the following rights: (1) to have a jury determine whether I am guilty or not guilty, or to have a judge make such a determination in a non-jury hearing; (2) to see and hear witnesses testify and to have my lawyer question them for me; (3) to subpoena and present witnesses and items in evidence in my defense and to present any defense I might have to a jury or judge; (4) to testify or remain silent; (5) to require the prosecutor to prove my guilt by admissible evidence beyond a reasonable doubt before I can be found guilty. I further understand that I give up my right to appeal all matters except court rulings entered after this plea is entered, an illegal sentence, or the court's authority (jurisdiction) to hear my case, and I agree to pay all costs and attorneys fees of any appeal which I attempt to pursue on any other subject. My lawyer has explained to me what an appeal is, and I understand that changing my mind about entering this plea, after it is accepted, will not require the court to let me withdraw it, nor will it make the court's sentence illegal or deprive the court of authority to sentence me.
3. I understand that a plea of "Not Guilty" denies that I committed the crime charged. I also understand that a plea of "Guilty" admits I committed the crime charged, a "Best Interest Guilty" plea and a plea of "Nolo Contendere" mean I do not contest the state's evidence against me. By entering the above plea(s) I am voluntarily submitting myself to the court's sentencing authority. I understand that if the court accepts my plea(s), there will be no trial, and the court will impose sentence based on my plea(s). I agree that a factual basis for the court to accept my plea(s) is contained in documents in the court file, including the complaint affidavit(s). I understand that if I am not a citizen of the United States, I may be deported. I understand that the court may impose a fine, court costs, other fees and a fee and/or lien for the services of the Public Defender.
4. I have read the Information or Indictment in this case, and I understand the charges to which I am pleading. I stipulate that there is a factual basis described in court documents to support the charge(s) against me. My lawyer has explained to me: the maximum and minimum penalty(ies) for the charges against me, including enhanced sentencing laws for which the state has given my lawyer notice; the essential elements of the crime(s) I am charged with, and all defenses I might have. I understand that if I am on parole or probation in any other case, this plea can cause that parole or probation to be revoked and I can receive a separate sentence up to the maximum allowed by law for that (those) case(s).
5. No one has promised me anything to get me to enter this (these) plea(s), except as stated herein. I understand that the judge has made no promises as to what sentence I will receive, other than a lawful sentence. I further understand that, unless the judge accepts this plea as a "conditional plea" and those words appear in the space below, the judge is not required to follow any state or defense recommendation regarding sentence, and, if I receive a sentence of probation, I may be required to serve time in the county jail as a condition of probation. The state recommends the following sentence:

- Count I: Plea to amended charge of Attempted 1st Degree Murder, a first degree felony. Adjudication of Guilt - 20 years Florida Department of Corrections. Followed by 10 years Probation. Waive Min Mandatory 5/10-20-Life
- Count II: Plea as charged. Adjudication of Guilt - 30 years probation to run consecutive to count I. -restitution to be ordered, but reserved as to amount for 60 days.
- Count III: Plea as charged. Adjudication of Guilt - 5 years probation to run consecutive to Count I. -restitution to be ordered, but reserved as to amount for 60 days.

FILED
IN OPEN COURT

- Special Conditions of Probation to include:
 - Random Urinalysis at discretion of probation.

JAN 27 2023
Clerk Circuit & County
Court Volusia County, FL

5 Counts Arson 590.28(1) 3F
1 Count Felony Criminal Mischief 3F
Flaaten Case (2021-00722)

- Do not possess firearms and/or weapons.
- Do not reside at any home or location where firearms and/or weapons are present.
- Undergo Mental Health Evaluation within 60 days upon release from Department of Corrections - must follow any recommended treatment and/or take medication as prescribed.
- Subject to warrantless searches of person or property for term of probation.
- Upon release from DOC - must show proof to probation that Defendant is either seeking gainful employment or enrolled in academic/trade program.
- Standard Court Costs, \$100 Cost of Prosecution, \$100 Cost of Investigation to VOLUSIA COUNTY SHERIFF'S OFFICE*

*Pursuant to Florida Statute 938.27, the law enforcement agency has requested investigative costs be rendered against the convicted party. The law enforcement agency has agreed to assess \$100 cost of investigation if the convicted party agrees to stipulate to this amount. If the convicted party does not wish to agree to this amount, the law enforcement agency requests the amount be reserved for a hearing and will provide an affidavit of costs pursuant to Florida Statute 938.27(7) and will request the court hold a hearing determining the total amount of investigative costs.

Fla. Stat. 938.27(7) DOC (volusia)

6. No one has pressured or forced me to enter this (these) plea(s). I am entering this (these) plea(s) because I am guilty of the crimes charged or I believe it is in my best interest to do so. I am doing this voluntarily and of my own free will.
7. I understand that my sentence will be imposed under the Sentencing Guidelines that apply to my case, unless I qualify for enhanced penalties under Fla. Stat. ch. 775, or other statutes. If no enhanced sentence is requested or applies, I understand that the court can impose a sentence exceeding the guideline range only by stating clear and convincing reasons under the guidelines law. If the court does impose a sentence exceeding the guidelines range, I will have the right to withdraw my plea(s) or appeal the sentence, unless enhanced penalties apply and are lawfully imposed. No representations or promises have been made to me regarding "gain time," "good time," "early release," or any credit toward my sentence, which I understand the court and my lawyer cannot affect. I understand that only the Department of Corrections can calculate any release date.
8. This paragraph applies if this or another case against me involves a sex-related charge (even if a reduced charge). My lawyer has explained the mandatory, statutory conditions of sex-offender probation, and the law of involuntary civil commitment under the Involuntary Civil Commitment for Sexually Violent Predators act, the "Jimmy Ryce Act," or similar statutes.
9. I understand and agree that if the judge permits me to remain at liberty pending sentencing, I must notify my lawyer, my bondsman, my pre-trial release officer, if any, and the Clerk of the Court of any change of my address. I also understand that if a Pre-Sentence Investigation (PSI) is ordered and I fail to appear for any appointment with the Department of Corrections for the PSI interview, the court can revoke my release and place me in jail until the PSI is completed or until sentencing.
10. I understand that if I willfully fail to appear for sentencing, any conditions of a "conditional plea" will no longer be binding upon the judge, and that I may be sentenced to any lawful sentence that could be imposed without the conditions.
11. I can read, write, speak and understand the English language or have had an interpreter in my native language assigned to me who has read this entire document to me with my lawyer present. I have 6 years, or equivalent, of education (example: high school or GED = 12 years). I am not under the influence of any drug, medicine or alcohol at the time I sign this plea form. I am not suffering from any mental problems at this time that affect my understanding of this document, other than as explained to the judge on the record in open court, or as reflected in the court file.
12. I have read and understand every printed or handwritten word in this plea form and have discussed it with my lawyer. I am fully satisfied with the services of my lawyer and have had a full opportunity to discuss this case and my plea(s) with my lawyer. I have told my lawyer everything I know about my case. No one, including my lawyer, has made any promises or representations to me which modify or contradict this plea document, other than what I have told the judge in open court.

SIGNED in open court DAYTONA BEACH, VOLUSIA County, Florida on Jan. 27, 2023

Ni L. M.
 DEFENDANT
 NICOLE MARIE JACKSON-MALDONADO

CERTIFICATE OF DEFENDANT'S ATTORNEY

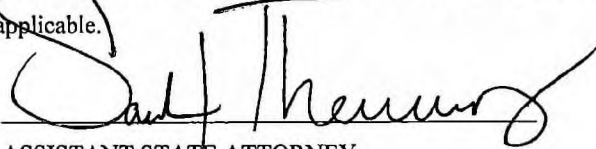
I hereby certify that, as counsel for the Defendant, I have discussed this case with my client and explained the rights, defenses and evidence relating to it with him/her. I have discussed this written plea form and have answered all the defendant's questions regarding it. In my professional opinion,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



COUNSEL FOR DEFENDANT 25697
LAWRENCE AVALLONE

CERTIFICATE OF ASSISTANT STATE ATTORNEY

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

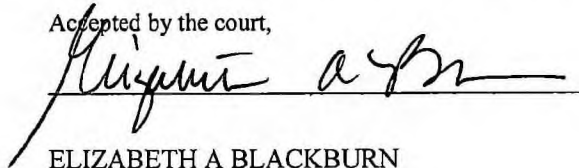


ASSISTANT STATE ATTORNEY
SARAH THOMAS

ORDER ACCEPTING PLEA

The foregoing plea document was received and accepted in open court. The Defendant signed or acknowledged signing this document while under oath and subject to the penalties of perjury. The court finds the plea to be freely and voluntarily entered and that a factual basis exists in the record for the court to accept it. By accepting this plea(s), the court is not required to follow any state or defense recommendation stated herein, unless a "Conditional Plea" is fully described in paragraph 5, above.

Accepted by the court,



ELIZABETH A BLACKBURN

EXHIBIT

5

7th. Judicial Circuit 707
Charging Affidavit - Volusia

Arrest # _____ Bk # _____ Pg # 1 of 3

ARREST ☒ NOTICE TO APPEAR ☐ AFFIDAVIT ☐ C.C. ☐ ADULT ☐ JUVENILE ☒		Court Case Number: 2021 303222 CFDB	
(ORI) FL: FL0640000		Agency Name: VOLUSIA COUNTY SHERIFF'S OFFICE	
FCIC/NCIC Check? ☒ Yes ☐ No		OBTS # _____	
ADDRESS OF ARREST (Street, City, State, Zip): 3840 Old Deland Road (DJJ) DAYTONA BEACH FL		Arrested: By: WHEELER, STEVE	
DEFENDANT NAME (Last) JACKSON (First) NICOLE (Middle) _____		A.K.A.: _____	
DOB: 02-08-2007		Age: 14 Driver's Lic./ ID No.: _____	
Height: 5' 11"		Weight: 140 Hair: BLN Eyes: BLU P.O.B. (City, State, Country): _____	
Scars, Marks, Tattoos: _____		Business & Occupation: _____	
Probation: Yes ☐ No ☒		Sexual Predator: Yes ☐ No ☒	
English: Yes ☒ No ☐		Deaf/Mute: Yes ☐ No ☒	
Address - Mailing/Permanent (STREET, APT. NUMBER) 51 CHILDRENS WAY (CITY) ENTERPRISE (STATE) FL (ZIP CODE) 32725 (RESIDENCE PHONE) _____		Address - Local (STREET, APT. NUMBER) _____ (CITY) _____ (STATE) _____ (ZIP CODE) _____ (RESIDENCE PHONE) _____	
Address - Other (Employer/School) (STREET, APT. NUMBER) _____ (CITY) _____ (STATE) _____ (ZIP CODE) _____ (BUS/SCHOOL PHONE) _____			
CHARGES DOMESTIC VIOLENCE? Yes ☐ No ☒		Attachments: Affidavit(s)? ☐ Statement(s) ☐ NTA Schedule ☐ Report ☐ Traffic Infraction(s) ☐ DUI ☐ Total Charges: 1	
#1 Charge: In State Fugitive with Warrant		FEL ☒ MISD ☐ ORD ☐ FS/ORD: 901.15(12)C Citation No.: _____ Bond: _____	
#2 Charge: _____		FEL ☐ MISD ☐ ORD ☐ FS/ORD: _____ Citation No.: _____ Bond: _____	
#3 Charge: _____		FEL ☐ MISD ☐ ORD ☐ FS/ORD: _____ Citation No.: _____ Bond: _____	
CO-DEFENDANT Co-Def #1. Arrested? Y ☐ N ☐ Fel. ☐ Misd. ☐ Traf. ☐ Ord. ☐ NTA ☐		Co-Def #2. Arrested? Y ☐ N ☐ Fel. ☐ Misd. ☐ Traf. ☐ Ord. ☐ NTA ☐	
#1 NAME (Last) _____ (First) _____ (Middle) _____		Race: _____ Sex: _____ DOB: _____ Age: _____	
#2 NAME (Last) _____ (First) _____ (Middle) _____		Race: _____ Sex: _____ DOB: _____ Age: _____	
NARRATIVE The undersigned certifies and swears that there is probable cause to believe the above-named defendant, on the 17 day of June, 2021, at approximately 0145 a.m. ☐ a.m. ☒ p.m. at 3840 Old Deland Road DAYTONA BEACH within Volusia County, violated the law and did then and there: 1 On 6/17/21, Nicole Jackson (DOB 02/08/2007) has an outstanding warrant reference Attempted First Degree Murder (LEO), Armed Burglary, and 2 Criminal Mischief Damage Property \$1,000 or more. Warrant number #2021224916 was issued on 6/17/21 by Judge Craig. 3 4 BOND AMOUNTS: 5 Attempted First Degree Murder (LEO) - No Bond 6 Armed Burglary - No Bond 7 Criminal Mischief Property Damage of \$1,000 or more - \$20,000.00 bond 8 9 Jackson was transported from the Department of Juvenile Justice to the Volusia County Branch Jail for processing.			
NOTICE TO APPEAR MANDATORY APPEARANCE ☐		YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY ☐	
FINE, AND COSTS AMOUNT: _____			
I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.			
SIGNATURE OF DEFENDANT _____		Date _____	
Sworn to and subscribed before me, the undersigned this _____ day of _____, _____		Name: _____	
Notary Public ☐ Law Enforcement or Corrections Officer ☐		Personally Known ☐ Produced Identification ☐	
Type of Identification: _____		OFFICER'S/COMPLAINANT'S SIGNATURE WHEELER, STEVEN F 7960	
NAME (PRINTED) _____		ID NUMBER _____	
Inmate Number & Facility: _____		OFFICIAL USE ONLY	

Volusia

Pg # 2 of 3

Notice to Appear Instruction Sheet

Follow these instructions according to the boxes checked.

Court Case Number:
Agency Case Number:

- ☐ **Mandatory Court Appearance --** You MUST appear at COURT. You will receive a Notice of Arraignment from the County Clerk's Office at the mailing address you have given. Failure to appear at the time and place designated, will result in a warrant being issued for your arrest.
- ☐ **Court Appearance Not Mandatory --** You MUST comply with EITHER A or B:

**PAYMENTS SHOULD BE MADE PAYABLE TO:
CLERK OF THE COURT.**

- A. Pay the Fine:** You must complete the waiver information below and either mail or personally present this citation at the Clerk's Office checked below, from 8:00 a.m. to 4:30 p.m., Monday through Friday within 15 days of the issuance of this Notice to Appear. ***Fines may be paid in cash, personal check, money order or certified check made payable to: Clerk of the Court . (DO NOT MAIL CASH.)***

Total fine and costs you must pay: \$ _____

- B. Contest the Citation:** You MUST request that a court date be set within 15 days of the issuance of this Notice to Appear (if the 15th day falls on a Saturday, Sunday or legal holiday, the period is extended to the next working day) by either appearing between the hours of 8:00 a.m. and 10:00 a.m. at the Clerk's Office checked below, or by mailing your written request to the Clerk of the Court at the address checked below.

COUNTY CLERK'S OFFICES:

- ☐ Volusia County Courthouse, room B155, 101 N. Alabama Avenue, Deland, FL, 32724
- ☐ Court House Annex, room 109, 125 E. Orange Avenue, Daytona Beach, FL, 32114
- ☐ Volusia County Courthouse, room 6, 124 N. Riverside Drive, New Smyrna Beach, FL, 32169

I agree to appear at the time and place as designated above to answer the listed charge(s) or pay the fine and costs. I understand that if I willfully fail to request a court date and/or fail to appear before the court as required by this Notice to Appear, or fail to pay the indicated fine and costs on or before the date set forth above, I may be held in contempt of court and a warrant for my arrest will be issued.

DEFENDANT'S SIGNATURE (MANDATORY): _____

ATTENTION: PERSONS WITH DISABILITIES

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Avenue, Ste.300, Daytona Beach, FL 32114; Telephone: 386-257-6096 within two (2) working days of your receipt of this notice: If you are hearing or voice impaired, call 1-800-955-8771 or 1-800-955-8770. THIS IS NOT A COURT INFORMATION LINE.

Plea and Waiver Information

If this notice indicates that you have the option to pay a fine or appear in court and you choose to pay the fine, follow the instructions in paragraph A above. Read and sign this page. This page MUST be returned to the clerk's office with your fine payment.

1. In consideration of my not appearing in court, I enter my plea on the affidavit in this case, for the offense charged, waiving my right to be present and the reading of the affidavit. I understand the nature of the charge(s) against me and hereby enter my plea of guilty ☐ or nolo contendere (no contest) ☐.
2. In doing so, I understand the nature of the charge(s) against me, I understand that I waive my right to counsel, the right to a trial before a judge or jury, the right to a continuance, and the right to appeal. Payment of this fine will result in adjudication of guilt to this charge being withheld.
3. By my signature, I acknowledge that I understand the above statements. I am not under the influence of alcohol or drugs. I also certify that my address listed below is correct.

Defendant's Signature: _____
(First) (Middle) (Last)

Date: _____

Defendant's Name (print): _____

Defendant's Address: _____

Witness/Victim/Evidence Form 707-A

☒ Arrest
☐ Affidavit
☐ Notice to Appear

☐ Adult
☒ Juvenile

Court Case
Number:

Page # 3 of 3

Defendant (Last)		(First)	(Middle)	Agency Case Number:		210010202			
Name: JACKSON		NICOLE							
Name: (Last)	(First)	(Middle)	Vic ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Wit ☐	Zip:	Home: Phone:	Statement: ☐ Yes ☐ No			
Bus/School Address:				Zip:	Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:				Phone:		
Name: (Last)	(First)	(Middle)	Vic ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Wit ☐	Zip:	Home: Phone:	Statement: ☐ Yes ☐ No			
Bus/School Address:				Zip:	Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:				Phone:		
Name: (Last)	(First)	(Middle)	Vic ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Wit ☐	Zip:	Home: Phone:	Statement: ☐ Yes ☐ No			
Bus/School Address:				Zip:	Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:				Phone:		
Name: (Last)	(First)	(Middle)	Vic ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Wit ☐	Zip:	Home: Phone:	Statement: ☐ Yes ☐ No			
Bus/School Address:				Zip:	Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:				Phone:		
Name: (Last)	(First)	(Middle)	Vic ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Wit ☐	Zip:	Home: Phone:	Statement: ☐ Yes ☐ No			
Bus/School Address:				Zip:	Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:				Phone:		
Name: (Last)	(First)	(Middle)	Vic ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Wit ☐	Zip:	Home: Phone:	Statement: ☐ Yes ☐ No			
Bus/School Address:				Zip:	Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:				Phone:		
Name: (Last)	(First)	(Middle)	Vic ☐	Race:	Sex: M ☐ F ☐	Age:	DOB:	SSN:	
Address (#, Street, City, State):			Wit ☐	Zip:	Home: Phone:	Statement: ☐ Yes ☐ No			
Bus/School Address:				Zip:	Bus: Phone:				
Relative/Contact Name			Relative/Contact Address:				Phone:		

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner Name (Last) (First) (Address)	(Phone)	Value	
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner Name (Last) (First) (Address)	(Phone)	Value	
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount

I certify that the foregoing is a complete list of witnesses/victims & evidence known to me.

WHEELER, STEVEN F
Investigating Officer

Steven F. Wheeler 7960
ID Number

VCSSO
Agency

EXHIBIT

6

COURT/SESSION TYPE: Case Management Conference

DATE: 01/05/2023

TIME: 01:30 PM

JUDGE: BLACKBURN Div. 40

ATTY: LAWRENCE AVALLONE

BNA:

LOCATION: Justice Center Courtroom 4, 251 N. RIDGEWOOD AVENUE, DAYTONA BEACH, FLORIDA

**LAURA E. ROTH
CLERK OF THE CIRCUIT COURT
VOLUSIA COUNTY, FLORIDA
P.O. BOX 6043
DELAND, FL 32721-6043**

PARTIES PRESENT		RELEASE ACTIONS		Custody/Capias/Estrat		Continued To:		By Del		By State		By Court		Waived Spdy, Tr	
☒ DEF. APPEARED	☒ APP W/COUNSEL	☐ TOTAL BOND FOR CASE SET	☐ CAPIAS ISSUED-BOND SET	☐ AT \$	☐ BOND ESTREATED	Continued To:									
☐ DEF. COUNSEL APP. W/OUT DEF.	☐ AT \$	☐ DEF. RORD	☐ DO NOT ESTREAT BOND	☐ BOND REINSTATED	REMARKS: REQUEST FOR NELSON HEARING.										
☐ DEF. FAILED TO APPEAR	☐ RELEASE TO PTS	☐ CAPIAS WITHDRAWN	☐ BOND ESTR. SET ASIDE	☐ OTHER:	MOTION TO REMOVE COUNSEL-DENIED										
ATTORNEY STATUS		☐ RELEASE TO PTS	☐ CAPIAS WITHDRAWN	☐ BOND ESTR. SET ASIDE	DKS 2/21/23 @ 1:30 PM										
☐ APP. IND. STATUS - PD APP.	☐ RELEASE TO PTS WBOND	☐ OTHER:	☐ HOLD CAPIAS-PTS INVEST.	☐ 48 HRS	TRIAL SET FOR 2/27/2023										
☐ APP. IND. STATUS - NOT INDIGENT	☐ NO CONTACT W/CTIM	☐ OTHER:			HEARING SET FOR PENDING MOTIONS 2/26/23 @ 8:30AM										
☐ PD APP. BY COURT	☐ NO VIO. CONTACT W/CTIM	☐ OTHER:			ALL PRE-TRIAL MOTIONS TO BE FILED BY 1/27/23										
☐ DEF. TO RETAIN COUNSEL	☐ OTHER:														
☐ PD WITHDREW	☐ ATT'Y TO BE APPT														
☐ OTHER:															
☐ OTHER:															
CT. CHARGE		COURT ACTION		INCARCERATION/PROBATION/COMMUNITY CONTROL INFORMATION											
1 ATT. 1ST DEG MURDER LAW ENFORCEMENT OF C-FIREARM		1 N.G. PLEA		VCL		MO		DY		PROB. REVOKED		COSTS			
Statute: 782.04(1)(a)1		LVL:F DEGL		NO INFO.		DOC		DY		C.C. REVOKED		FINE \$			
		☐ GUILTY PLEA		NO INFO.		JAIL CREDIT TIME		DY		PROB. REINSTATE		PD FEE \$			
		☐ NO INFO. PLEA		DISMISSED		PROB		YR		C.C. REINSTATE		SAO FEE \$			
		☐ NG. VERDICT		JGMT ACQT.		COM CONT.		YR		PROB. MODIFIED		LEO FEE \$			
		☐ GUILTY VERDICT		ADJ. WITHHELD		DRUG OFFENDER		SEX OFFENDER		C.C. MODIFIED		PD APP. FEE			
		☐ MISTRIAL		ADJ. GUILTY		CONCURRENT		CONSECUTIVE TO:		STANDARD COND.		REST. \$			
		☐ ADMIT		DENV: VOP/NOCC		HRS. COM. SERVICE				PREVIOUS COND.		OTHER:			
		☐ WAIVED PSI		☐ PDR ORDERED		SUBST. ABUSE COUNSEL/TREAT.				PREVIOUS COND.		☐ CONVERT. FINE/COST JDGMT			
		☐ PSI ORDERED		☐ PDR ORDERED		RANDOM U/A		NO ALCOHOL/ILL. DRUG		COS WAIVED		☐ PREVIOUS COST TO JDGMT			
		TO BE SENT:		TO BE SENT:		MAY CONVERT CRT COST TO CS \$		PER HOUR		PROB. TERMINATED					
		N.G. PLEA		NO INFO.		VCL		MO		DY		PROB. REVOKED		COST COSTS \$	
		GUILTY PLEA		NO INFO. PROSS.		DOC		YR		DY		C.C. REVOKED		FINE \$	
		NO INFO. PLEA		DISMISSED		JAIL CREDIT TIME		DY		PROB. REINSTATE		PD FEE \$			
		NG. VERDICT		JGMT ACQT.		PROB		YR		C.C. REINSTATE		SAO FEE \$			
		GUILTY VERDICT		ADJ. WITHHELD		COM CONT.		YR		PROB. MODIFIED		LEO FEE \$			
		MISTRIAL		ADJ. GUILTY		DRUG OFFENDER		SEX OFFENDER		C.C. MODIFIED		PD APP. FEE \$			
		ADMIT		DENV: VOP/NOCC		CONCURRENT		CONSECUTIVE TO:		STANDARD COND.		REST. \$			
		WAIVED PSI		☐ PDR ORDERED		HRS. COM. SERVICE				PREVIOUS COND.		OTHER:			
		PSI ORDERED		☐ PDR ORDERED		SUBST. ABUSE COUNSEL/TREAT.				PREVIOUS COND.		☐ CONVERT. FINE/COST JDGMT			
		TO BE SENT:		TO BE SENT:		RANDOM U/A		NO ALCOHOL/ILL. DRUG		COS WAIVED		☐ PREVIOUS COST TO JDGMT			
		N.G. PLEA		NO INFO.		MAY CONVERT CRT COST TO CS \$		PER HOUR		PROB. TERMINATED					
		GUILTY PLEA		NO INFO. PROSS.		VCL		MO		DY		PROB. REVOKED		COST COSTS \$	
		NO INFO. PLEA		DISMISSED		DOC		YR		DY		C.C. REVOKED		FINE \$	
		NG. VERDICT		JGMT ACQT.		JAIL CREDIT TIME		DY		PROB. REINSTATE		PD FEE \$			
		GUILTY VERDICT		ADJ. WITHHELD		PROB		YR		C.C. REINSTATE		SAO FEE \$			
		MISTRIAL		ADJ. GUILTY		COM CONT.		YR		PROB. MODIFIED		LEO FEE \$			
		ADMIT		DENV: VOP/NOCC		DRUG OFFENDER		SEX OFFENDER		C.C. MODIFIED		PD APP. FEE \$			
		WAIVED PSI		☐ PDR ORDERED		CONCURRENT		CONSECUTIVE TO:		STANDARD COND.		REST. \$			
		PSI ORDERED		☐ PDR ORDERED		HRS. COM. SERVICE				PREVIOUS COND.		OTHER:			
		TO BE SENT:		TO BE SENT:		SUBST. ABUSE COUNSEL/TREAT.				PREVIOUS COND.		☐ CONVERT. FINE/COST JDGMT			
		N.G. PLEA		NO INFO.		RANDOM U/A		NO ALCOHOL/ILL. DRUG		COS WAIVED		☐ PREVIOUS COST TO JDGMT			
		GUILTY PLEA		NO INFO. PROSS.		MAY CONVERT CRT COST TO CS \$		PER HOUR		PROB. TERMINATED					
		NO INFO. PLEA		DISMISSED		VCL		MO		DY		PROB. REVOKED		COST COSTS \$	
		NG. VERDICT		JGMT ACQT.		DOC		YR		DY					

Filed in Open Court this 05 day of January, 2023.

DEPUTY CLERK IN ATTENDANCE

CASE: 2021 303222 CFDB

DATE: 01/05/2023

COURT/SESSION TYPE: Case Management Conference

STATE OF FLORIDA

TIME: 01:30 PM

JUDGE: BLACKBURN Div. 40

SPN: 938926

VCCF BKG# 1087471

Page 2 of 2

EXHIBIT

7

21.303222

FILED
IN OPEN COURT

JAN 05 2023

Clerk Circuit & County
Court Volusia County, FL

What to say: ①

1. yes i want Trial Your honor.
2. as u may know ^{or not} i Filed a motion to remove ~~my~~ my Public defenders (MR. avallone, and MS. roberts.)
3. i want to dismiss my Public defenders, because they mislead me
4. They Keep Telling i must take this deal, or this court will give me 2 life sentences Plus 30 years (for Flager case) That's Threatening.
5. They have never informed ^{me} about ~~my~~ my right, to elect The Sentencing guidelines, and never gone over any worksheet.
6. They ignored ~~all~~ all my questions regards The sentencing guidelines laws.
7. MR. allone and MS. roberts, never allowed me to appear at my Flager case, and after 5 hearings, was Arrested for failure to appear

07/19
07/19/17
07/19/17
8. Then my ~~next~~ next 2 hearings in
Flager case, MR. avallone told me i was
not needed, and volusia deputies ~~and~~
did not have the time to bring me up
there.

EXHIBIT

8

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR DAYTONA BEACH, VOLUSIA COUNTY, FLORIDA

THE STATE OF FLORIDA
Petitioner

-V-

CASE No. 2021 303222 CFDB

Nicole Jackson Maldonado
Defendant

**MOTION FOR RECONSIDERATION TO DISMISS DEFENSE COUNSEL AND
REQUEST FULL NELSON HEARING**

COMES NOW the Defendant Nicole Jackson Maldonado in pro se in the above styled cause and pursuant to pretrial motion Fla.R. Crim.P. 3.190 (a) respectfully request this Honorable Court to Re-Hear the above by ordering a full and complete NELSON HEARING and dismiss Defendants Public Defenders Lawrence Avallone and Jessica Roberts.

This motion is submitted due to the fact that Defendant was present before this Court on 01/05/2023 for a pretrial hearing in the above case. Defendant informed this Court about Defendants motions that were being submitted to dismiss her Public Defenders. However, this Court mistakenly believed those motions were the 'solitary confinement motions' that had been filed on behalf of Defendant. However, that was incorrect.

With that mistaken belief this Court proceeded to commence what the Court thought was Defendants actual motion and proceeded and went on to hold a

Nelson Hearing believing it had complete facts to make full informed decision.

However, this instant motion was the actual motion to be presented to this Court.

Defendant now requests that the issues be fully presented and resolved.

Defendant would like to begin by apologizing for the length of such motion but Defendant has taken the advice of this Court when it said be careful with what is said in court. (no doubt due to Defendants nervousness.) With that said, Defendant will allow her motion to speak for her and to preserve the issues:

Defendant cites Nelson v. State 274 So. 2d 256 (4th DCA 1973) "It follows from the foregoing that where a defendant, before the commencement of trial, makes it appear to the trial judge that he desires to discharge his court appointed counsel, the trial judge, in order to protect the indigent's right to effective counsel, should make an inquiry of the defendant as to the reason for the request to discharge".

Defendant hopes that these facts presented in this motion will show the Court that Defendant is correct, that counsel must be dismissed. Again citing Nelson, "If the defendant continues to demand a dismissal of his court appointed counsel, the trial judge may in his discretion discharge counsel and require the defendant to proceed to trial without representation by court appointed counsel".

Also, Faretta v. California 422 U.S. 806, 823 (1975) "A defendant cannot be denied the right to present his/her own defense and can not have an attorney forced upon them."

During the 01/05/2023 Hearing this Court focused on Defendants concerns regards counsels lack of explaining the full sentencing laws and counsels failures in the Flagler County case. This Court informed Defendant that Flager was not her

jurisdiction and Defendant acknowledges that. However, it is the issue of "conflict of interest" regarding the (4) individual Public Defenders Office who thus far have "represented" Defendant and who been incapable of a full representation required by the law. Such facts will be proved within this motion and will be addressed in the following Memorandum of Law.

The bottom line is, Defendant cannot move forward with Mr. Avallone or Ms. Roberts due to lack of substantial communication between the parties. Further, it is the hopes of this Defendant that this court will remove all possibilities of appointing any other Public Defender due to that 'conflict of interest' that has taken place in Defendants Flagler and Volusia County cases. Therefore, Defendant respectfully requests this Court either appoint private sector counsel under F.S. 27.5303 (*or*) allow Defendant to represent herself until such time that funds will be raised to hire private counsel. Once Defendants counsel is removed the raising of funds for a private attorney can begin. Defendant does have a support group that is ready to move in that direction now and do expect they expect to raise the required funds.

Therefore, the (3) ISSUES presented to this court are:

- 1. Conflict of interest within the Public Defender's Office regarding Defendants 3 separate cases where all four (4) Public Defenders have failed in the basic fundamental standards of representation.**
- 2. Ineffective counsel of Lawrence Avallone and Jessica Roberts in the above Volusia County case before this Court.**
- 3. The Plea offer by the State is an illegal sentence under the sentencing rules.**