**In the Matter Of:**

STATE OF FL vs MALDONADO

2021-303222 CFDB

---

# HEARING

*January 27, 2023*

---

*Confidential*

ESQUIRE
DEPOSITION SOLUTIONS

800.211.DEPO (3376)
EsquireSolutions.com

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

CASE NO.: 2021-303222 CFDB

STATE OF FLORIDA

vs.

NICOLE JACKSON MALDONADO,

Defendant.

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

TRANSCRIPT OF PROCEEDINGS
HEARING BEFORE THE HONORABLE ELIZABETH A. BLACKBURN
CIRCUIT COURT JUDGE

(SEALED/CONFIDENTIAL NELSON HEARING)
MOTION FOR RECONSIDERATION TO DISMISS DEFENSE COUNSEL
REQUEST FULL NELSON HEARING
AND
PLEA AND SENTENCING HEARING - (IN OPEN COURT)

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

DATE TAKEN: JANUARY 27, 2023

TIME: COMMENCED AT 9:05 A.M.
CONCLUDED AT 12:30 P.M.

PLACE: S. JAMES FOXMAN JUSTICE CENTER
251 NORTH RIDGEWOOD AVENUE
DAYTONA BEACH, FLORIDA 32114

STENOGRAPHICALLY
REPORTED BY: SHARON K. DUNLAP
REGISTERED PROFESSIONAL REPORTER
COURT REPORTER AND NOTARY PUBLIC

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

APPEARANCES:

Counsel for State of Florida:

SARAH E. THOMAS, ESQUIRE
ERICA B. KANE, ESQUIRE
Assistant State Attorney
State Attorney's Office - 7th Circuit
251 North Ridgewood Avenue
Daytona Beach, Florida 32114
386.239.7710
386.257.1834 - facsimile
thomass@sao7.org
kanee@sao7.org

Counsel for Defendant:

LAWRENCE AVALLONE, ESQUIRE
Assistant Public Defender
Public Defender's Office - 7th Circuit
Office of the Public Defender
251 North Ridgewood Avenue
Daytona Beach, Florida 32114
386-239-7730
386-239-7702 - facsimile
avallone.larry@pd7.org

JESSICA L. ROBERTS, ESQUIRE
Assistant Public Defender
Public Defender's Office - 7th Circuit
4010 Lewis Speedway, Suite 1101
Saint Augustine, Florida 32084
904.827.5699
roberts.jessica@pd7.org

ALLISON A. HUGHES, ESQUIRE
Assistant Public Defender
Public Defender's Office - 7th Circuit
101 North Alabama Avenue
DeLand, Florida 32724-4316
386.822.5770
386.822.5719 - facsimile
hughes.allison@pd7.org

ALSO PRESENT:
Matthew Metz, Public Defender - 7th Circuit

C O N T E N T S

APPEARANCES FOR THE RECORD 5

COURT ORDERS CLOSURE OF PROCEEDINGS - CITES AUTHORITY 13

(BEGIN SEALED/CONFIDENTIAL PROCEEDINGS)

PLAINTIFF'S MOTION FOR RECONSIDERATION TO DISMISS DEFENSE COUNSEL AND REQUEST FULL NELSON HEARING 13

ISSUE 1 - CONFLICT OF INTEREST WITHIN THE PUBLIC DEFENDERS OFFICE 17

ISSUE 2 - INEFFECTIVE COUNSEL OF LAWRENCE AVALLONE AND JESSICA ROBERTS 27

ISSUE 3 - THE PLEA OFFER BY THE STATE IS AN ILLEGAL SENTENCE UNDER THE GUIDELINES 75

PLAINTIFF WITHDRAWS REQUEST TO SELF REPRESENTATION 81

PLAINTIFF REQUEST TO ACCEPT STATE'S PLEA OFFER 83

COURT DISCUSSES PROCEDURAL ISSUES RE PLEA OFFER WITH STATE AND DEFENSE COUNSEL 86

(END OF SEALED/CONFIDENTIAL PROCEEDINGS)

PLEA AND SENTENCING PROCEEDINGS 93

CERTIFICATE OF REPORTER 124

P R O C E E D I N G S

THE COURT: We're here in Case 2021-303222. And I think we will need a moment or two to get Ms. Jackson.

MR. AVALLONE: Yes.

THE COURT: All right. We have Ms. Jackson present with us. She is before the Court here on what is commonly referred to as a Nelson motion. She is here on a motion to disqualify or discharge her lawyers. That is the only matters set today.

Counsel, if I could have you all state your name for the record.

MS. HUGHES: Good morning, Your Honor. Allison Hughes, assistant public defender.

MS. ROBERTS: Jessica Roberts on behalf of Ms. Jackson.

MR. AVALLONE: Larry Avallone, for Ms. Jackson.

MS. THOMAS: Good morning, Judge. Sarah Thomas, on behalf of the State.

THE COURT: All right. So at the beginning of this proceeding - as I'm sure counsel is already aware - the Court has entered a Sua Sponte Order determining part of Ms. Jackson's motion confidential, and that portion of her motion which

references three attachments, that she included in her motion to discharge counsel, was sealed based on the confidential nature of those documents.

Following up on that, the Court is going to make some specific findings today, and then I'll ask from counsel for Defense or State your position.

This case, as evident by the multiple media outlets here today - both in person and remotely, and, historically - has garnered what the Court would view as extraordinary media attention. Historically, court proceedings are open and accessible to the public and to the media for a variety of reasons.

But it is in the Court's inherent power, and requirement, to ensure, that despite that, the defendant still has a -- her due process rights to a fair trial are protected. So the Court has to engage in a balancing operation to make sure that her rights are protected, while still balancing the public's right to information.

In order for the Court to fully explore the specific nature of the allegations that she raises as grounds to disqualify her, or discharge her, lawyer, the Court is going to have to have some

very specific detailed discussions - both with Ms. Jackson and her lawyers - about what has and has not been talked about, what she has and has not seen in the way of discovery.

Some of her allegations raised in her motion also address potential trial strategies and potential defenses, as evidenced both in her motion and in the attachments that she included. She filed this with the assistance of someone, who is not a lawyer, who, apparently, does not understand the ramifications of filing those kinds of documents in a court file. Because communications, clearly, between attorney and client are confidential, and would never otherwise be made known to the State, nor to the public, unless Ms. Jackson chose to make sure everybody knew what her defenses were, and the public knew exactly what she and her lawyers talked about; and that often can be to that person's detriment.

In this case, the -- in order for me to properly determine if there is ineffective assistance of counsel to discharge her counsel, I have to have those conversations with you. Do you understand that, Ms. Jackson?

MS. JACKSON: Yes, ma'am.

THE COURT: And you understand that will entail doing that, perhaps, to your detriment - because we have to discuss any defenses you might have, and all of those confidential communications you have had with any of your lawyers. Do you understand that?

MS. JACKSON: Say that again, please?

THE COURT: You understand for me to properly discuss with you what you've said in your motion, I would have to talk to you and your lawyers about all the communications you've had that are otherwise protected? Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: All right. This case, as I indicated at the onset, has garnered extraordinary media attention. It has been reported both locally, nationally and internationally. Virtually, every court proceeding, obviously, has been attended by the media. There was a front-page article in our local newspaper recently about this very motion and the hearing that is here today.

And in my inherent authority to control the proceedings, and ensure that Ms. Jackson's due process rights are protected, and, most importantly, to assure that she will receive a fair

trial, it is, at this point, that the Court feels I have to consider closure of these proceedings.

I don't take that decision lightly. That is not something that is done without very careful consideration, and, in accordance with the standards set forth by the Florida Supreme Court, in Miami Herald Publishing Company v. Lewis. That case was decided in 1982. It does not certainly address the social media, virtual 24/7 immediate news situation that we have in today's day and age, however, the Court has to consider those factors, as those factors are what guides me today.

Number one, closure is necessary to prevent a serious or imminent threat to the administration of justice.

As I've indicated already, this case is scheduled for trial on February 27th, which is 30 days from today. Ms. Jackson has indicated she desires to go to trial; and that's where we are headed.

The issue for the Court is to ensure she can have a fair trial. And if I conduct these proceedings in public, with the State present, and the media present, then she will have no ability to have any strategy or protected communication

decisions remaining with her counsel - whether it's these counsel, should I leave them on, or any future counsel - because all of her private communications and strategic decisions would then be disclosed, which would certainly not be in the administration of justice.

The second factor is whether any alternatives are available other than a change of venue, which would protect her rights to a fair trial.

That is one of those prongs in the Miami Herald case that, frankly, really doesn't even apply today, because the nature of the media coverage is not just local, it is, literally, worldwide in this case. So a change of venue would not accomplish what we need to make sure that Ms. Nelson -- Ms. Jackson, rather, receives a fair trial.

Prong three. Closure would have been effective in protecting the rights of the accused without being broader than necessary to accomplish this purpose.

The Court's intent is only to close this hearing. As all parties and media are aware, all of the other proceedings in Ms. Jackson's case have been open. It is not this Court's intent to close

any other proceedings. I am only issuing a closure order for today so I can properly address those issues raised in her motion to discharge counsel.

It is the Court's opinion and position that anything short of closure would be an inherent threat to Ms. Jackson's due process rights to a fair trial.

Counsel for Ms. Jackson want to be heard on that issue?

MR. AVALLONE: No, Judge.

THE COURT: State?

MS. THOMAS: No, Judge.

THE COURT: All right. At this time, these proceedings are closed to the public and all parties except Ms. Jackson's counsel and, obviously, Ms. Jackson.

So we will clear the courtroom. The Zoom feed will be discontinued based on this Court's order.

MS. THOMAS: Do you want us to wait outside, Judge?

THE COURT: Yes.

THE BAILIFF: Everybody leave the courtroom.

THE COURT: You-all can wait outside. I will announce my ruling at the end. It may be a lengthy proceeding, just so you know.

MS. THOMAS: Okay.

THE COURT: But, yes, we'll do that.

(Whereupon, the courtroom was closed; and the sealed/confidential portion of the proceedings begin.)

MR. AVALLONE: Judge, Mr. Metz is here. Is he welcome to stay?

THE COURT: Yes.

MR. METZ: Thank you, Your Honor.

THE COURT: I was going to indicate that before, you know, anybody in your office, obviously has --

MR. AVALLONE: Thank you, Judge.

THE COURT: All right. The courtroom is now cleared. The Zoom feed is discontinued. The only persons present in the courtroom, other than security personnel, are the three public defenders, who previously announced their names for the record, and Mr. Metz, who is the Public Defender for the Seventh Circuit.

Do you understand who that is, Ms. Jackson?

MS. JACKSON: Yes.

THE COURT: Okay. So he is also part of your -- He, obviously, oversees the Public Defender's office and is privy to the same confidential requirements that your lawyers are who

have been working closely on your case. Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: All right. So we're going to move to the Motion for Reconsideration to Dismiss Defense Counsel and Request Full Nelson Hearing. We're obviously here for that hearing.

I want to talk about a couple of things first, and then I'll let you address your concerns. I'm going to have a lot of questions as we go through. If you don't understand my question, you tell me that. I'll do my best to rephrase it for you. Okay?

MS. JACKSON: (Nods head.)

THE COURT: "Yes"?

MS. JACKSON: Yes, ma'am.

THE COURT: All right. So ground rules. We have a court reporter who's making a record of this proceeding. The intent is that the Court will seal this record, which is why it is not being digitally recorded and only reported by the court reporter.

So we have as much time as we need to make sure we get you through these issues. This is the time to raise those concerns. Hopefully, we can address them properly today. I will have a lot of

other questions also based on some of your answers. Okay?

MS. JACKSON: Yes, ma'am.

THE COURT: All right. First of all, did you write this motion, or did someone else write the motion for you?

MS. JACKSON: Somebody else.

THE COURT: And who was that person?

MS. JACKSON: Matt Short.

THE COURT: And is this the person who has previously appeared in court and given statements to the press about your case?

MS. JACKSON: Wait. Say that again. Sorry.

THE COURT: Is this the person who has previously appeared in court?

MS. JACKSON: For my case?

THE COURT: Yes.

MS. JACKSON: No.

THE COURT: Okay. Has he been present in court?

MS. JACKSON: He's -- probably in the back.

THE COURT: That's what I mean. He hasn't been able to talk to the Court because he's not a lawyer; correct?

MS. JACKSON: Yes, correct.

THE COURT: All right. And this is the person who previously served time in prison and fancies himself to be a legal expert; is that right?

MS. JACKSON: He practices the guidelines. He does legal stuff.

THE COURT: All right. He's not a licensed lawyer, is he?

MS. JACKSON: I'm not -- probably not. I have no clue.

THE COURT: Okay. And he did not go to law school; correct?

MS. JACKSON: Now, that, I don't know. He probably didn't go to law school. But he did study some type of law, guideline things.

THE COURT: All right. This is the individual who was in prison and worked in the law library, or did research on his own case and for other inmates; correct?

MS. JACKSON: Yes. Yes, ma'am.

THE COURT: Okay. And this is the person you were relying on for legal advice for this motion; is that correct?

MS. JACKSON: Yes, ma'am.

THE COURT: Okay. So let me talk to you a little bit about the difference between someone who

thinks they may have some legal knowledge, and what lawyers actually do to get licensed, so you understand.

Do you understand that Mr. Short served time in prison, and he spent some time reading in a law library in a prison? Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you understand he does not have a law degree?

MS. JACKSON: Yes, ma'am.

THE COURT: And do you understand that the persons I have appointed to you have all gone through four years of college, three years of law school, and passed a bar exam that the Florida Supreme Court requires for us to be licensed to practice law in the state of Florida?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you understand Mr. Short does not have those qualifications?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you understand he does not have the legal authority to ever get up in front of this court and argue on your behalf, nor would he be able to sit at counsel table with you, or confer with you during a trial to give you any legal

guidance? Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you understand that it may not be wise for you to rely on someone who doesn't have those qualifications, the school, and the licensing, because they don't have the information and qualifications they need to give you good advice? Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you understand it could be bad for you, or detrimental, if you relied on someone who doesn't know all of the law and have a clear understanding of the law?

MS. JACKSON: Yes.

THE COURT: Does that make sense?

MS. JACKSON: Yes. Thank you.

THE COURT: Okay. So let me start going through some of the things you raised in your motion, and we'll go back to that notion of who you may want to represent you and who you should be listening to as we go through these proceedings.

So you raised three issues in your motion; a conflict of interest within the Public Defender's office because of your concerns related to what hasn't happened in Flagler, and what hasn't

happened -- has or has not happened here in Volusia.

MS. JACKSON: Sorry?

THE COURT: That's all right.

Mr. Avallone, you can, kind of, help her to get to the portion we are looking at. On page 3.

MR. AVALLONE: Yes, Judge. She's there.

THE COURT: Okay. And then you also said that you have ineffective counsel in Mr. Avallone and Ms. Roberts.

And then, three, that the plea offer by the State is an illegal sentence because of the guidelines.

So let's talk to -- talk about your concerns about the conflict of interest in the Public Defender's office because of your issues that you have in Flagler that you think should make me remove your lawyers here in Volusia.

MS. JACKSON: You don't want to hear anything from Flagler?

THE COURT: Well, here's what I need to tell you. I'm not here on your Flagler case. But you have raised, in your motion, some concerns about your representation by the Public Defender's office. Okay. Those lawyers work for the same

office that these three folks do.

MS. JACKSON: Okay.

THE COURT: So I'm going to let you tell me about that, in the context of why those issues make you think I should remove your counsels here in Volusia.

MS. JACKSON: Okay.

THE COURT: Okay?

MS. JACKSON: Yes, ma'am.

THE COURT: So, go ahead.

MS. JACKSON: Okay. So I had court -- Let me find it. Okay. I had court somewhere last month or the other month. You know what I mean.

THE COURT: Okay.

MS. JACKSON: And I've never attended any of them. Only -- And I got arrested for failure to appear. Now, you know, unfortunately, that's bad, you know, for future occasions. It just says I've been arrested for failure to appear.

Now, Mr. Avallone has said I have nothing to worry about on that. Now, I believed him until I got -- until an officer came to me, at 4:00 o'clock in the morning, and told me that I had been arrested for failure to appear, and I went to first appearance.

Mr. Avallone and Mr. O'Neal, from that -- the public defender for that case --

THE COURT: He represents you in Flagler.

MS. JACKSON: Yes. But he said that he has -- He said that, basically, they have to get some type of conferment from Mr. Avallone. So Mr. Avallone is basically in that case too, even though he's not assigned to it. And Mr. O'Neal said he has to get some clarification from Mr. Avallone. That's why I know that they're working together on that. Which Mr. Avallone is not assigned to that case, he's assigned to this one.

THE COURT: Okay.

MS. JACKSON: And Mr. Avallone said that I could not -- like, that I was not needed to attend the Flagler hearings. Which I feel like is very important because I've been charged with some serious crimes there.

THE COURT: Okay.

MS. JACKSON: And Mr. Avallone -- I know that they're working together, and I know Ms. Jessica knows some knowledge of Mr. Avallone. So I know that they're all, basically, working together. Ms. Hughes, I'm not sure. I just know she's my juvenile public defender.

But that's the -- mainly what I'm concerned about, is that he's not assigned to the Flagler case. So it makes me feel like he wants to be the boss of that Flagler case instead of here. He said I'm not needed to go there. The deputies would not come to Volusia and bring me over there.

THE COURT: So if I understand your concern, it's that Mr. Avallone is not counsel -- not your "assigned public defender" in Flagler, but he's involved, to some degree, because of him representing you here in Volusia; right?

MS. JACKSON: Yes. Yes, ma'am.

THE COURT: Is that what you're saying? And you don't like that he's involved with the Flagler case? I'm not clear.

MS. JACKSON: I'm just concerned, basically, that he has a say in Flagler, even though he is assigned to Volusia. Because I am not allowed to go over there. Which makes him -- basically, he knows I'm not allowed to go over there. And he's not -- he doesn't tell me facts about it because there's nothing happening over there.

THE COURT: Okay. So let me try to alleviate, or help you get rid of, some of your concern. And then I'll hear from your lawyers on that little

issue. Okay?

So, as a practical matter, what happens when someone is in custody in one county, and there are charges pending in another county -- So, here, Volusia and Flagler are right next to each other, and we're even in the same judicial circuit - which is why your lawyers in Flagler work for the same Public Defender's office that these folks do. Okay?

MS. JACKSON: Yes, ma'am.

THE COURT: It's a big office that covers four counties. But because you're here in Volusia on these charges, and these are more serious, Flagler County is not going to transport you. And Volusia, probably, isn't going to let you go, because we want to deal with this case first because it is the most serious case.

So those charges in Flagler are serious. There are some charges. Nobody is saying those aren't serious charges. But these charges here are more serious, and these charges are going to take the lead in terms of ultimately what's going to happen overall with your cases. Does that make sense?

MS. JACKSON: Yes, it does.

THE COURT: Okay. So what happens -- And I'll give you another example. I have a murder defendant on my docket who's charged with First Degree Murder. He is in Orange County, which is Orlando. He's got another case over there, another murder case, and a trafficking in drug case. I don't remember the substance.

They won't let me have him. Even though he's got a murder case on my docket, I can't get him here. Even if I entered an order for transporting, they would not release him to me until they're finished in Orange County. So this is very common.

I'm not -- I don't want to talk about the fact that there was a failure to appear warrant. I'm not sure what happened there. You can address that in front of Judge Perkins. I know you have a hearing on your motion for a Nelson hearing in front of Judge Perkins. He's your judge in Flagler. So you can address that up there. But it's not uncommon at all for nothing of substance to happen in Flagler, because how those cases resolve, in large part, are going to be determined with what happens here. Okay?

MS. JACKSON: Okay.

THE COURT: So my advice to you is to not

worry about Flagler. That's probably what your lawyers have said. I'll let them speak for themselves in a moment. Because that case is going to take a back seat to everything we do here. Judge Perkins and I are in communication in terms of procedure. So he knows trial is in February. We don't talk about the specifics of your case. That's his case.

So he knows what's happening with your case, in terms of the calendering, and progression. Okay. Because that's what we're supposed to do. So he knows, from me, your case here is set February 27th. That's why his hearing is after your trial. Because there's not a whole lot he can accomplish until we get this case done first.

Does that help answer some of those questions?

MS. JACKSON: Yes, ma'am.

I still have other concerns.

THE COURT: Okay. We'll get to those as well.

All right. So, Mr. Avallone, Ms. Roberts, do you want to be heard on these issues?

MR. AVALLONE: Well, as far as Flagler goes, Judge, you've identified it there; that's exactly what's going on in the case. I really am the attorney in that case because of my position at the

Public Defender's office because this is a more serious case. In Volusia I'm talking about.

THE COURT: Tell Ms. Jackson what your position is with the Public Defender's office so she understands why you're involved in that.

MR. AVALLONE: She knows. We've been over this. So she knows that I am the Chief Assistant Public Defender. So that means Mr. Metz is the elected Public Defender, and then I'm second in command. She knows that.

THE COURT: We just want to make sure all of that is on the record today. So that's why I'm asking you to talk about some of the things you two have discussed --

MR. AVALLONE: Yes, ma'am.

THE COURT: -- so it's very clear to her, to make sure if she has questions today we're going to answer them.

MR. AVALLONE: So what I did was -- What we decided was to have Spencer O'Neal be the local assigned public defender in Flagler, who would handle what, in substance, have been continuances on that case.

THE COURT: Okay.

MR. AVALLONE: We knew that she wouldn't be

transported from Volusia to Flagler for continuances.

What really bubbled this to the service was this capias issue. And I think that's what caused the people - who I don't call supporters, but we'll call supporters for this hearing - really to go into a frenzy about this Flagler issue. That's where this really came to the forefront. That was an unfortunate circumstance. But be that as it may, that's just the way it is.

We have a strategy in the Flagler case. It's purposeful. Her complaint is that she hasn't been there. But she -- We knew she couldn't be brought there, and she wouldn't be brought there, by design, by the -- what I understand by transport from Volusia to Flagler. And we intend to -- We're intending to handle that case after the Volusia case.

So I don't know if that answers your question, Judge. But that's essentially -- What you've been talking to her about, we've been in communication about the entire time about this issue.

THE COURT: Anything else, Ms. Jackson, that you want to say on that topic? We'll get to your other concerns in a minute.

MS. JACKSON: No.

THE COURT: Does that answer some of your questions?

MS. JACKSON: Um, yeah.

THE COURT: Has the -- Although, I'm not the judge in Flagler, I want to flesh this out a little bit. The capias issue, has that now been addressed with Judge Perkins?

MR. AVALLONE: So the capias was executed. And, so, that's -- It's closed, as far as I understand. And then it's back on the docket, and it's being -- So we're back to the position where we were, where it shows up on the docket every six weeks or so, and then it's just back to being continued.

THE COURT: Okay.

MR. AVALLONE: I think -- Well, I should say the next hearing that I know of is the Nelson hearing, which is March 7th.

THE COURT: Correct. That's my understanding, having spoken to Judge Perkins, just about asking scheduling, so I understood, for the purposes of today's hearing, what procedurally was happening in Flagler.

Okay. Any questions on that topic that have

not now been explained to you?

MS. JACKSON: No, ma'am.

THE COURT: Okay. So you have other concerns. So I think that addressed number one in your Conflict of Interest.

And as to that issue, the Court finds that those grounds raised in the motion, and discussed here today, do not rise to the level of a conflict of interest. It really is not a conflict of interest. That is, apparently, a misunderstanding of -- by the person who drafted this motion of what a conflict of interest is.

It sounds to me like it has really -- those complaints are really raised in the context of complaints about representation in Flagler that affect your confidence, perhaps, in your ongoing representation here in Volusia County.

So based on the nature of your allegations raised in issue one of your motion, the motion to discharge counsel on that ground is denied.

The next ground we're going to talk about, it looks like, starts on page 7, Ms. Jackson, where you start talking about Defense Counsels Ineffectiveness Re: Discovery and Sentencing Scoresheet.

So I'll let you -- And if it's not obvious already from the record, the Court has reviewed this motion at length. So I'm familiar with what you've raised. You don't need to read it to me. But I'm going to let you talk about anything, explain what your concerns are; and anything else on this topic you want to address, we'll talk about today. So you can go ahead and tell me what you want to on this topic.

MS. JACKSON: On the scoresheet?

THE COURT: You raise issues about discovery and sentencing scoresheet.

MS. JACKSON: Mr. Avallone didn't explain to me that I can have my discovery with me. He just said I can watch it or -- No, that's a lie.

THE COURT: Take a minute.

MS. JACKSON: Sorry.

THE COURT: We're not in a hurry. Don't get flustered. We've got all morning.

MS. JACKSON: Okay. Mr. Avallone said that -- He didn't actually say that I had legal access to discovery that I can read it in my cell. He said that I can watch it and view it, like, documents, but I can't -- And I didn't know that I had access so I could have it in my cell until Matt Short told

me I could have access to my discovery. I didn't even know the even topic of discovery, before he told me that I could have access to discovery, and that I was entitled to that.

THE COURT: Do you now have copies of all of the documents?

MS. JACKSON: No. No, ma'am. I gave them all to Matt Short because my public defender refused to give it to him. So I had to give him my copy.

THE COURT: All right. So let's talk about that, before we go back and talk about why discovery sometimes is not provided to people sitting in jail.

So do you understand that by giving all of these documents to Mr. Short, you have now given him the ability to share those with the world, if he were to choose to? Do you understand that?

MS. JACKSON: He wouldn't do that.

THE COURT: I don't know what Mr. Short would do. You don't know what Mr. Short would do.

My question to you is, Do you understand, by giving that information to a third party, Mr. Short, or anyone else, that that person can then spread it all over the internet, give it to anyone else? Do you understand that?

MS. JACKSON: It's already on the internet, pictures.

THE COURT: Do you understand all of those documents, all of those statements, everything you may have given him now can be out in the universe?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you understand how that is bad for your case?

MS. JACKSON: Yes. It can jeopardize it.

THE COURT: It can jeopardize it. So here's how it jeopardizes it, and this is why lawyers often do not give their clients hard copies, meaning paper copies, of documents in -- while you're in jail. Because when you do that, then there are certain people who are going to look at all those documents. They are then going to contact the State Attorney's office and say, I have this information that's going to help you. And if I give you that information, will you give me a deal on my own case.

MS. JACKSON: I -- There's nobody with me. I'm by myself.

THE COURT: People have access to documents in your cell. I understand you're held as a juvenile. You have now given that information to Mr. Short,

who served time in prison. You have no control over where those documents go, how they are used, or who gets ahold of them.

You may trust Mr. Short. I don't know the person. I will tell you this. If I were in your shoes, my worry would be he served time in prison. I don't know this person from Adam. But all of a sudden, he wants to be my best friend and help me in this case. Why would he want to do this? What is he looking to get out of it? Who is he in contact with who he might give that information to?

And Mr. Short is not shy of putting things online and talking to news media. When he shows up here, he holds a press conference out there. Anything that could be used to protect your case, every time you talk to him, give him information, jeopardizes your right to a fair trial. Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: That's your choice, if you want to go down that road. I will tell you, if I were in your shoes, I would stay as far away from him as I could. He's not going to be the one who ends up serving a sentence if he's convicted. He's not the one before the Court facing these charges. This is

your life, not his.

Do you appreciate the significance of what has happened by you giving him all those papers?

MS. JACKSON: He said he could help me.

THE COURT: All right. Well, that's what he's saying. But he's not a lawyer; right? So he can never appear in front of me, as your lawyers are here today. He can never sit at counsel table with you and help you in a trial. He certainly won't be serving a prison sentence with you, if you were to be convicted by a jury. And he's not licensed to practice. So if he's giving you legal advice and practicing law, he is also, potentially, committing a crime. Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: That's not for me to determine today. But it's something you need to really understand. Okay?

We've kind of talked -- We've danced around this topic a little bit in the past because we've always been in open court; and that's one of the reasons I wanted to really do this so you have a clear understanding. I can't give you legal advice because I'm a judge - I'm not allowed to. But I can give you some guidance and information so you

can make better decisions.

I want to make sure -- You've told me you want a trial. It's my job to make sure you get a fair trial. Okay? That's very important.

And some of these people, who say they are your supporters, are acting in ways that are not going to let you have a fair trial. Every time they open their mouth to the media, or they post things online, it's on every kind of social media.

I put in your name yesterday, and everything from the Daily Mail in the U.K., Twitter -- I can't remember what else popped up -- Yahoo, it is all over the universe. And every time you give them documents that your lawyers give you, that just gets worse. And that's not going to help you at the end of the day. Does that make sense to you?

MS. JACKSON: Yes, ma'am.

THE COURT: Okay. So let's talk about your -- the discovery. One of the things I need to address, Have you seen -- You say, in your motion, you have not seen the actual footage of the shooting, the body cams. Have you now seen those?

MS. JACKSON: Well, I've been trying to get my attorneys to show me that. But they don't answer any of my text messages. So, like, a date. I

haven't got a response.

Mr. Avallone's computer keeps stopping. So --

THE COURT: All right. Well, here's what we're going to do today. And I'll sit here with you. It doesn't matter if I see it because I'm not the tryer of fact. I am going to ask one of the other folks here. If you two don't have it on your computers, we're going to watch it in open court. We're going to make sure -- By "open court," meaning with those of us here, to make sure you see it; and then there will be no issue that you haven't seen it. We'll make sure that gets accomplished today.

MR. AVALLONE: The one issue on that, Judge, just for clarification, so what you have in this case is, like, eight different angles. So just to clarify this point, if I may --

THE COURT: Okay.

MR. AVALLONE: -- you have, like, eight different angles. So what she has seen is -- what we're talking about is body-cam footage.

THE COURT: Right.

MR. AVALLONE: So you have, maybe, eight different angles. And we've watched them. And what she's talking about is what -- What she's been

led to ask us for is, she wants, essentially, footage of herself being shot by the police. That's what she's asking to find I think. I think that's what she's asking for.

THE COURT: Is that what you're looking for?

MR. AVALLONE: That doesn't exist - is the answer, Judge, if I may finish - because of the way the angles and the way the officers are standing. And I'm happy to show you what we have from eight different angles. But you're talking ten hours worth of footage. So we've done our best, but -- And we've got time stamps, and we can narrow it down so we don't have to spend ten hours, of course.

But I can just share with the Court that what you're going to find is a lot of shooting and a lot of movement. But she's not going to find herself standing in a frame being shot by the police, if that's what she's looking for.

MS. JACKSON: Not --

THE COURT: Okay. Ms. Jackson, you want to --

MS. JACKSON: Because people think that I got shot while laying down, by one of the cops, because one of the bullet holes is similar to what you're talking about. Because an AK is full force, and it

doesn't bounce off. So that's what I wanted to see.

THE COURT: You wanted to see yourself being shot?

MS. JACKSON: Not really, no. But just -- How do I explain it. Me on the floor -- you know, on the floor after being shot.

THE COURT: Okay.

MS. JACKSON: Many say that I've been shot while I was laying on the floor. Because where my thigh - or whatever that part is - there is, like, some type of -- It can't be glazed because it's a full-force AK, or whatever they used.

THE COURT: Okay. So is this the person that Mr. Short knows, who fires weapons, and is giving you legal advice - claiming that he's some kind of expert in firearms; and this is what you should see if somebody is shot? Is that what you're referencing in your motion?

MS. JACKSON: No. He is -- He talks to people that knows stuff, like, about bullet holes, and examiners, and, you know, like, stuff like that. And everybody is saying the same thing. Somebody is saying that I'd been stabbed in the back. But a lot of people have been saying mostly in the thigh,

that I have been shot downward.

THE COURT: So why is that important to you, in terms of your defense of these charges where you're charged with Attempted Murder of Law Enforcement and Armed Burglary?

MS. JACKSON: Because if they shot me and I was already down on the ground, that means I didn't have a shotgun. You know, it was by me but, um, then they -- they -- there's no reason to shoot me, basically. So they shot me for no reason. I --

THE COURT: So how is that, in your mind -- Let's assume that's true, so I can ask this question. If you had already been shooting at the police --

MS. JACKSON: Allegedly.

THE COURT: "If," that was my question. If you had been shooting at the police, and they shot you as, or after, you had been shooting at them, how is where you got shot important to your defense of having shot at police first?

MS. JACKSON: Um...

THE COURT: That's all I'm trying to understand. I'm not saying you did it. I'm just saying, If that's what they say, how would that be important to your defense of this case, in your

mind?

MS. JACKSON: Well, I was already down. That means I didn't have a shotgun in my hand.

THE COURT: Okay.

MS. JACKSON: So why did they shoot me, while I was down, in the thigh? You know, the arm I would understand, because that means I was reaching out. That...

THE COURT: And is that what you remember, or is that what somebody is telling you?

MS. JACKSON: I don't remember anything, honestly.

THE COURT: Okay. So somebody's telling you that that's what happened, because Mr. Short talked with somebody else, who talked with somebody else, who said, Well, this is how it must have happened? Is that what I understand?

MS. JACKSON: He's making accusations.

THE COURT: Okay.

MS. JACKSON: I mean, I've talked to other people who say the same thing. So it's not only him.

THE COURT: All right. And are these people --

MS. JACKSON: No.

THE COURT: -- expert witnesses, who could come into court and testify?

MS. JACKSON: No.

THE COURT: All right. And where do you find these people that are giving you these -- this information?

MS. JACKSON: They just add me on SmartJailMail.

THE COURT: They what?

MS. JACKSON: They just add me on SmartJailMail.

THE COURT: Okay. And these are people you have no idea who they are?

MS. JACKSON: No, unfortunately.

THE COURT: All right. So why -- This is, in essence, related to this hearing. You're free to have communication with anybody you want to. But you know every time you talk to somebody - whether it's somebody you know or somebody you don't know - if you talk to them about what your lawyers have been telling you, you're waiving, your giving up, that confidentiality that you otherwise have. Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: The more people you keep talking

to -- You've got all these "followers" or "supporters." I would suggest to you, if you take a step back, and really think about it logically, those people have nothing to -- They don't know you. They don't have the legal authority to help you in this case. And the more you talk to people about your case - Especially people you have no idea who they are, you have no idea what their motive is. Their motive may be simply this young girl's gotten worldwide attention. And I want my fifteen minutes of fame, and I'm going to get it by being on her jail mail, by talking to her every day, and then I can go out and talk to the universe and say, Well, I talked to her, and this is what she told me.

And that is not going to help you at the end of the day, and it's not going to help when I'm trying to pick a jury, and have jurors sitting in those juror seats, to make sure you can get a fair trial. Which is what my job is. Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: So you need to really give some thought to maybe not talking to all these people at least about your case, because that's not going to

help you at the end of the day.

All right. So we've talked about this footage that you want - that Mr. Avallone is saying does not exist. And we'll circle back to that in a few moments.

Then you've also raised your concerns about a scoresheet, and not having a scoresheet, and your understanding of what type of sanction you could or could not receive if you were found guilty. So let's talk about those things.

MS. JACKSON: Um, okay. So my attorneys gave me documents of the 17 year old that was sentenced to life.

THE COURT: This is the first case?

MR. AVALLONE: She's talking about case law.

THE COURT: Oh, okay.

MR. AVALLONE: So if I may, we found out that some of the legal advice that she's been given was that a juvenile can't be given a life sentence. And this is that -- that she's been given this misinformation.

THE COURT: Okay.

MR. AVALLONE: So we gave her - just totally unrelated to her case, Judge - just some case law of an example of somebody who is 17 years old,

totally unrelated to her charges, who did get a life sentence for the exact same charges - not the exact same, it doesn't have the law enforcement component, but the same as far as attempted murder --

THE COURT: Okay.

MR. AVALLONE: -- just as an example.

THE COURT: Okay.

MR. AVALLONE: That's what she's talking about now.

THE COURT: All right.

MS. JACKSON: Well, the thing is that he actually hurt somebody. I didn't hurt anybody. And he was sentenced to life. So that doesn't make any sense.

THE COURT: Okay. So, as I understand it, your --

What is your complaint on that topic? Let me ask that question.

MS. JACKSON: Basically, that they're trying to -- They're trying to pressure me not to go to trial. Because the thing is, they're not saying that I -- They're not -- How do I say this.

THE COURT: Take a minute.

MS. JACKSON: Sorry.

THE COURT: You don't have to apologize. Take a minute and gather your thoughts.

MS. JACKSON: He's serving a life sentence.

THE COURT: Okay. The person in the case that they gave you?

MS. JACKSON: He's serving a life sentence. But he hurt somebody, but the guy lived. He actually raped somebody too. I didn't hurt anybody. So for them to give me this case is -- I feel like it's, kind of, threatening, just because he got a life sentence. The juries know that he hurt somebody. And I didn't hurt anybody.

THE COURT: All right. Well, before I hear from your lawyers, let me tell you this. The jury doesn't sentence. I sentence. The jury we pick - And I'm pointing over there because that's where they're going to sit - is not going to impose a sentence. That is my job in this case. They will determine guilt or innocence.

MS. JACKSON: They can lessen the charges.

THE COURT: They can. They can find you guilty of lesser included offenses, which might be less serious, if they believe the facts and the law support that. They are the finders of facts. They do not have anything to do with sentencing.

So, as I understand it, the purpose of the case law to you was to give you examples of cases where a juvenile in an adult court received a life sentence, so you would understand that that is a possible sentence.

Every case is different. Every fact situation is different. If you are convicted of anything, we will have a sentencing hearing. At a sentencing hearing, your lawyers are going to present all sorts of information to me, what we loosely refer to as "mitigation," meaning reasons I should take into account why I should impose a lesser sentence than the State is asking for.

The State's going to give me all the reasons that they think you should -- I should impose a maximum sentence, or a harsh sentence, because A, B, and C. Okay.

Your lawyers' job is to come in and say, We understand the jury has found her guilty of whatever the charges are, but these are additional circumstances you should consider in your sentencing. You will have an opportunity to make a statement, if you wish, to the Court at a sentencing hearing.

At that point, after I listen to everything,

and make sure I've read any law that either side gives me, I will impose a sentence. The jury will never be involved.

So, Mr. Avallone, on that topic, do you want to expand in any more depth to answer her concerns as to why you gave her that case law? It sounds like she perceives you gave it to her to scare her or threaten her. It sounds to me like that wasn't the intended purpose.

MR. AVALLONE: Of course, it wasn't, Judge. So we're on -- Because of the circumstances, we are also monitoring jail calls. So we are aware of conversations that are happening where our legal advice is being undermined actively. So when someone is telling her, That lawyer told you you can get a life sentence; that's a lie. Oh, right. Yeah, that's a lie. And 10/20 life doesn't exist. Oh, right. Okay. So we feel it is our duty to really impress upon her that no, we've got to show you, we've got to prove to you. We know you don't believe us, because this guy said not to believe us. But let me show you in black and white. So that was the purpose of that exercise, Judge.

THE COURT: Okay. So, Ms. Jackson, you need to hear loud and clear from me, who would be the

judge who would sentence you. If you are convicted as charged, if you were sentenced as an adult as opposed to imposing juvenile sanctions, then I can impose a life sentence. I have the legal authority to do so.

If the jury finds you guilty as charged of Attempted First Degree Murder of a Law Enforcement Officer With a Firearm, and I impose adult sanctions, you are subject to 10/20 life. Which, in this case, means it is a 20-year minimum mandatory. Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: That is not somebody on a phone, from who knows where, saying, No, they can't do that. This is the judge who would sentence you. That doesn't mean that's what I would do. I haven't heard -- Other than generally knowing what is alleged, I haven't heard any facts, and we don't know what the jury would do. But you need to understand that that is a legal sentence under the circumstances as alleged in this case, if the jury convicted you of that charge, and if I impose adult sanctions. Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: So the -- Hopefully, that

addresses that question.

Do you have any questions about that?

MS. JACKSON: That topic, no.

THE COURT: So do you understand that, although maybe you didn't receive it that way, the reason your lawyers gave you that information is to try to educate you on the fact that what these people - who say they're going to be your supporters - are telling you, they're giving you bad information and false information? Do you understand that?

MS. JACKSON: Now I do, yes.

THE COURT: Yeah. And that's an -- I mean, this is a huge issue. You're the one who's facing that sentence, if the jury finds you guilty - nobody else. These people - who are claiming to be your supporters and helpers - that you're talking to, or whatever, you know, they are not the ones who are going to come in front of the Court at the end of the day.

And by -- And that's a great example of how reckless those people can be; and what a horrible result it would be for you if you really believed those people as opposed to listening to the advice of these attorneys, who are some of the best

attorneys in the circuit, who do this kind of work on these serious cases all the time and have years of litigation experience on these very issues.

So will you agree to listen to what they say and start tuning out some of this other information you're getting?

MS. JACKSON: I have another thing that I've been wanting to say.

THE COURT: Okay. Answer my question first. Will you agree to stop relying on what these other people are telling you and really listen to your lawyers, who know what they're talking about?

MS. JACKSON: Yes, ma'am.

THE COURT: Okay.

All right. What else would you like to tell me?

MS. JACKSON: So there's slander going on about me from Sheriff or Deputy Chitwood, and saying that I burned down a halfway house, and there was puppies, and, you know, just stuff like that. My lawyers are holding back. They're not -- They're supposed to be defending me. They haven't said anything about, you know, that -- what he is saying. It is wrong, the puppy parts and burned down a halfway house. My lawyer has not said

anything about that, and they refuse to talk to the media.

THE COURT: Okay. So what are you, specifically, wanting your lawyers to do in response to statements that Sheriff Chitwood, who is the elected Sheriff in Volusia, has made?

MS. JACKSON: I want them to say what -- He's wrong, basically.

THE COURT: So you want them to try your case in the media instead of in a courtroom?

MS. JACKSON: No. No, Judge. I just don't want people out there to look at me as a serial killer or like a cold-blooded killer.

THE COURT: Okay. Mr. Avallone, do you want to talk to me about conversations you've had with her on that topic, and what you've advised her in what you think is in her best interest and why?

MR. AVALLONE: Sure, Judge. So there's been a lot of talk with Ms. Jackson from her fans about what we should do in that regard, as far as advocating for her in the media. Obviously, that's not what we do. They are -- And so she's very vocal with us about what we should be doing in that regard. So we've told her what our role is and what our intentions are in her case; and that's not

what we intend to do.

So, you know, she does take it personally that there is this upswell, the swirl of information about her in the media. And a lot of it is wrong, frankly. But she sees it that it's my role to correct it. And I've tried to tell her that that's not my role. But she doesn't see it that way.

THE COURT: So do you think it would be in her best interest to contact the media and respond every time somebody says something negative about her - either in the press, or online, or on the news?

MR. AVALLONE: As it says in my letter - which was released for everyone to read - you should only talk to me about your case; that that's been my advice since the day I met her that she does not follow on a regular basis. So, no, of course, not, Judge. I've told her every time we speak that she should speak to only her lawyers about her case.

THE COURT: So, Ms. Jackson, if - let's take an example - your lawyer were to hold a press conference, and talk to the media about what you believe is being misstated about you, if he were to do that; for him to counter some of those things, it would really require him to talk about some of

the defenses he might use to help you in your arson cases and to help you in this case.

So what he would be doing is telling the State and everyone else, Hey, this is how we are going to counter these charges. This is what we're going to show. This is the evidence that we have to tell you that the State is wrong; that the Sheriff doesn't know what he's talking about. So do you think if he did that, or Ms. Roberts did that, do you think that would be helpful for you at the end of the day?

MS. JACKSON: No, honestly.

THE COURT: All right. I mean, it might make you feel better the day he does it, because you feel like, Okay. Somebody is standing up for me finally. And that's human nature, I get that. Okay. But at the end of the day, that's not helpful.

And I'll tell you - I'll throw myself on the sword, and every other judge who sits on the bench, part of my job every day, as you can see, every time you come to court, there's a courtroom full of people, media all the time, all sorts of things get reported. Things I say get taken out of context, things are said by the Sheriff, a witness, a

victim, a defendant, all sorts of things. I am prohibited from saying anything.

So you have the ability to do so. I can't respond. So all the time, every sitting judge, we make decisions all day long. That's really what we do. We can never respond to those.

It is absolutely against human nature not to want to respond when somebody says something bad about you, or something you don't like. Right? One of your friends at school says something you don't like, you want to respond; don't you?

MS. JACKSON: Yes.

THE COURT: I mean, that's just human nature. But sometimes you can't in my case. Sometimes you shouldn't in your case, because it just makes the situation worse. Okay?

And that's an example of where you really need to listen to your lawyers. Because they understand all they would be doing is making your case that much worse; and they wouldn't be doing their job properly, if they did that for you.

You had something else you wanted to address?

MS. JACKSON: Yes. The solitary.

THE COURT: Yes, ma'am.

MS. JACKSON: So I've been in solitary

confinement. They said that I'm in there for the better -- to protect me or something, something. I don't see that happening. I feel like it's wrong, and they're not letting the jail know that me being in solitary is not good. I go less outside. I take my showers -- I still -- I'm in the cell 24/7, basically, seven days a week. I only get to go outside three hours a week.

But I was in solitary confinement without going outside for eight months. My attorney has not said a word about it. He said he didn't -- there's nothing he could do.

THE COURT: All right. Counsel, you-all want to address that concern?

MR. AVALLONE: Well, yeah, Judge. So the first issue is we don't control the way the jail handles inmates.

But the overall issue on the solitary - because we've considered it - is, first, she's not being held in solitary, you know, just based on how much access she has with people. She's being held, though, alone.

She did have a cellmate, another juvenile, for a period of time. But it's the handling that the jail has, which is -- you know, it's an adult jail.

They have, right now, no other juveniles. They did for a period of months have another juvenile.

In any event, the other option that we considered was to raise this issue. And the nearest facility that might have housing for her would be, in our judgment, in Orlando. And, so, we weighed out the options, and thought, Well, what would be a better option? To move her further away from us and the Court, if it was granted, or there was some movement in housing where we would have less access.

We see her weekly now - in person, weekly. Which has been since the entirety of her case. And we thought it would be better to have her nearby where we could continue that visit schedule, rather than move her further away.

Also, she sees her therapist - at least since that order has been in place - and her guardian ad litem, and others who are all Volusia based.

So I kind of ran through that quickly. But we've considered this solitary issue. First, it's not solitary confinement. She has been outside. She does have access to phones, tablets, and other ways to contact people. But those are the reasons why we took no action.

MS. JACKSON: They deny a lot of that for me. That's why I've been -- I'm on suicide --

THE COURT: Who is "they"?

MS. JACKSON: The officers. I've been on suicide watch for a very long time because they hate me. They put me --

THE COURT: Are you on suicide watch now?

MS. JACKSON: Yes. They put me in there, and they want to torture me, basically. They said that I threatened to kill them. Like, I -- Why would I threaten to kill somebody? It just doesn't make any sense.

So they have to -- They put me in the chair, and they said they were going to beat my ass. The -- one of the officers said that. She grabbed my hair, while they were putting handcuffs on me, and threatened they were going to tase me. So I'm --

THE COURT: When did that occur?

MS. JACKSON: -- in an 8 x 5 cell, and they always --

THE COURT: Okay. Hold on. Take a breath. When did that occur?

MS. JACKSON: This whole -- these two weeks has been hell for me.

THE COURT: The last two weeks?

MS. JACKSON: This whole two weeks. I'm freezing in that cell.

THE COURT: Two weeks before today?

MS. JACKSON: Yeah.

MR. AVALLONE: Yes.

THE COURT: So you are currently on suicide watch?

MS. JACKSON: Yes. Because of me banging on the door. Because they always deny my phone time and my tablet. So, no, I don't have access to the phone 24/7. There's other people in the rotundas, what they call it, in the segs. And I can't sleep in there. I get three hours of sleep because there's always movement. So, no, Mr. Avallone, I do not have 24 hours for the phones, and they shut off periods of times.

MR. AVALLONE: Her handling has been changed in the last two weeks, Judge.

THE COURT: Okay. Well, all right. Let me talk about -- a little bit about that issue, and then I'll --

MS. JACKSON: And I haven't been outside.

THE COURT: And you haven't what?

MS. JACKSON: I haven't been outside.

THE COURT: Okay. In the last two weeks?

MS. JACKSON: Last two weeks, yes.

THE COURT: Okay. So are you still able to see your therapist?

MS. JACKSON: Yes. But now, for some reason, she has to do -- has to go home with a badge. She comes to the jail, and they have to clarify something. She has to go home, and then she has to wait 45 minutes, and they call for me. So it's just -- I feel like Orlando, where they have housing at, would be way better for me. And I will do the videoconference.

THE COURT: Okay. Well --

MS. JACKSON: I will videoconference.

THE COURT: You don't get to choose where you stay --

MS. JACKSON: Of course --

THE COURT: -- number one. Ultimately, that would be the Court's determination, subject to department of the jail, or whatever the department is who is in charge of the housing.

I'm not inclined to move you at this juncture, because we're literally 30 days out from your trial date. So I'm not going to move you to Orlando, where your lawyers, and all the people who are,

actually, legally supportive, and appointed to represent you, are. Because we have proceedings coming up, as you know, in a couple weeks related in anticipation of trial. So I'm not going to move you far away where we can't get to you.

Today is an example. We had to set this hearing on short notice. If I had to get you here from Orlando, it may take a week for me to get you back. And that is not in your best interest, and that's not going to help your case. It's not going to help us address issues that come up quickly on short notice. And now that we're closing in on that trial date, that may happen; and I've got to be able to get you. If I call over in the morning, I can get you here this afternoon if I need to. I would never be able to do that in Orlando. So that just really isn't realistic. Maybe a year and a half ago, it might have. But it's not now.

How long have you -- Are you seeing your therapist on a weekly basis?

MS. JACKSON: No. She's always on vacation.

THE COURT: Okay. How often do you typically see her?

MS. JACKSON: Every other week. It really depends.

THE COURT: And do you have a good -- I don't need to hear what you-all talk about. Do you have a good relationship with this therapist?

MS. JACKSON: Um, well, she mostly talks about herself. But, yeah, I just sit there and listen, kind of.

THE COURT: Okay. So is there someone --

Counsel, this is getting a little far out of your bailiwick. Although, we wanted to try to get -- I did enter an order to allow her to see a therapist. Is there -- Can we, perhaps, address to see if we can get someone out there more regularly? That might help, kind of, put a damper on this high anxiety that's causing issues out at the jail.

MR. AVALLONE: I'm in communication with her, Judge. Her perspective -- I don't get involved in what they talk about, of course. But her perspective is that things are going well. And they meet regularly. But I will address that with her and see if she can go more often.

THE COURT: If you can do that. Especially, in light of Ms. Jackson being on suicide watch. That's concerning, obviously, to the Court.

MR. AVALLONE: Yes.

THE COURT: I don't run the jail. I don't

have the authority to address some of those issues. But it's concerning to me that you're not -- If you're not seeing your therapist every week, and you're on suicide watch, and you've got some of these other things going on, that's something that I want to make sure we can get in place, to try to give you the proper professional to talk to, so some of those situations at the jail will calm down.

Counsel, I'm going to ask that you just look into what's going on. If there are issues that need to be brought to the Court's attention, obviously, I'll consider them on short notice if need be. There's -- you know what I have jurisdiction over and what I don't. Obviously, if it becomes an issue. But I'm going to ask you to look into that. If what's happening, as she's indicating has occurred, that is, obviously, concerning to the Court.

Ms. Jackson, I want to go back and talk to you about some other things that you raise in your motion, which is the scoresheet issue. So tell me about your concerns about not having a scoresheet --

MS. JACKSON: Um, well --

THE COURT: -- or that you think whatever scoresheet received was not legal or not proper.

MS. JACKSON: I don't even know the number when -- The last court date, you know how they're supposed to have a scoresheet set up already?

THE COURT: Okay.

MS. JACKSON: She was calculating, right in front of my eyes, the scoresheet. So...

THE COURT: Okay. So -- And your concern is that you haven't been able to see a printed copy of a proposed scoresheet, to see if it's correct, or to look at the numbers?

MS. JACKSON: Uh-huh.

THE COURT: Is that right?

MS. JACKSON: Yes.

THE COURT: All right. Mr. Avallone, do you want to address that?

MR. AVALLONE: Sure, Judge. So we've gone over in detail the exposures and, you know, the -- Well, you've seen the letter.

THE COURT: All right. But I want to have a very clear record of what's been discussed; and that's part of why we're doing this in an ex parte manner. So I want you to go through it, even though it was in your letter. And, yes, I have

read your letter - in front of the Court with Ms. Jackson here. And we'll make sure that she -- if she has questions, we'll answer them here today.

So tell me what you advised her, and discuss the scoresheet in that context. Because she -- Up until I -- She heard it from my mouth, she, apparently, was still under the misimpression that she could not receive a life sentence.

MR. AVALLONE: All right.

THE COURT: So let's make sure there aren't any other misconceptions she has, so she can make good decisions going forward. Okay?

MR. AVALLONE: All right. So focusing on the scoresheet, Judge. As we know, the scoresheet is, kind of, not material in this case - at this stage, anyway - because of the way we're positioned if she's convicted as charged. So that's the way I've approached this case.

THE COURT: All right. So, for Ms. Jackson's understanding - because I clearly understand - why is the scoresheet not so important, if she were to be convicted as charged?

MR. AVALLONE: So, as I've explained - both in the letter and in many meetings - because of the way the statutes read and -- Well, the Judge would

have two options in her case; either juvenile sanctions, or a life sentence, and nothing in between. So regardless of the scoresheet, and what the scoresheet says, or what the numbers come to, there are no other options if she was convicted as charged.

So the complaint about the scoresheet has only arisen -- And we've had -- We sat with actually the scoresheet manual, one time at the jail, Ms. Jackson and I, and we did our best. I did my best to explain to her about -- These are complex issues. We're dealing with, you know, a 15 year old. These are complex issues, going through a scoresheet manual, Judge.

THE COURT: They're complex issues going -- They are complex issues going through it with adults who have years of schooling. I will say that, Ms. Jackson, for your benefit.

MR. AVALLONE: Right. So I don't fault her for not understanding. But the point is, we've been through this exercise at length, I can assure you, trying to have her understand how it all works. Which was part of the impetus for the letter, was to put it in writing so that she can spend time with that letter - because she has some

learning disabilities that she needs to read and re-read things - to understand them.

THE COURT: Okay.

MR. AVALLONE: So that was part of the reason why I wrote everything down. Because the language in that letter is above her understanding, and I knew that. But I know that she - because we've spent so much time together -- if she reads and re-reads things, she will understand it. I've gotten off topic here.

Back to the scoresheet. What the numbers are in the scoresheet will only matter if she's convicted or the State agrees to lessen the charges. And that's where the scoresheet really comes in. So the scoresheet has become less of a topic in our conversations because of the way this is charged.

And until this person - who's practicing law without a license, in my view - became involved in her case, the scoresheet issue was never an issue with Ms. Jackson. She understood all of this. And now this has just been pushed to the forefront - not by her, but by others. This is my view.

So I believe she does understand it, to the extent she can understand what the scoresheet

means; and she does understand the minimums and her exposure. I do believe that. But I don't know if I've answered your question, Judge. But I can assure you, we've been over the scoresheet to the best she can understand it.

THE COURT: All right. So, Ms. Jackson, you wanted to chime in. You had a question, when Mr. Avallone was saying something about that there would be a mandatory. In essence, I would have no discretion. It would be a mandatory life sentence; and there would be a minimum-mandatory if you were found guilty as charged.

MS. JACKSON: He said, um, that I could get life or juvenile sanctions.

THE COURT: Okay.

MS. JACKSON: But I thought you said that you could do less or something. I don't remember. That you could do less than what the State offered.

THE COURT: Well, so, here's the difference. And we've talked about this when we've had these plea discussions. The plea offer that is currently on the table, by the State, reduces your charge, it changes it.

MS. JACKSON: It's still on the table?

MR. AVALLONE: Well, they've revoked it,

Judge. At the last hearing, they revoked that offer. So it is off the table. But we've been told -- It's our next topic. So I'm getting ahead of myself. The offer is part of the complaint.

THE COURT: Yes.

MR. AVALLONE: So I'll save it. But we've been told that it might be still available.

THE COURT: My impression was it may be resurrected. But we'll see.

MR. AVALLONE: That's our impression too, Judge.

THE COURT: All right. So let's talk about it, just from the standpoint of the last time we were here. There was a plea offer that we were still talking about. Do you remember that?

MS. JACKSON: Yes.

THE COURT: So the plea offer was a -- in essence - I'm not giving you all the details. But, basically, a 20-year sentence --

MS. JACKSON: And 45 years probation.

THE COURT: -- with 45 years probation. See, you got it out before I even finished my sentence. So you know what it is.

MS. JACKSON: I will never forget it. Trust me.

THE COURT: Okay. The way the State got to that plea offer was they changed the charges, or amended the charges. So if they changed it to Attempted First Degree Murder without the "Law Enforcement," that would change the type of charge. Because there's -- Because there's a law enforcement officer involved and a firearm, that makes it one of the most serious offenses that you could be charged with. Okay? That's what kicks you into that life with the minimum-mandatory category.

So their plea offer, which is a plea bargain, is if you take that, we'll reduce the charges. We'll give you a sentence that you would otherwise not get - you get less than what you would otherwise get if you were convicted at trial, and we'll change the charge.

So if you ever got in trouble in the future, your record is going to be not as bad as it would if you were found guilty at trial. Okay? And you're, kind of, making faces to me about that. But let me tell you why that's important.

MS. JACKSON: All right.

THE COURT: You're 15. Even if you served 20 --

MS. JACKSON: I would be out by 34.

THE COURT: Right. Well, give or take. Okay. We can all do the math and anticipate what kind of gain time you might get.

But let's assume you got out at 34, 35, 36 years of age. That sounds like it's old to you, because you're 15; for the rest of us in the room, that sounds really young; and for some of us, it sounds really young. Which means you have a lot of years ahead of you.

And no one is predicting, or telling you, you're going to commit more crimes should you serve that sentence and get out. But it is important, from a legal standpoint, that it's a lesser charge - which allows a less severe sanction, or sentence; and if you had any trouble going forward, it makes a big difference in terms of what you would face on another charge. It has a lot of importance to it going forward. Does that explain it a little better to you?

MS. JACKSON: I'm just thinking about the question I was going to ask you.

THE COURT: Okay. What's your question?

MS. JACKSON: Who will they bring (indiscernible) --

(Reporter clarification)

MS. JACKSON: Will they bring the plea deal back up?

THE COURT: Well, let's jump ahead to that for a moment. Because the --

MS. JACKSON: Because now I think of it, taking advice, going to trial is -- Especially because now this -- Do you know what I mean?

THE COURT: All right. So I'm reading between the lines. You're telling me you want to reconsider that plea offer?

MS. JACKSON: Yeah. Because now that I know that this is just complete bull crap, and taking -- Because they -- My supporters are the reason why I wanted to go to trial. But now that I know -- Now that I see that there's something wrong with this guy, you know, there's something -- You know what I mean? You get what I'm trying to say?

THE COURT: I understand what you're saying.

MS. JACKSON: I'm probably trying to reconsider trial.

THE COURT: Okay. And we're going to give you the opportunity to do that; and we'll talk about that today, and we'll take some time today.

MR. ROBERTS: If the Court would like, Your

Honor, I can text Ms. Thomas and see if you can have an answer. I can send Ms. Thomas a message and see if --

THE COURT: If you would do that while we continue to go through this, so we can --

Ms. Thomas is the prosecutor assigned. Let's see if we can get a response on whether or not they will keep that plea offer open, and then we'll explore that today. I've got the rest of the day, if need be, to do this. I want to make sure you have time.

Yes. You have another question?

MS. JACKSON: Will I be able to sign today?

THE COURT: Well, if that's what you, ultimately, decide to do, you could.

MS. JACKSON: Would I be able to get sentenced today instead of...

THE COURT: Well, I'm going to let you talk to your lawyers about that. Okay. I think that's something I want you to talk to them about, if that option is on the table.

So let's go back to this motion, because I need to make some findings on this first. And then we'll go -- we'll see where we are. Okay?

MS. JACKSON: Yes, ma'am.

THE COURT: So the next -- So let me go back to Ground 2 of the motion, which is your ineffective assistance regarding discovery and sentencing scoresheet.

As I understand what has been discussed here, and based on the documents attached to the motion, some of which have been sealed, I do find that the defendant's concerns about not receiving discovery are not well founded. In fact, she did receive discovery at the jail, as she alleges in her motion, on June 23, 2022, and what sounds to me is, like, a blank scoresheet that was given to her so she could see what the scoresheet looks like, in the context of the discussions that she had between her and her lawyer.

Mr. Avallone, let me digress one moment. Because I failed to ask you one very pointed question. Was one of the reasons you did not provide paper copies of these documents -- Let me rephrase.

What was the reason you did not previously provide paper copies of all of Ms. Jackson's discovery to her?

MR. AVALLONE: You discussed it, Judge. It was what you brought up, about other people getting

involved in -- you know, people in the jail; and that issue about discovery finding its way elsewhere. But we did, ultimately, give her all of the paper discovery. The receipt is included in this packet.

THE COURT: I saw it.

MR. AVALLONE: And it's actually -- It's not the full receipt. But all paper discovery has been given to Ms. Jackson; and, as she mentioned, she has given it away now. She doesn't have custody of it now. But every piece of paper, every bit of discovery in her case, has been given to her. We're unable to give her videos and things of that nature - of course, she doesn't have those.

Well, she does have some of it still it looks like. She just pulled some of it out.

MS. JACKSON: That's all I have.

MR. AVALLONE: But she has been given every bit of it now, Judge.

THE COURT: Okay. So, as I understand it, the reason for the initial delay was a strategic decision to protect Ms. Jackson's case and her defense. So, although, the discovery was discussed with her, it was not given to her in paper form - which is consistent with what many counsel do in

cases like this - so as to prevent jailhouse snitches from showing up on State witness lists as somebody who has information about the crime, and then who then claims that the defendant has made a statement to them; and they show up as a witness because they've read something in a police report or another witness statement. That is very common practice. It is done strategically to protect the defendant, not to prevent her from having access to her information.

In this particular case, Ms. Jackson then saw fit to give all this information to Mr. Short, her jailhouse-former-prison legal counsel, in his eyes - although he has no law license, is not licensed to practice law in Florida - and, by doing so, she basically gave up a lot of information that otherwise would have been protected.

As to the issue of why she was given the case law related to some other juvenile sentences -- excuse me, other life sentences that were imposed on juvenile defendants who were in adult court, the purpose of those documents were to try to educate Ms. Jackson on the fact that, yes, the Court does have that authority to impose a life sentence under certain circumstances.

The Court understands that Ms. Jackson, unfortunately, received it as a scare tactic. Although, that's not what it was intended for. And I think today, she understands that that's not what her lawyer was trying to do. He was trying to educate her so she could understand that some of what these -- the information some of these "supporters" are giving her are, in fact, bad information and are really counterproductive to her defense. Which has caused her, unfortunately, to make some bad choices through this litigation; which caused us, in essence, to seal these proceedings today because so much of this has been made public.

As it relates to the -- I think that actually addresses all of the issues raised in the second count, or second part, of her motion to discharge counsel.

And let me make sure that there was nothing else on those two issues we did not talk about.

As relates to a blank scoresheet, and the fact that Ms. Jackson was concerned about the fact that the State was trying to calculate a scoresheet in open court, the Court finds, as stated by Mr. Avallone, that is correct; that the sentencing

guidelines are not controlling in this case should she be convicted as charged because of the nature of the offenses, and the enhancements and the 10/20 life component associated with the charge as charged in the Information.

The plea offer that was previously extended to Mr. Jackson included a reduction in the charge, and a discount of some of those enhancement factors - which is what the State was actually doing, was calculating the scoresheet on that basis, which is why it was done in open court; and that was based on the Court's request to see what the bottom of the guidelines was under that scenario. Although, frankly, it would not be controlling because there was a plea offer for a time certain. So, in essence, it became a little irrelevant in these proceedings.

As to the third and final issue, which is, The plea offer by the State is an illegal sentence under the guidelines.

Ms. Jackson, we've, sort of, addressed that already in our discussions. Do you understand now that that plea offer was because the State amended the charge?

MS. JACKSON: And it's a good thing they did,

because they have evidence against me. They didn't even have to make a plea offer.

THE COURT: They're not required to make a plea offer. They certainly have taken positions with this Court that say we're not extending a plea offer; and they can -- the person can plea as charged. And, for some people, that means a life sentence.

Ms. Roberts.

MR. ROBERTS: Your Honor, I have heard back from Ms. Thomas; and she did indicate that the 20-year offer, followed by the probationary terms, is still on the table.

For clarification, the 20 years is not a minimum-mandatory. And, also, the intent would be to include the Flagler case, and the offer would be for high credit.

THE COURT: All right. So here's what I'm going to do. At this juncture, before I take a break and let you-all talk to Ms. Jackson.

Ms. Jackson, as it relates to the grounds you've raised in your motion for reconsideration to dismiss this defense counsel and request a full Nelson hearing, are there any other issues you want to bring to the Court's attention about any things

that you think are ineffective in your lawyers?

MS. JACKSON: No, ma'am.

THE COURT: All right. And you are almost 16. But you're still 15 today; correct?

MS. JACKSON: Yes, ma'am.

THE COURT: When is your 16th birthday?

MS. JACKSON: February 8th.

THE COURT: Coming up soon. How far did you go in school?

MS. JACKSON: My teacher hasn't come because I'm -- She says I'm in ninth grade, but I don't believe her.

THE COURT: You don't believe her?

MS. JACKSON: No. She keeps giving me this -- Yeah.

THE COURT: All right. Is the work she is giving you at the ninth-grade level difficult?

MS. JACKSON: No. It's just the point. They took away my laptop because -- Yeah.

MR. AVALLONE: What grade level do you think you're at?

MS. JACKSON: Well, my teacher thinks third grade. Me, I'm supposed to be in ninth. I missed a grade. So I'm in ninth.

THE COURT: Okay. So you've still got a ways

to go, before you would either get a high school diploma or a general education diploma, right, a GED?

MS. JACKSON: Yes, ma'am.

THE COURT: Is that right?

Do you have any questions about what we've discussed today?

MS. JACKSON: No. Just the plea offer.

THE COURT: Okay. Well, I'm going to give you time to talk about that. I want to make sure you understand everything we've discussed today.

MS. JACKSON: Yes, ma'am.

THE COURT: Did some of these explanations, both by your lawyers and by the Court, help you understand some of these issues better?

MS. JACKSON: Yes, ma'am. It gave me full mindset now about trial.

THE COURT: All right. Well, that's, ultimately, your decision. That's not my decision. My intent wasn't to make you make any decision. That's something you have to talk to your lawyers about and decide.

One of the things you said, in your motion, is that you want to get rid of your lawyers and represent yourself; and then try to hire a private

attorney. Is that still something you want to do?

MS. JACKSON: I don't know why he put that in - that's stupid - to represent myself. It's real stupid. Huh-uh.

THE COURT: All right. Well, I'm, frankly, very confident that you understand how foolish and folly that would be, trying to represent yourself in this type of case. In any kind of case, if you're not a lawyer, is usually not a good thing.

MS. JACKSON: Not like the parade guy that represented himself.

THE COURT: Right. So I think there are lots of people in the news, that you've probably heard about, who tried to do that, and haven't had really great results; right?

MS. JACKSON: No, not good results.

THE COURT: And you've heard those commercials about, Well, if you want to perform surgery on yourself, then maybe you want to represent yourself, even though you're not a lawyer. That probably wouldn't be a good idea either, would it?

MS. JACKSON: Huh-uh.

THE COURT: "No"?

MS. JACKSON: Not a good idea.

THE COURT: All right. And I say that half

jokingly. But I think you understand that that would really not serve you well to do that, would it?

MS. JACKSON: Yes. I don't know why he put that on there.

THE COURT: Okay. So given that, number one, I do not find that any of the allegations raised in the motion to dismiss defense counsel rise to the level of ineffectiveness of counsel.

It appears that your lawyers have, frankly, gone above and beyond what they would normally do in their representation; in large part to counteract some of the misinformation that Ms. Jackson is receiving from these other persons, the outside influences, and some of whom are people who claim to be her supporters.

I think it's apparent to the Court, and it is now apparent to Ms. Jackson, that some of that information is bad, is false, and has led her down a path that is not in her best interest.

I do find Ms. Jackson is freely and voluntarily withdrawing the written request to represent herself; that that was not her intent, that the person who drafted this - who is someone who is not a lawyer, who served time in prison and

spent some time in the law library - decided on his own, apparently, to put that in. Ms. Jackson is not adopting that request. So I will not conduct a full Faretta hearing, in that it does not appear to be necessary under these circumstances.

Ms. Jackson, at this point, are you -- given the hearing today, are you satisfied with the services of your counsel?

MS. JACKSON: Yes, I am.

THE COURT: And do you wish them to proceed in representing you?

MS. JACKSON: Representing? Yes.

THE COURT: Separate and apart from that request, I do find that the grounds raised in the motion for dismissal of counsel, again, do not rise to the level of ineffectiveness of counsel.

They have offered sage advice, provided discovery timely, discussed it with her at length; and based on some bad advice she has been given, she had some misunderstandings about what the sentence could be, what would be her right to have that discovery in jail, and the follies, perhaps, of getting all of the paper documents in jail, where someone else could have access to that information. And that, in effect, is what has

happened, because she's voluntarily given it to a third party who now has access to that information.

So the motion to dismiss defense counsel is denied on all grounds raised, both in the written motion and discussed today.

I also find Ms. Jackson has stated clearly, after a hearing - which has lasted now more than an hour and a half - with full inquiry with the Court, that she wishes her current counsel to continue to represent her in the matter before the Court.

At this juncture, because the State has now indicated that the plea offer is still on the table - meaning it's open for discussion - I'm going to take a recess. I'm going to allow you an opportunity to discuss with your counsel where we're headed at this juncture.

And if you just let my bailiff know when you want me to come back in, I'll give you the time you need. I have nothing else on my court calender today. So we'll see where we go.

MR. AVALLONE: Are we able to stay in the courtroom, Judge?

THE COURT: As far as I'm concerned, you can. Nobody else is going to be in here. The courtroom will be locked up.

THE BAILIFF: It's locked up. You're good.

MR. AVALLONE: Okay. Great. Thank you.

(Recess taken at 10:48 a.m., and reconvened at 11:33 a.m.)

THE COURT: You may be seated.

All right. We are back on the record. And, Mr. Avallone.

MR. AVALLONE: Well, Judge, our client has executed a plea form.

THE COURT: Why don't you come up here.

MS. ROBERTS: I think we need the prosecutor.

THE COURT: Well, we're not going to go through the plea. At this point, I'm just trying to figure out where we are. And that's all I would need to know.

MR. AVALLONE: Yes, Judge. So we have an executed plea form. I think we did tell you that the State put the offer that we previously discussed back on the table. She wishes to accept that.

The State has agreed to have sentencing occur today. That is our client's wish, to be sentenced today. We intend to waive a PSI and PDR and proceed to sentencing. So that's our intention, as long as that's okay with the Court. And, so, we

would like to proceed if that's okay with you.

THE COURT: All right. Ms. Jackson, I'm not going to take the plea at this point because I have to reopen the courtroom. The State has to be here, everyone is entitled to be in an open courtroom for me to do that. Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: Okay. Given everything that occurred this morning, as we've had this break, have you had any other concerns about your representation that we have not addressed that you need to address?

MS. JACKSON: No, ma'am.

THE COURT: Are you requesting to review the video again, that Mr. Avallone has already shown you, before we proceed any further?

MS. JACKSON: Will everybody else be in the courtroom when I see it, or no?

THE COURT: No. But if you want to see anything, then we would see it -- make sure you review anything prior to that.

MS. JACKSON: No. I'm fine.

THE COURT: Okay. Is there anything else you need to discuss with your lawyers before I reopen the courtroom and we get the State in here?

MS. JACKSON: No, ma'am.

THE COURT: Are you certain?

MS. JACKSON: On my honor, yes.

THE COURT: Okay. All right. So what I will do, at this point, based on where we are headed, what I would like to do is just get Ms. Thomas in here just so I understand timing-wise. Obviously, because of the nature of the offense, there are some victims who have a right to be present. I want to make sure -- I don't have a problem proceeding. But I want to make sure we give sufficient time for those who want to be present to be present.

So if we could get Ms. Thomas in, just so we can discuss procedurally the timing of this, and then we'll reopen the courtroom at that point.

MR. ROBERTS: And, Your Honor, just one other matter, if we could just place on the record, just for clarification purposes. When we were talking about and advising Ms. Jackson regarding life, it would be life with a review after 25 years.

THE COURT: Yes.

MS. ROBERTS: And there would be an individualized sentencing hearing where we would be making arguments.

THE COURT: Correct.

MS. ROBERTS: So I just wanted to make that clear.

THE COURT: That is correct. Do you understand that, Ms. Jackson?

MS. JACKSON: Yes, ma'am.

THE COURT: Okay. It is a little different because you are a juvenile. There is a review process for that sentence. Had you decided to go to trial and be convicted, there would be a review process in place. There would be a full sentencing. Do you understand that?

MS. JACKSON: Yes, ma'am.

(Ms. Thomas enters courtroom)

THE COURT: All right. So, Ms. Thomas, all I need to know from the State at this point - because this has been a fluid situation, and we're -- I want to make sure that the State has had an opportunity to notify any victims so those who want to be present can be present.

MS. THOMAS: Yes, Judge. At this time, we are in compliance with Marsy's Law. We've spoken to all the parties involved that are listed as victims, including the homeowner. We're prepared to go forward with the plea. Most of the listed

law enforcement are present in the hallway. And we did confirm with the homeowner, who won't be here, that he is prepared for the plea to go forward today without him.

THE COURT: All right. So, at this point, then, as I understand it, everyone who wishes to be present for this proceeding is already physically here?

MS. THOMAS: And prepared to move forward, Judge.

And I do have an amended scoresheet, just for record purposes. I did receive correspondence from Ms. Roberts that we are going to wrap up the Flagler County cases. So I've added them on the scoresheet. I would like defense counsel to review the changes that I've made with Ms. Jackson so that there's no issues as to knowledge of the plea.

THE COURT: All right. So we'll do -- I want you-all to do that.

Also, because there is a pending motion for a Nelson hearing in Flagler, Ms. Jackson, I'm going to go through all of that with you. I don't need to -- So I'm going to need to know, I guess, at that juncture -- And we'll do this once we reopen the court. But I want to make sure you understand

I need to address that first before I were to accept any pleas in the Flagler case.

MS. JACKSON: Will I be able to cancel that?

THE COURT: Yes, you can, if that's your desire.

MS. JACKSON: Yeah. Because...

THE COURT: Is that your desire to do so?

MS. JACKSON: Yes, ma'am. Yes.

THE COURT: Okay.

MS. THOMAS: Sorry. I misunderstood. So she doesn't want to have the Flagler cases on?

THE COURT: No, she does.

MS. THOMAS: She does. Okay.

THE COURT: I have to -- She wants to cancel the Nelson hearing that is currently scheduled in front of Judge Perkins in that matter. So I will need to address that on the record.

So, Counsel -- Hold on just a minute. Ms. Jackson, listen to me. Listen to me for a minute.

MS. JACKSON: Sorry.

THE COURT: That's all right. There's a lot going on.

I'm going to give you a few moments before we open the courtroom. It's going to take everyone a

few moments to get set up, which they need to have time to do so. But I want you to talk to your attorneys, to make sure you understand that in order for me to accept your pleas on the Flagler County cases, you will have to withdraw your motion to discharge your lawyers in that Flagler case as well.

MS. JACKSON: Okay.

THE COURT: Do you understand that?

MS. JACKSON: No. Can repeat that, please?

THE COURT: Yes. All right. You ask me any questions, to make sure you do.

So you have filed a motion to discharge your lawyers in the Flagler case.

MS. JACKSON: Yes. And I want that canceled.

THE COURT: Okay. So you do not want to discharge your lawyers in the Flagler case; is that correct?

MS. JACKSON: Yes, ma'am.

THE COURT: All right. You understand, for today's purposes, assuming the plea goes through, then Ms. Roberts and Mr. Avallone will be representing you on those charges for the purposes of the plea; is that correct?

MS. JACKSON: Yes, ma'am.

THE COURT: So you would be, in essence, requesting the Court to withdraw that motion to discharge, or fire, your lawyers there.

MS. JACKSON: Yes, ma'am.

THE COURT: And that's what you want to do?

MS. JACKSON: Yes, ma'am.

THE COURT: Okay. So I'm going to repeat this dialogue once we go through court as part of that plea. Okay?

MS. JACKSON: Yes, ma'am.

THE COURT: All right. So do you have any questions of the Court about that?

MS. JACKSON: No, ma'am. No.

THE COURT: Okay. Are we ready to --

MS. THOMAS: Just for the Court, I do have the plea form - I'll look over it - that Mr. Avallone has handed me. I do have an Amended Information. Once she's confirmed with her attorneys the scoresheet's correct, and she does want to enter the plea, at that time, we'll move the Amended Information to the "first degree" away from the "life" charge.

THE COURT: All right.

THE CLERK: What Flagler County cases? We don't have access to Flagler County cases.

MS. THOMAS: I put the numbers on the scoresheet. I thought that might be an issue.

THE COURT: So here's what we'll need to do --

MS. KANE: Do you need a 707?

THE COURT: Yes.

THE CLERK: Yeah. And an Information.

MS. THOMAS: Okay.

THE COURT: So we'll need the Information and the 707 on the Flagler cases, and then we can get the paperwork from Flagler squared away. I'm not so concerned about that.

MS. THOMAS: Okay.

(Court in recess at 11:40 a.m., and reconvened at 11:45 a.m.)

THE COURT: We're back on the record.

Ms. Jackson, do you need any more time with your lawyers before I open the court?

MS. JACKSON: No, ma'am.

THE COURT: All right.

Yes, Mr. Avallone?

MR. AVALLONE: Time served, I just wanted to check and see what the clerk had.

THE CLERK: Okay. So we have access to Volusia only. And she has on our cases 590 days.

MR. AVALLONE: Okay.

THE COURT: So if she has any more somewhere else, we're not aware of it.

MR. AVALLONE: Right. She doesn't have anywhere else in other counties. But she was in the hospital. So I'm hoping the State will stipulate to this. She was taken into custody on June 1st in this case, and then she was turned over to the Department of Juvenile Justice; and that's where the time began, I believe, the 590?

THE CLERK: It began June 17, 2021.

MR. AVALLONE: So what I'm asking for is the 17 days to be added.

MS. THOMAS: Yes. We stipulate to giving her credit for the 17 days from the hospital.

MR. AVALLONE: So 590 plus 17 is what I'm asking for.

THE CLERK: 607.

MR. AVALLONE: Thank you.

THE COURT: All right. With that being settled, are we ready to proceed?

MR. AVALLONE: We are.

THE COURT: All right. The Court finding that the need for closure of the courtroom has now dissipated, all confidential matters that would have otherwise been to the detriment of Ms. Jackson

to discuss in open court have been handled now. We are ready to proceed in open court. The courtroom has been opened.

THE BAILIFF: Would you like me to turn the Zoom back on, Judge?

THE COURT: Yes. Thank you.

(END OF SEALED/CONFIDENTIAL PROCEEDINGS)

THE BAILIFF: Folks, if you have a cell phone, can you just make sure it's turned off or turned on silent.

THE COURT: All right. Ready to proceed?

MR. AVALLONE: Yes, Judge.

THE COURT: All right. Ms. Jackson, if you will you come back to the podium.

All right. We have been in closed court session for most of the morning since the Court closed the courtroom this morning. That closure was done to ensure Ms. Jackson's right to a fair trial, given some of the nature of the allegations that were raised in her previously-filed Motion for Reconsideration to Dismiss Defense Counsel and Request Full Nelson Hearing.

That hearing has now been conducted by the Court. The Court denied the Motion to Dismiss Defense Counsel; and, in fact, Ms. Jackson also

withdrew any objection she had to her current counsel continuing to represent her, and, herself, reinitiated plea discussions which has resulted, potentially, in this plea we're going to discuss this morning. Is that correct, Ms. Jackson?

MS. JACKSON: Yes. Yes, ma'am.

THE COURT: We have a court reporter. That's why digital was not on.

Ms. Jackson, part of the process this morning, as you recall, is that we also discussed some of the concerns you had related to the Flagler County case, which is also going to be disposed of as part of this plea; is that correct?

MS. JACKSON: Yes, ma'am.

THE COURT: And you have filed a similar motion to discharge your lawyers in the Flagler County cases, that is currently set for hearing before Judge Perkins in the first part of March; is that correct?

MS. JACKSON: Yes, ma'am.

THE COURT: All right. Whoever is on Zoom, who has not muted themselves, I'm going to mute you. You must remain muted, as you are interfering with our proceedings.

All right. Ms. Jackson, what do you want to

do with your pending motion to dismiss your lawyers in the Flagler case?

And just for purposes of the record, the Public Defender's office represents you in those cases as well.

MS. JACKSON: I want to cancel that.

THE COURT: And you understand by canceling that, that prevents you from raising those grounds later on saying you did not have effective lawyering in the Flagler case?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you understand that?

MS. JACKSON: Yes, ma'am.

THE COURT: Any questions you have for me about that?

MS. JACKSON: No.

THE COURT: All right. In essence, many of the grounds that you've raised in that motion we discussed when the courtroom was closed today, because a lot of those issues were part of the motion that was before me as well; is that correct?

MS. JACKSON: Yes, ma'am.

THE COURT: And do you feel like you have sufficient information now, about what occurred in the Nelson hearing that we conducted this morning,

that solves any concerns you had about your representation in the Flagler case?

MS. JACKSON: Yes, ma'am.

THE COURT: Have you had enough time to talk about this plea offer with your lawyers?

MS. JACKSON: Yes, ma'am.

THE COURT: This is not a new plea offer. This is something that has been, in essence, on the table for months at this point; is that right?

MS. JACKSON: Yes, ma'am.

THE COURT: And you and I have discussed this on many occasions when you've been before me.

MS. JACKSON: Yes, ma'am.

THE COURT: Any questions that you have for your lawyers, or for the Court, before we start going through the plea dialogue?

MS. JACKSON: No. No, ma'am.

THE COURT: Okay. State, before I begin, since this has been done a bit on short notice -- We did address this before I opened the courtroom up, but I want to make sure we state this in open court. Has the State complied with Marsy's Law?

MS. THOMAS: Yes, Judge. We've contacted every listed victim. We've also spoke with the homeowner, who has an attorney present on Zoom

representing his interest, Attorney Ingrid Garcia.

And in the courtroom we have Sheriff Chitwood, from the Sheriff's Office; Chief Deputy Brian Henderson; Sergeant Donnie Maxwell, who is a listed victim; as well as Detective Michael Sawicki. Every party and all involved are in agreement with moving forward.

THE COURT: All right. So Mr. Avallone.

MR. AVALLONE: So, Judge, Ms. Jackson intends to withdraw her previously-entered pleas of not guilty, tender pleas of no contest to the amended charge in the Volusia case, of Attempted First Degree Murder. I understand there's been an Amended Information prepared in that case.

I'm also withdrawing her previously-entered pleas of not guilty, tender no contest pleas in the Flagler County case - which we've given that number to the clerk - that will be as charged.

In exchange for that, we will agree to a sentence of 20 years in the Florida Department of Corrections on Count I. Now I'm focusing on the Volusia case. Twenty years Florida Department of Corrections, followed by 10 years of probation.

Count II, that's Burglary of a Dwelling While Armed With a Firearm. Adjudication of Guilt on all

these counts. Count II, 30 years probation to run consecutive to Count I; restitution ordered and reserved.

Count III, Adjudication of Guilt; five years of probation to run consecutive to Count I.

Special Conditions of Probation:

No drugs or alcohol.

Random urinalysis at the discretion of the Department of Corrections.

Do not possess firearms or weapons.

Do not reside in any home or location where firearms or weapons are present.

Undergo a Mental Health Evaluation within 60 days upon release of the Department of Corrections - must follow any recommended treatment and/or take any medication as prescribed.

Subject to warrantless searches of her person or property.

Upon release from the Department of Corrections, must show probation that she's seeking gainful employment or enrolled in an academic or trade program.

Pay cost of prosecution, cost of investigation, which we stipulate to, in the amount of $100 each.

I believe that's all the conditions for the Volusia County case.

Switching now over to the Flagler County case. It's an adjudication of guilt on all those counts, six counts - five counts of Arson, all third degree felonies, one count of Felony Criminal Mischief.

The agreed-upon sentence in all of those - to run concurrent to the Volusia County case - is five years to Florida Department of Corrections concurrent time. No other conditions in that case.

Cost -- I guess, cost are required. So we did not anticipate cost.

THE COURT: The public defender fee and costs would be required, typically. And I would reduce that to civil judgment.

Ms. Jackson, which means that there would be an order that if you were to come into any property or monetary funds at some point, they could seek to collect it against you.

And, Mr. Avallone, if you want to discuss with her any other incidental issues that arise from that. But that's typically what I would do.

MR. AVALLONE: Since she is going on probation, we'd ask that those costs go over to probation then, Judge, if that's a possibility.

THE COURT: Certainly.

MR. AVALLONE: And that would give her an opportunity then to pay those costs.

THE COURT: To avoid the judgment?

MR. AVALLONE: Yes, ma'am.

THE COURT: Okay.

MR. AVALLONE: We do have an executed plea form.

MS. THOMAS: And, in preparation for the plea, we did prepare an Amended Information, Judge. We just wish to be heard briefly on the record.

THE COURT: Yes.

MS. THOMAS: We've amended Count I from the Attempted First Degree Murder of a Law Enforcement Officer With a Firearm. It's, in a way, a stipulated legal fiction. We'll be amending it down to Attempted First Degree Murder With a Firearm, removing just, essentially, the language "law enforcement." The victims are still listed. They are law enforcement from the Volusia County Sheriff's Office.

So the only thing that changed on the scoresheet would be the enhancement portion. It would change it from a mandatory life to a first degree felony with 10/20 life, which we are also

agreeing to waive the 20-year minimum mandatory on Count I, as well as the 10-year minimum mandatory accompanying Count II.

So I have that Information notarized and prepared to give to the clerk for the plea, Judge.

THE COURT: Yes.

And, Mr. Avallone, if I can ask you - so it's very clear, as I discuss this with Ms. Jackson, and it's clear in the record - if you will include Attempted First Degree Murder with Firearm, and just have you initial and she initial as well.

MR. AVALLONE: Okay.

THE CLERK: And on the Flagler County case, you said Arson. But on the Information the language is a little different. Is it as charged in the Information?

MR. AVALLONE: It is "as charged."

THE CLERK: Okay. Thank you.

THE COURT: Chris, if I can have a copy of that Information as well.

MR. AVALLONE: I have done that, Judge.

THE COURT: The person who just joined us on Zoom, make sure you are muted so you do not disturb our proceedings.

All right. Ms. Jackson, raise your right hand

to be sworn.

THE CLERK: Do you solemnly swear or affirm to tell the truth, the whole truth, and nothing but the truth, so help you God?

MS. JACKSON: I do.

THE COURT: State your full name.

MS. JACKSON: Nicole Jackson-Maldonado -- Nicole Marie Jackson-Maldonado.

THE COURT: All right. And how old are you?

MS. JACKSON: I'm 15.

THE COURT: And how far have you gone in school?

MS. JACKSON: I went -- From being incarcerated until now? I've almost completed two years.

THE COURT: Okay. And what was the last regular grade you completed before you were in jail?

MS. JACKSON: Sixth grade.

THE COURT: Okay. And we have spent the better part of the morning together dealing with some of the other issues that I referenced earlier; is that right?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you understand what you are

doing here this morning?

MS. JACKSON: Yes, ma'am. I'm well aware.

THE COURT: Are you under the influence of alcohol or any kind of substances of any kind?

MS. JACKSON: No, ma'am.

THE COURT: Now, you talked this morning about -- and I have entered an order that allows you to see a mental health counselor; is that right?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you have any kind of mental health issues, right today, as you are before me, that is causing you to have confusion or interfere with your understanding of what you're doing here this morning?

MS. JACKSON: Um, my mind is clear right now. But I do have some mental problems with anger, anxiety, and just more like that.

THE COURT: Okay. That's fair enough.

Do those issues cause you any confusion about what you're doing here today?

MS. JACKSON: No, ma'am.

THE COURT: Have you had enough time to discuss this plea agreement with your lawyers --

MS. JACKSON: Yes, ma'am.

THE COURT: -- including Ms. Hughes, who is the juvenile attorney --

MS. JACKSON: Yes.

THE COURT: -- before you made this decision and signed this plea form today?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you have any questions remaining at all?

MS. JACKSON: Will I be sentenced today?

THE COURT: Yes, ma'am.

MS. JACKSON: Yes.

THE COURT: That was your only question?

MS. JACKSON: That's my only question.

THE COURT: All right. You understand that if you are not a U.S. citizen, you will be deported?

MS. JACKSON: Do what?

THE COURT: Do you understand that if you are not a U. S. citizen, you will be deported?

MS. JACKSON: Am I a U.S. citizen?

MR. AVALLONE: You are.

MS. JACKSON: Okay.

THE COURT: So, for example, if you were born in another country and never became a U.S. citizen, another agency of a government, because of this plea, would eventually take you back to that

country.

MS. JACKSON: Oh.

THE COURT: It sounds like that does not apply to this case.

Were you born in the United States?

MS. JACKSON: I was born in Puerto Rico. That's all I know.

THE COURT: All right. I think that solves the issue.

MS. JACKSON: I have another question.

THE COURT: Yes, ma'am.

MS. JACKSON: Will I be -- Will I be thrown in prison with everybody else, or will I be going to, like, some juvenile place until I'm 18?

THE COURT: The Department of Corrections will place you. You will be in a state prison facility. They will place you in a facility based on your age, but you will be in an adult facility because I'm imposing an adult sanction.

MS. JACKSON: But I won't be with adults until I'm 18?

THE COURT: It is my understanding that the Department of Corrections is still bound by the laws that require juveniles to be kept separately. You will be in an adult facility. It is my

understanding that you would be kept separate until you reach the age of majority.

Counsel, is that your understanding as well?

MR. AVALLONE: Not exactly, Judge. So my understanding is that she could be housed in a juvenile facility until she's 18. But that decision will be made by the department at some later date after today. And so that's what I've told her already; and that, either way, that decision won't be made by the Court or by any of the authorities in Volusia County.

THE COURT: I don't have the authority to do that. That's a Department of Correction function.

MS. JACKSON: They decide where I go?

THE COURT: Yes. Even if I told them where I would like you to go, they would disregard what order I entered. I don't have that authority.

MS. JACKSON: I won't be assaulted; right?

THE COURT: I don't know the answer to that question.

MR. AVALLONE: She doesn't know.

MS. JACKSON: Okay.

THE COURT: Okay?

MS. JACKSON: Yes, ma'am.

THE COURT: All right. Did you go through,

with your lawyers, this written plea form that I've been handed?

MS. JACKSON: Yes, ma'am.

THE COURT: Did you read it, or did they read it to you?

MS. JACKSON: They read it to me.

THE COURT: Do you understand the plea agreement?

MS. JACKSON: They gave me short, um -- you know, like, I lost my right to trial. You know, but the words, no. They just said in my vocabulary, basically.

THE COURT: All right. So did they explain the important rights that you would be giving up by changing to a plea instead of going to trial?

MS. JACKSON: Yes, they did.

THE COURT: So do you understand that by entering this plea today, you are giving up the right to have a jury determine whether or not you're guilty?

MS. JACKSON: Yes, ma'am.

THE COURT: You understand that by entering a plea, you give up the right to see and hear any witnesses testify and have your lawyers question those witnesses?

MS. JACKSON: Yes.

THE COURT: Do you understand that you give up the right to present any witnesses or evidence on your behalf, because we're doing a plea and not a trial?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you understand that you are giving up the right to testify or remain silent in a trial?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you understand that you are giving up the right to require the State, the prosecutor, to prove the charges, beyond a reasonable doubt, because you are entering pleas to some reduced charges?

MS. JACKSON: Yes, ma'am.

THE COURT: Has anyone forced you to do that?

MS. JACKSON: No, ma'am.

THE COURT: And you understand that the Court would be imposing the sentence that has been placed on the record, which has also been explained to you a number of times, and written down on this written plea form?

MS. JACKSON: Yes, ma'am.

THE COURT: Other than that plea offer, or

negotiated sentence, has anyone offered you anything to get you to enter a plea today?

MS. JACKSON: No, ma'am.

THE COURT: Are you doing so freely and voluntarily?

MS. JACKSON: Yes, ma'am.

THE COURT: Has anyone forced you in any way to do this?

MS. JACKSON: No, ma'am.

THE COURT: Is this your signature, or at least initials, on this written plea form?

MS. JACKSON: Yes, ma'am.

THE COURT: Okay. And, Ms. Jackson, you have the right typically to have a predisposition report - which is, like, sort of, an investigative report about your history - that's usually done in juvenile court. You have the right to have that done because of your age; and you --

MS. JACKSON: A what?

THE COURT: It's called a predisposition report, or it's referred to as a PDR.

MS. JACKSON: Oh, that goes in sentencing.

THE COURT: Yes.

MS. JACKSON: No, I didn't want it.

THE COURT: Okay. You have the right to have

that.

You also have the right to have what's called a presentence investigation, which is what we do in adult court, or a PSI. Your attorneys have indicated you are waiving that, or saying to me I know I'm entitled to it, but I don't want that; is that correct?

MS. JACKSON: Yes, ma'am.

THE COURT: So you understand we will proceed right to sentencing?

MS. JACKSON: Yes, ma'am.

THE COURT: Is that what you wish to do?

MS. JACKSON: Yes, ma'am.

THE COURT: Have you had enough time to discuss that issue with your lawyers?

MS. JACKSON: Yes, ma'am.

THE COURT: All right. I'm going to start with the charges here in Volusia County.

In Volusia County, you -- the State has filed an Amended Information which charges you with --

I need to actually see the Information.

THE CLERK: Yes.

THE COURT: All right. It charges you, in Count I, with Attempted First Degree Murder With a Firearm, which is a first degree felony - which

would subject you to 30 years in prison. As to that charge, how do you plea?

MS. JACKSON: No contest.

THE COURT: And do you understand what a no-contest plea means?

MS. JACKSON: Huh-uh.

THE COURT: All right.

MS. JACKSON: I have no clue.

THE COURT: So let's talk about that. You understand that -- Listen to me, and then I'll give you a chance to talk to Mr. Avallone if you need to.

You can enter -- Right now, you have a not-guilty plea entered to all charges. Do you understand that?

MS. JACKSON: Now I do. Yes, ma'am.

THE COURT: Okay. And a no-contest plea means I'm not contesting the fact that the State can prove the charges against me. And it's also referred to as a "best interest plea" - you're not admitting you committed the offenses, but you're not contesting the fact that the State could be able to prove those charges against you. A no-contest plea allows the Court to sentence you as if you had been found guilty of those charges or

entered a guilty plea. Do you understand that now?

MS. JACKSON: Yes, ma'am.

THE COURT: Do you need to talk to Mr. Avallone to answer any questions, or Ms. Roberts, about that?

MS. JACKSON: No, ma'am.

THE COURT: Do you wish to proceed with a no-contest plea to Attempted First Degree Murder With a Firearm?

MS. JACKSON: Yes, ma'am.

THE COURT: You are also charged with Burglary of a Dwelling While Armed With a Firearm, which is also a first degree felony, also punishable by life. As to that charge, how do you plea?

MS. JACKSON: No contest.

THE COURT: Are you entering that plea of no contest because you believe it is in your best interest to do so?

He can't answer that. You're the only one who can answer that.

MS. JACKSON: Wait. Repeat that, please?

THE COURT: Yes. Are you entering the plea of no contest to Burglary of a Dwelling While Armed With a Firearm, a first degree felony punishable by life, because you believe it is in your best

interest to do so?

MS. JACKSON: Yes, ma'am.

THE COURT: Finally, in this case, you are charged with Criminal Mischief of $1,000 or more, which is a third degree felony punishable by up to five years in prison. How do you plea to that charge?

MS. JACKSON: No contest.

THE COURT: Are you entering that plea of no contest because you believe it's in your best interest to do so?

MS. JACKSON: Yes, ma'am.

MS. THOMAS: And, just for the purpose of the record, before we move forward, there's a waiver of the arraignment on the new Information that she's about to enter a plea to.

THE COURT: Is that correct?

MR. AVALLONE: Yes, Judge.

THE COURT: Yes. Thank you.

All right. As to those three charges, I do find Ms. Jackson is entering these pleas freely and voluntarily. She understands the consequences of entering these pleas. We have had lengthy discussions.

In the context of her Nelson hearing,

regarding any discovery issues, or concerns about her representation, this Court has previously found that the grounds raised in her motion, all of those grounds were denied.

She then, independently, indicated she wanted to retain her counsel and proceed with this plea with her current counsel.

I find, based on the hearing we just concluded outside the presence of the State, that Ms. Jackson has had ample time to confer with her lawyers. She has had the advice of counsel throughout this process. She has a full understanding of the charges against her as amended, and as originally charged; has had an adequate opportunity to review all of her discovery, and understand the nature of the State's case, and explore any potential legal defenses that she would have otherwise had available to her.

Factual basis, Counsel?

MR. AVALLONE: We would stipulate, Judge.

THE COURT: All right. The Court has reviewed this court file at length; and based on discussions with the defendant, and the stipulation, the Court finds there is a factual basis for the Court to accept the negotiated pleas and will accept the

negotiated sentence.

As to the Flagler County case, which is [redacted] CFFA, you are charged as follows:

Five counts of Willful, Malicious or Intentional Burning of Lands, each of which is a third degree felony, punishable by five years in prison; and one count of Criminal Mischief of $1,000 or more, also a third degree felony punishable by five years in prison.

As to that -- And we've referred throughout these proceedings in the first five counts as Arson. It's a specific type of Arson that you're charged with. But that's what we have referenced.

So as to six counts of third felonies, each of which is punishable by five years in prison, how do you plea?

MS. JACKSON: No contest.

THE COURT: All right. And you understand, much like the case in Volusia, by entering pleas of no contest, you are not contesting the evidence the State would have against you, and it allows me to sentence you as if you had been found guilty or entered guilty pleas?

MS. JACKSON: Yes, ma'am.

THE COURT: Are you entering those pleas of

no contest because you believe it is in your best interest to do so?

MS. JACKSON: Yes, ma'am.

THE COURT: Earlier in the hearings today, as I previously indicated, you indicated to me you are seeking -- you withdrew your request to discharge your lawyers in the Flagler case. Is that still the case?

MS. JACKSON: Yes, ma'am.

THE COURT: Have you had enough time to discuss with your lawyers here today the charges pending in Flagler, understanding that the recommended sentence is a concurrent sentence - meaning you don't get additional time - it's going to run the same time as the sentence I am imposing on the more serious charges here in Volusia?

MS. JACKSON: Yes, ma'am.

THE COURT: Factual basis to those counts?

MR. AVALLONE: We would stipulate, Judge.

THE COURT: And do I have a 707 in that case, please?

THE CLERK: I have it, Judge. (Tenders)

THE COURT: I do find there's a factual basis for the Court to accept those pleas, based on the stipulation and the charging affidavit in that

case. I do find that the pleas entered in both Volusia and Flagler are being entered freely and voluntarily by Ms. Jackson, with full opportunity to discuss all of her cases with her counsel. She understands the consequences of entering these pleas; and is doing so with any -- without any force, threat or coercion from anyone else.

Before I impose sentence, I understand there are a number of persons who are here who do have the right to be heard by the Court. Are any of the persons, State, who are present, wish to be heard before I proceed to sentencing?

MS. THOMAS: Just one moment, Judge, and I'll inquire with them.

I will say, as to the Flagler County case, ending in 722, I have reviewed the file. It was not my case. However, I can see documentation that Marsy's Law was complied with by the prosecutor, and there is no damages or restitution being sought on that case.

Okay. And if I could just have one moment to ensure that no one wants to be heard on the Volusia County case.

THE COURT: Yes, ma'am.

MS. THOMAS: Okay, Judge. We don't have any

witnesses.

THE COURT: All right. And I do have a scoresheet before me as modified. Is the scoresheet agreed upon?

MR. AVALLONE: It is, Judge.

THE COURT: All right. So I'm going to go backwards. In Case 2021-CF-000722, which is the Flagler County case, as to each of the first four counts - Willful, Malicious or Intentional Burning of Lands - you are adjudicated guilty; sentenced to five years Department of Corrections; credit for a stipulated amount of 607 days.

As to Count VI, Criminal Mischief, you are adjudicated guilty, sentenced to five years Department of Corrections; credit for 607 days. Those are all concurrent sentences with one another. Ms. Jackson, that means they all run at the same time.

I am imposing a public defender fee and court costs. Those will be a condition of probation that will be added to the sentence in the Volusia County case. No restitution is requested, as none is necessary.

In Case 2021-303222, as to the amended charge of Attempted First Degree Murder With a Firearm,

state, as I understand it, you are waiving the minimum-mandatory sentence pursuant to 10/20 life; is that correct?

MS. THOMAS: Yes, Judge. We're stipulating to the first degree felony without the min-man attached.

THE COURT: All right. You are adjudicated guilty of that offense; sentenced to 20 years Department of Corrections; credit for 607 days you have already served; that will be followed by ten years of probation.

Special conditions of probation are:

No drugs, no alcohol.

Ms. Jackson, you need to listen. Make sure -- If you have any questions, I'll ask when I'm done.

Random urinalysis as a condition of probation.

No firearms, no ammunition, no weapons.

You may not reside at any home or any location where firearms, weapons or ammunition are present.

You must undergo a Mental Health Evaluation within 60 days release of Department of Corrections; and you must follow any recommended treatment, which would include taking any medication that you're prescribed for treatment, taking it as prescribed.

You are subject to warrantless searches of your person or property during that term of probation.

Upon release from the Department, you must show proof to probation that you are either seeking gainful employment or enrolled in some kind of educational or training or trade program.

Court costs --

MS. JACKSON: Is that school?

THE COURT: That would be school.

MS. JACKSON: Okay.

THE COURT: You can either get a job or go to school. Those are your options.

MS. JACKSON: Can I do both?

THE COURT: You can do both. That would even be preferable.

You are required to pay court costs; $100 cost of prosecution to the State Attorney's office through probation; $100 cost of investigation to Volusia County Sheriff's Office; and Public Defender fees as a condition of probation.

As to Count II, you are adjudicated guilty, sentenced to 30 years probation which will run consecutive to Count I.

Restitution will be -- issue of restitution

will be reserved for a period of 60 days. If necessary, a further hearing will be held to determine what, if any, restitution is ordered.

All other special conditions, as previously indicated, are conditions of probation on that count.

As to Count III, you are adjudicated guilty of Criminal Mischief, sentenced to five years probation to run consecutive to Count I.

Is that -- Clarification. We're running the 30 years consecutive to Count I. Is Count III concurrent?

MS. THOMAS: It can be concurrent, Judge.

THE COURT: All right. Five years probation on Count III, which will be concurrent with the probation I imposed in Count II and Count I. So total period of probation is 40 years, which follows the 20-year sentence.

Special conditions on Count III. Restitution will -- the jurisdiction will be reserved for a period of 60 days to determine what, if any, any restitution is ordered. No additional costs imposed.

All right. All sentences imposed in the Volusia County case are concurrent with those

sentences imposed in Flagler County.

Ms. Jackson, do you have any questions?

MS. JACKSON: Yes. Will I be released on June 1st, or will I be, like -- Will I be released on the 27th of January?

MR. AVALLONE: She doesn't do those things.

THE COURT: I can't tell you a release date today. I know you were talking about that earlier. We don't know exactly what kind of gain time you will get. You don't have a minimum-mandatory sentence. But the Department of Corrections will advise you. Once you process in, they will give you an estimated release date. And that may or may not change as you go through the process. Okay?

MS. JACKSON: Yes, ma'am.

THE COURT: Any other questions, Ms. Jackson?

MS. JACKSON: Um, no, that's it.

THE COURT: All right. State, anything else that needs to be addressed in sentencing?

MS. THOMAS: Nothing from the State, Judge.

THE COURT: Mr. Avallone?

MR. AVALLONE: No, ma'am.

THE COURT: All right. Ms. Jackson, you do have 30 days right to appeal. If you cannot afford a lawyer, we will appoint a lawyer for you.

Good luck to you.

(Proceedings concluded at 12:30 p.m.)

CERTIFICATE OF REPORTER

STATE OF FLORIDA )
COUNTY OF VOLUSIA )

I, Sharon K. Dunlap, RPR, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings; and that the foregoing transcript is a true and complete record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 11th day of September, 2024.



Sharon K. Dunlap, Registered Professional Reporter
Court Reporter and Notary Public

$

**$1,000**
113:4
115:8

**$100**
98:25
120:17,19

1

**10**
97:23

**10-year**
101:2

**10/20**
45:17
46:9 75:3
100:25
119:2

**10:48**
83:3

**11:33**
83:4

**11:40**
91:13

**11:45**
91:14

**12:30**
123:2

**15**
63:13
67:24
68:7 77:4
102:10

**16**
77:3

**16th**
77:6

**17**
41:12,25
92:10,12,
14,15

**18**
105:14,21
106:6

**1982**
8:8

**1st**
92:7
122:4

2

**2**
71:2

**20**
67:25
76:14
97:20
119:8

**20-year**
46:10
66:19
76:12
101:1
121:18

**2021**
92:10

[redacted]
115:3

[redacted]
4:2
118:24

**2021-CF-000722**
118:7

**2022**
71:11

**23**
71:11

**24**
56:16

**24/7**
8:9 53:6
56:12

**25**
85:21

**27th**
8:17
23:13
122:5

3

**3**
17:6

**30**
8:18
57:23
98:1
111:1
120:23
121:11
122:24

**34**
68:1,5

**35**
68:5

**36**
68:6

4

**40**
121:17

**45**
57:9
66:20,21

**4:00**
18:22

5

**5**
55:20

**590**
91:24
92:9,15

6

**60**
98:14
119:21
121:1,21

**607**
92:17
118:12,15
119:9

7

**7**
27:22

**707**
91:4,9
116:20

**722**
117:16

**7th**
26:19

8

**8**
55:20

**8th**
77:7

A

**a.m.**
83:3,4
91:13,14

**ability**
8:24
29:16
52:3

**absolutely**
52:7

**academic**
98:21

**accept**
83:19
88:2 89:4
114:25
116:24

**access**
28:21,24
29:1,3
30:23
53:21
54:11,23
56:11
73:9
81:24
82:2
90:25
91:23

**accessible**
5:13

**accompanying**
101:3

**accomplish**
9:15,20
23:15

**accomplished**
34:13

**accordance**
8:5

**account**
44:12

**accusations**
38:18

**accused**
9:19

**acting**
33:6

**action**
54:25

**actively**
45:14

**actual**
33:21

**ad**
54:19

**Adam**
31:7

**add**
39:7,10

**added**
87:14
92:12
118:21

**additional**
44:20
116:14
121:22

**address**
6:6 8:9
10:2
12:9,25
22:15,19
28:7
33:20
52:22
53:14
58:11
59:11,19
60:1
61:17
84:12
88:1,17
96:20

**addressed**
26:7 27:4
75:21
84:11
122:19

**addresses**
47:1
74:16

**adequate**
114:14

**adjudicated**
118:10,14
119:7
120:22
121:7

**adjudication**
97:25
98:4 99:4

**administration**
8:14 9:6

**admitting**
111:21

**adopting**
81:3

**adult**
44:3
46:2,8,22
53:25
73:21
105:18,19,25
110:4

**adults**
63:17
105:20

**advice**
14:21
16:8
22:25
32:12,23
36:16
41:18
45:14
47:24
50:16
69:7
81:17,19
114:11

**advise**
122:12

**advised**
49:16
62:4

**advising**
85:20

**advocating**
49:21

**affect**
27:16

**affidavit**
116:25

**affirm**
102:2

**afford**
122:24

**afternoon**
58:15

**age**
8:10 68:6
105:18
106:2
109:18

**agency**
104:24

**agree**
48:4,10
97:19

**agreed**
83:21
118:4

**agreed-upon**
99:7

**agreeing**
101:1

**agreement**
97:6
103:24
107:8

**agrees**
64:13

**ahead**
18:10
28:8 66:3
68:10
69:4

**ahold**
31:3

**AK**
35:25
36:13

**alcohol**
98:7
103:4
119:13

**allegations**
5:23 6:5
27:18
80:7
93:19

**alleged**
46:18,21

**Allegedly**
37:15

**alleges**
71:10

**alleviate**
20:23

**Allison**
4:14

**allowed**
20:18,20
32:24

**alternatives**
9:7

**amended**
67:3
75:23
87:11
90:17,20
97:11,14
100:10,13
110:20
114:13
118:24

**amending**
100:16

**ammunition**
119:17,19

**amount**
98:24
118:12

**ample**
114:10

**and/or**
98:16

**anger**
103:17

**angles**
34:16,20,24 35:8,10

**announce**
10:24

**announced**
11:17

**answers**
13:1
25:19

**anticipate**
68:3
99:12

**anticipation**
58:4

**anxiety**
59:14
103:18

**apologize**
43:1

**apparent**
80:17,18

**apparently**
6:10
27:10
62:7 81:2

**appeal**
122:24

**appearance**
18:25

**appeared**
13:11,15

**appears**
80:10

**apply**
9:12
105:3

**appoint**
122:25

**appointed**
15:12
58:1

**approached**
62:18

**argue**
15:23

**arguments**
85:25

**arise**
99:21

**arisen**
63:8

**arm**
38:6

**Armed**
37:5
97:25
112:12,23

**arraignment**
113:15

**arrested**
18:16,19,
24

**arson**
51:1 99:5
101:14
115:12

**article**
7:20

**ass**
55:14

**assaulted**
106:18

**assigned**
19:8,11,
12 20:2,
9,18
24:21
70:6

**assistance**
6:9,22
71:3

**assistant**
4:14 24:7

**assume**
37:12
68:5

**assuming**
89:21

**assure**
7:25
63:21
65:4

**attached**
71:6
119:6

**attachments**
5:1 6:8

**attempted**
37:4 42:4
46:7 67:4
97:12
100:14,17
101:10
110:24
112:8
118:25

**attend**
19:15

**attended**
7:19
18:15

**attention**
5:11 7:16
40:10
60:12
76:25

**attorney**
6:13
23:25
53:10
79:1
96:25
97:1
104:2

**Attorney's**
30:17
120:18

**attorneys**
33:24
41:11
47:25
48:1 89:3
90:18
110:4

**authorities**
106:11

**authority**
7:22
15:22
40:5 46:4
60:1
73:24
106:12,17

**Avallone**
4:5,17
10:10
11:5,12
17:5,7,9
18:20
19:1,6,9,
11,14,20,
22 20:8
23:20,22
24:6,15,
19,25
26:9,17
28:13,20
34:14,19,
23 35:6
41:3,15,
17,23
42:7,9
45:4,10
49:14,18
50:13
53:15
56:6,15,
18 59:15,
24 61:16,
18 62:9,
13,23
63:19
64:4
65:8,25
66:6,10
71:16,24
72:7,18
74:25
77:20
82:21
83:2,7,8,
16 84:15
89:22
90:16
91:20,21,
25 92:3,
11,15,18,
21 93:12
97:8,9
99:20,23
100:2,5,7
101:7,12,
17,21
104:20
106:4,21
111:11
112:4
113:18
114:20
116:19
118:5
122:6,21,
22

**Avallone's**
34:2

**avoid**
100:4

**aware**
4:23 9:23
45:12
92:2
103:2

**B**

**back**

13:21
16:19
23:4
26:11,12,
14 29:11
36:24
40:3 41:4
48:21
58:9
60:20
64:11
69:3
70:22
71:1
76:10
82:18
83:6,19
91:15
93:5,14
104:25

**backwards**
118:7

**bad**
16:10
18:17
30:7
47:10
52:8
67:19
74:8,11
80:19
81:19

**badge**
57:6

**bailiff**
10:22
82:17
83:1
93:4,8

**bailiwick**
59:9

**balancing**
5:19,20

**banging**
56:9

**bar**
15:14

**bargain**
67:12

**based**
5:2 10:18
13:1
27:18
53:20
54:19
71:6
75:11
81:19
85:5
105:17
114:8,22
116:24

**basically**
19:5,7,23
20:16,19
37:10
42:20
49:8 53:7
55:9
66:19
73:16
107:12

**basis**
50:17
58:20
75:10
114:19,24
116:18,23

**beat**
55:14

**began**
92:9,10

**begin**
11:4
96:18

**beginning**
4:21

**behalf**
4:15,20
15:23
108:4

**believed**
18:21
47:23

**bench**
51:20

**benefit**
63:18

**big**
21:11
68:17

**birthday**
77:6

**bit**
14:25
26:7
32:20
56:21
72:11,19
96:19

**black**
45:22

**blank**
71:12
74:21

**body**
33:22

**body-cam**
34:21

**born**
104:22
105:5,6

**boss**
20:4

**bottom**
75:12

**bounce**
36:1

**bound**
105:23

**break**
76:20
84:9

**breath**
55:22

**Brian**
97:3

**briefly**
100:11

**bring**
20:6
68:24
69:2
76:25

**broader**
9:20

**brought**
25:13,14
60:12
71:25

**bubbled**
25:3

**bull**
69:13

**bullet**
35:24
36:21

**Burglary**
37:5
97:24
112:11,23

**burned**
48:19,24

**Burning**
115:5
118:9

C

**calculate**
74:23

**calculating**
61:7
75:10

**calender**
82:19

**calendering**
23:10

**call**
25:5,6
56:13
57:9
58:14

**called**
109:20
110:2

**calls**
45:12

**calm**
60:8

**cams**
33:22

**cancel**
88:3,14
95:6

**canceled**
89:15

**canceling**
95:7

**capias**
25:4
26:7,9

**careful**
8:4

**case**
4:2 5:8
6:20 7:14
8:8,16
9:11,14,
24 12:1
13:12,16
14:17
17:22
19:2,7,11
20:3,4,15
21:16,17
22:5,6,9
23:3,7,8,
9,12,15,
24,25
24:2,23
25:11,17,
18 30:8,
20 31:9,
15 34:16
37:25
40:6,7,25
41:14,15,
24 43:4,
9,18
44:2,6
45:6
46:10,21
49:9,25
50:15,19
51:2
52:14,15,
19 54:13
58:10
62:15,18
63:1
64:20
72:12,22
73:11,18
75:1
76:16
79:8 88:2
89:6,14,
17 92:7
94:12
95:2,10
96:2
97:12,14,
17,22
99:2,3,8,
10 101:13
105:4
113:3
114:16
115:2,19
116:7,8,
20 117:1,
15,17,20,
23 118:7,
8,22,24
121:25

**cases**
21:23
22:21
44:2 48:2
51:2 73:1
87:14
88:11
89:5
90:24,25
91:9,24
94:17
95:5
117:4

**category**
67:11

**caused**
25:4
74:10,12

**causing**
59:14
103:13

**cell**
28:22,25
30:24
53:6
55:20
56:3 93:8

**cellmate**
53:23

**CFFA**
115:3

**chair**
55:13

**chance**
111:11

**change**
9:8,14
67:5,17
100:24
122:14

**changed**
56:18
67:2,3
100:22

**changing**
107:15

**charge**
46:22
57:21
65:22
67:5,17
68:15,18
75:4,7,24
90:22
97:12
111:2
112:14
113:7
118:24

**charged**
19:17
22:3 37:4
46:2,6
62:17,22
63:6
64:17
65:12
67:9
75:2,5
76:7
97:18
101:15,17
112:11
113:4
114:14
115:3,13

**charges**
21:4,13,
18,19,20,
21 31:25
37:3
42:1,2
43:20
44:20
51:5
64:14
67:2,3,13
89:23
108:13,15
110:18,
20,23
111:14,
19,23,25
113:20
114:13
116:11,16

**charging**
116:25

**check**
91:22

**Chief**
24:7 97:3

**chime**
65:7

**Chitwood**
48:18
49:5 97:2

**choice**
31:20

**choices**
74:11

**choose**
29:17
57:15

**chose**
6:16

**Chris**
101:19

**circle**
41:4

**circuit**
11:19
21:6 48:1

**circumstance**
25:9

**circumstances**
44:21
45:11
46:21
73:25
81:5

**citizen**
104:15,
18,19,23

**civil**
99:15

**claim**
80:16

**claiming**
36:16
47:16

**claims**
73:4

**clarification**
19:9
34:15
69:1
76:14
85:19
121:10

**clarify**
34:17
57:7

**clear**
10:17
16:12
20:15
24:16
32:23
45:25
61:22
86:3
101:8,9
103:16

**cleared**
11:14

**clerk**
90:24
91:6,22,
23 92:10,
17 97:18
101:5,13,
18 102:2
110:22
116:22

**client**
6:13 83:8

**client's**
83:22

**clients**
30:12

**close**
9:22,25

**closed**
10:14
11:3
26:10
93:15,17
95:19

**closely**
12:1

**closing**
58:12

**closure**
8:2,13
9:18
10:1,5
92:23
93:17

**clue**
14:9
111:8

**coercion**
117:7

**cold-blooded**
49:13

**collect**
99:19

**college**
15:13

**command**
24:10

**commercials**
79:17

**commit**
68:12

**committed**
111:21

**committing**
32:13

**common**
22:12
73:7

**commonly**
4:8

**communication**
8:25 23:5
25:21
39:17
59:15

**communications**
6:12 7:4,
11 9:4

**Company**
8:7

**complaint**
25:12
42:18
63:7 66:4

**complaints**
27:14,15

**complete**
69:13

**completed**
102:14,17

**complex**
63:11,13,
15,16

**compliance**
86:22

**complied**
96:22
117:18

**component**
42:4 75:4

**computer**
34:2

**computers**
34:8

**concern**
20:7,24
53:14
61:9

**concerned**
20:1,16
74:22
82:23
91:11

**concerns**
12:9,24
16:24
17:14,23
23:18
25:25
27:3 28:6
41:6 45:5
60:23
71:8
84:10
94:11
96:1
114:1

**concluded**
114:8
123:2

**concurrent**
99:8,10
116:13
118:16
121:12,
13,15,25

**condition**
118:20
119:16
120:21

**conditions**
98:6
99:1,10
119:12
121:4,5,
19

**conduct**
8:22 81:3

**conducted**
93:23
95:25

**confer**
15:24
114:10

**conference**
31:14
50:22

**conferment**
19:6

**confidence**
27:16

**confident**
79:6

**confidential**
4:25 5:3
6:14 7:4
11:25
92:24

**confidentiality**
39:22

**confinement**
53:1,9
54:22

**confirm**
87:2

**confirmed**
90:18

**conflict**
16:23
17:15
27:5,8,9,
12

**confusion**
103:13,20

**consecutive**
98:2,5
120:24
121:9,11

**consequences**
113:22
117:5

**consideration**
8:5

**considered**
53:19
54:4,21

**consistent**
72:25

**contact**
30:17
31:11
50:9
54:24

**contacted**
96:23

**contest**
97:11,16
111:3
112:15,
17,23
113:8,10
115:17,20
116:1

**contesting**
111:18,22
115:20

**context**
18:4
27:14
51:24
62:5
71:14
113:25

**continuance**
**s**
24:22
25:2

**continue**
54:15
70:5 82:9

**continued**
26:15

**continuing**
94:2

**control**
7:22 31:1
53:16

**controlling**
75:1,14

**conversatio**
**ns**
6:23
45:13
49:15
64:16

**convicted**
31:24
32:11
44:7
46:1,22
62:17,22
63:5
64:13
67:16
75:2
86:10

**copies**
29:5
30:12,13
71:19,22

**cops**
35:23

**copy**
29:9
61:10
101:19

**correct**
13:24,25
14:11,18,
22 26:20
50:6
61:11
74:25
77:4
86:1,4
89:18,24
90:19
94:5,13,
19 95:21
110:7
113:17
119:3

**Correction**
106:13

**Corrections**
97:21,23
98:9,15,
20 99:9
105:15,23
118:11,15
119:9,22
122:11

**corresponde**
**nce**
87:12

**cost**
98:23
99:11,12
120:17,19

**costs**
99:13,24
100:3
118:20
120:8,17
121:22

**counsel**
4:11,22
5:2,6
6:22 9:1,
2,3 10:3,
8,15 12:6
15:24
17:9 20:8
27:20
32:8
53:13
59:8
60:10
72:25
73:13
74:18
76:23
80:8,9
81:8,15,
16 82:3,
9,15
87:15
88:18
93:21,25
94:2
106:3
114:6,7,
11,19
117:4

**counselor**
103:8

**counsels**
18:5
27:23

**count**
74:17
97:21,24
98:1,2,4,
5 99:6
100:13
101:2,3
110:24
115:7
118:13
120:22,24
121:6,7,
9,11,15,
16,19

**counter**
50:24
51:5

**counteract**
80:13

**counterprod**
**uctive**
74:9

**counties**
21:12
92:4

**country**
104:23
105:1

**counts**
98:1
99:4,5
115:4,11,
14 116:18
118:9

**county**
21:3,4,14
22:4,12
27:17
87:14
89:5
90:24,25
94:11,17
97:17
99:2,3,8
100:20
101:13
106:11
110:18,19
115:2
117:15,23
118:8,21
120:20
121:25
122:1

**couple**
12:8 58:3

**court**
4:2,6,7,
21,23
5:4,10,
12,18,22,
25 6:12
7:1,8,14,
18 8:1,6,
11,21
10:11,13,
21,23
11:2,7,9,
13,22
12:4,15,
17,18,19,
21 13:4,
8,10,11,

14,15,17,
19,20,22,
23 14:1,
6,10,15,
20,24
15:8,11,
15,18,21,
23 16:3,
10,15,17
17:4,8,21
18:3,8,
10,11,12,
14 19:3,
13,19
20:7,13,
23 21:11
22:1,25
23:19
24:3,11,
16,24
25:23
26:2,5,
16,20
27:3,6
28:2,11,
16,18
29:5,10,
19 30:3,
7,10,23
31:20,25
32:5,16,
21 33:18
34:3,8,9,
18,22
35:5,15,
21 36:3,
8,14
37:2,11,
16,22
38:4,9,
13,19,23
39:1,2,4,
9,12,15,
25 40:23
41:14,16,
22 42:6,
8,11,16,
24 43:1,
4,13,21
44:3,23
45:24
46:13,25
47:4,13,
19 48:9,
14 49:3,
9,14
50:8,20
51:13,22
52:13,24
53:13
54:9
55:3,7,
19,22
56:1,4,7,
20,24
57:1,3,
13,15,18
58:22
59:1,7,
21,23,25
60:19
61:1,4,6,
9,14,16,
21 62:1,
10,19
63:15
64:3
65:6,15,
19 66:5,
8,12,17,
21 67:1,
24 68:2,
23 69:4,
9,19,22,
25 70:4,
14,18
71:1
72:6,20
73:21,23
74:1,24
75:11
76:3,5,18
77:3,6,8,
13,16,25
78:5,9,
13,14,18
79:5,12,
17,23,25
80:6,17
81:10,13
82:8,10,
19,23
83:5,10,
12,25
84:2,8,
14,19,23
85:2,4,22
86:1,4,7,
15 87:5,
18,25
88:4,7,9,
12,14,22
89:9,11,
16,20
90:1,2,5,
7,8,11,
12,14,15,
23 91:3,
5,8,13,
15,17,19
92:1,19,
22 93:1,
2,6,11,
13,15,16,
24 94:7,
15,21
95:7,12,
14,17,23
96:4,7,
11,14,15,
18,22
97:8
99:13
100:1,4,
6,12
101:6,19,
22 102:6,
9,11,16,
20,25
103:3,6,
11,19,23
104:1,4,
7,10,12,
14,17,22
105:3,8,
11,15,22
106:10,
12,15,19,
23,25
107:4,7,
13,17,22
108:2,7,
11,17,19,
25 109:4,
7,10,13,
17,20,23,
25 110:4,
9,12,14,
17,23
111:4,7,
9,17,24
112:3,7,
11,16,22
113:3,9,
17,19
114:2,21,
22,23,24
115:18,25
116:4,10,
18,20,23,
24
117:10,24
118:2,6,
19 119:7
120:8,10,
12,15,17
121:14
122:7,16,
18,21,23

**Court's**
5:15
9:22,25
10:4,18
57:19
60:12
75:12
76:25

**courtroom**
10:17,22
11:3,13,
15 49:10
51:22
82:22,24
84:4,5,
18,25
85:16
86:14
88:25
92:23
93:2,17
95:19
96:20
97:2

**coverage**
9:13

**covers**
21:11

**crap**
69:13

**credit**
76:17
92:14
118:11,15
119:9

**crime**
32:14
73:3

**crimes**
19:18
68:12

**Criminal**
99:6
113:4
115:7
118:13
121:8

**current**
82:9 94:1
114:7

**custody**
21:3
72:10
92:6

**D**

**Daily**
33:11

**damages**
117:19

**damper**
59:13

**danced**
32:19

**date**
33:25
57:24
58:13
61:4
106:8
122:7,13

**day**
8:10
33:16
40:13,17
41:1
47:20
50:16
51:11,14,
17,21
52:5 70:9

**days**
8:18 53:7
57:23
91:24
92:12,14
98:14
118:12,15
119:9,21
121:1,21
122:24

**deal**
21:16
30:20
69:2

**dealing**
63:12
102:21

**decide**
70:15
78:22
106:14

**decided**
8:8 24:20
81:1 86:9

**decision**
8:3 72:22
78:19,20
104:4
106:7,10

**decisions**
9:1,4
33:1 52:5
62:12

**defendant**
5:17 22:3
52:1
73:4,9
114:23

**defendant's**
71:8

**defendants**
73:21

**defender**
4:14
11:18
19:2,25
20:9
24:8,9,21
29:8
99:13
118:19
120:21

**Defender's**
11:24
16:23
17:16,24
21:8
24:1,4
95:4

**defenders**
11:16

**defending**
48:22

**defense**
5:6 12:6
27:23
37:3,19,
25 72:23
74:10
76:23
80:8 82:3
87:15
93:21,25

**defenses**
6:7,17
7:3 51:1
114:17

**degree**
15:9
20:10
22:4 46:7
67:4
90:21
97:13
99:5
100:14,
17,25
101:10
110:24,25
112:8,13,
24 113:5
115:6,8
118:25
119:5

**delay**
72:21

**denied**
27:20
82:4
93:24
114:4

**deny**
55:1
56:10

**department**
57:20
92:8
97:20,22
98:9,14,
19 99:9
105:15,23
106:7,13
118:11,15
119:9,21
120:4
122:11

**depends**
58:25

**deported**
104:15,18

**depth**
45:5

**deputies**
20:5

**Deputy**
48:18
97:3

**design**
25:15

**desire**
88:5,7

**desires**
8:19

**detail**
61:19

**detailed**
6:1

**details**
66:18

**Detective**
97:5

**determination**
57:19

**determine**
6:21
32:16
43:19
107:19
121:3,21

**determined**
22:22

**determining**
4:24

**detriment**
6:19 7:2
92:25

**detrimental**
16:11

**dialogue**
90:8
96:16

**difference**
14:25
65:19
68:17

**difficult**
77:17

**digital**
94:8

**digitally**
12:20

**digress**
71:16

**diploma**
78:2

**disabilities**
64:1

**discharge**
4:9 5:2, 24 6:22 10:3 27:20 74:17 89:6,13, 17 90:3 94:16 116:6

**disclosed**
9:5

**discontinued**
10:18 11:14

**discount**
75:8

**discovery**
6:4 27:24 28:11,14, 22 29:1, 2,3,12 33:19 71:3,8, 10,23 72:2,4,8, 12,23 81:18,22 114:1,15

**discretion**
65:10 98:8

**discuss**
7:3,9 62:4 82:15 84:24 85:15 93:1 94:4 99:20 101:8 103:24 110:15 116:11 117:4

**discussed**
24:14 27:7 61:22 71:5,24 72:23 78:7,11 81:18 82:5 83:19 94:10 95:19 96:11

**discussion**
82:13

**discussions**
6:1 65:21 71:14 75:22 94:3 113:24 114:22

**dismiss**
12:5 76:23 80:8 82:3 93:21,24 95:1

**dismissal**
81:15

**disposed**
94:12

**disqualify**
4:9 5:24

**disregard**
106:16

**dissipated**
92:24

**disturb**
101:23

**docket**
22:3,9 26:11,13

**documentation**
117:17

**documents**
5:3 6:12 28:23 29:6,15 30:4,13, 16,23 31:2 33:14 41:12 71:6,19 73:22 81:23

**Donnie**
97:4

**door**
56:10

**doubt**
108:14

**downward**
37:1

**drafted**
27:11 80:24

**drug**
22:6

**drugs**
98:7 119:13

**due**
5:17 7:23 10:6

**duty**
45:18

**Dwelling**
97:24 112:12,23

**E**

**earlier**
102:22 116:4 122:8

**educate**
47:7 73:22 74:6

**education**
78:2

**educational**
120:7

**effect**
81:25

**effective**
9:19 95:9

**elected**
24:9 49:6

**employment**
98:21 120:6

**end**
10:24 33:16 40:16 41:1 47:20 51:10,17 93:7

**ending**
117:16

**ends**
31:23

**enforcement**
37:5 42:3 46:7 67:5,7 87:1 100:14, 19,20

**engage**
5:19

**enhancement**
75:8 100:23

**enhancements**
75:3

**enrolled**
98:21 120:6

**ensure**
5:16 7:23 8:21 93:18 117:22

**entail**
7:2

**enter**
59:10 90:19 109:2 111:13 113:16

**entered**
4:23 22:10 103:7 106:17 111:14 112:1 115:23 117:1,2

**entering**
107:18,22 108:14 112:16,22 113:9,21,

23
115:19,25
117:5

**enters**
86:14

**entire**
25:22

**entirety**
54:13

**entitled**
29:4 84:5
110:6

**essence**
39:16
65:9
66:18
74:12
75:16
90:1
95:17
96:8

**essentially**
25:20
35:1
100:18

**estimated**
122:13

**Evaluation**
98:13
119:20

**event**
54:3

**eventually**
104:25

**evidence**
51:6 76:1
108:3
115:20

**evidenced**
6:7

**evident**
5:8

**exact**
42:2,3

**exam**
15:14

**examiners**
36:22

**examples**
44:2

**exchange**
97:19

**excuse**
73:20

**executed**
26:9
83:9,17
100:7

**exercise**
45:23
63:21

**exist**
35:6 41:4
45:17

**expand**
45:5

**experience**
48:3

**expert**
14:3
36:17
39:1

**explain**
28:6,13
36:6
63:11
68:19
107:13

**explained**
27:1
62:23
108:21

**explanations**
78:13

**explore**
5:22 70:9
114:16

**exposure**
65:2

**exposures**
61:19

**extended**
75:6

**extending**
76:5

**extent**
64:25

**extraordinary**
5:11 7:15

**eyes**
61:8
73:14

**F**

**face**
68:18

**faces**
67:21

**facility**
54:5
105:16,
17,18,25
106:6

**facing**
31:25
47:14

**fact**
22:13
34:6 44:6
47:7 71:9
73:23
74:8,21,
22 93:25
111:18,22

**factor**
9:7

**factors**
8:11,12
75:8

**facts**
20:21
43:23,24
46:18

**factual**
114:19,24
116:18,23

**failed**
71:17

**failure**
18:16,19,
24 22:14

**fair**
5:18 7:25
8:22 9:9,
16 10:7
31:17
33:3,7
40:19
93:18
103:19

**false**
47:10
80:19

**fame**
40:11

**familiar**
28:3

**fancies**
14:2

**fans**
49:19

**Faretta**
81:4

**fault**
63:19

**February**
8:17
23:6,13
77:7

**fee**
99:13
118:19

**feed**
10:17
11:14

**feel**
19:16
20:3
43:10
45:18
51:14,15
53:3
57:10
95:23

**feels**
8:1

**fees**
120:21

**felonies**
99:6
115:14

**felony**
99:6
100:25
110:25
112:13,24
113:5
115:6,8
119:5

**fiction**
100:16

**fifteen**
40:11

**figure**
83:14

**file**
6:12
114:22
117:16

**filed**
6:9 89:13
94:15
110:19

**filing**
6:11

**final**
75:18

**finally**
51:16
113:3

**find**
18:12
35:3,16,
17 39:4
43:21
71:7
80:7,21
81:14
82:6
113:21
114:8
116:23
117:1

**finders**
43:24

**finding**
72:2
92:22

**findings**
5:5 70:23

**finds**
27:6 46:6
47:15
74:24
114:24

**fine**
84:22

**finish**
35:7

**finished**
22:12
66:22

**fire**
90:3

**firearm**
46:8 67:7
97:25
100:15,18
101:10
110:25
112:9,12,
24 118:25

**firearms**
36:17
98:10,12
119:17,19

**fires**
36:15

**fit**
73:12

**Flagler**
16:25
17:17,20,
22 19:3,
16 20:2,
4,9,14,17
21:5,7,
13,18
22:19,21
23:1,22
24:21
25:1,7,
11,16
26:6,24
27:15
76:16
87:14,21
88:2,11
89:4,6,
14,17
90:24,25
91:9,10
94:11,16
95:2,10
96:2
97:17
99:3
101:13
115:2
116:7,12
117:2,15
118:8
122:1

**flesh**
26:6

**floor**
36:6,7,10

**Florida**
8:6
15:14,16
73:15
97:20,22
99:9

**fluid**
86:17

**flustered**
28:19

**focusing**
62:13
97:21

**folks**
18:1 21:8
34:7 93:8

**follies**
81:22

**follow**
50:17
98:15
119:22

**followers**
40:1

**folly**
79:7

**foolish**
79:6

**footage**
33:21
34:21
35:2,11
41:2

**force**
35:25
117:7

**forced**
108:17
109:7

**forefront**
25:8
64:22

**forget**
66:24

**form**
72:24
83:9,17
90:16
100:8
104:5
107:1
108:23
109:11

**forward**
62:12
68:16,19
86:25
87:3,9
97:7
113:14

**found**
41:9,17
44:19
65:12
67:20
111:25
114:2
115:22

**founded**
71:9

**frame**
35:18

**frankly**
9:11 50:5
75:14
79:5
80:10

**free**
39:16

**freely**
80:21
109:4
113:21
117:2

**freezing**
56:3

**frenzy**
25:7

**friend**
31:8

**friends**
52:10

**front**
15:22
22:16,18
32:7
47:19
61:8 62:1
88:16

**front-page**
7:19

**full**
12:6
35:25
51:22

72:8
76:23
78:16
81:4 82:8
86:11
93:22
102:6
114:12
117:3

**full-force**
36:13

**fully**
5:22

**function**
106:13

**funds**
99:18

**future**
9:3 18:18
67:18

**G**

**gain**
68:4
122:9

**gainful**
98:21
120:6

**Garcia**
97:1

**garnered**
5:10 7:15

**gather**
43:2

**gave**
29:7
41:11,23
43:5
45:6,7
47:6
73:16
78:16
107:9

**GED**
78:3

**general**
78:2

**generally**
46:17

**girl's**
40:10

**give**
15:25
16:7 22:2
29:9,24
30:12,19
31:11,16
32:23,25
33:13,14
40:23
43:9
44:2,14
60:7
67:14
68:2
69:22
72:3,13
73:12
78:9
82:18
85:11
88:24
100:2
101:5
107:23
108:2
111:10
122:12

**giving**
29:14,22
32:3,12
36:15
39:5,21
47:9
66:18
74:8
77:14,17
92:13
107:14,18
108:8,12

**glazed**
36:12

**God**
102:4

**good**
4:13,19
16:7 53:5
59:1,3
62:12
75:25
79:9,16,
21,24
83:1
123:1

**government**
104:24

**grabbed**
55:15

**grade**
77:11,20,
23,24
102:17,19

**granted**
54:9

**great**
47:21
79:15
83:2

**ground**
12:17
27:20,21
37:7 71:2

**grounds**
5:24 27:7
76:21
81:14
82:4
95:8,18
114:3,4

**guardian**
54:18

**guess**
87:23
99:11

**guidance**
16:1
32:25

**guideline**
14:14

**guidelines**
14:4
17:13
75:1,13,
20

**guides**
8:12

**guilt**
43:19
97:25
98:4 99:4

**guilty**
41:9
43:22
44:19
46:6
47:15
65:12
67:20
97:11,16
107:20
111:25
112:1
115:22,23
118:10,14
119:8
120:22
121:7

**guy**
43:7
45:21
69:17
79:10

**H**

**hair**
55:16

**half**
58:18
79:25
82:8

**halfway**
48:19,25

**hallway**
87:1

**hand**
38:3
101:25

**handcuffs**
55:16

**handed**
90:17
107:2

**handle**
24:22
25:17

**handled**
93:1

**handles**
53:17

**handling**
53:24
56:18

**happen**
21:23
22:21
58:13

**happened**
16:25

17:1
22:15
32:3
38:14,16
82:1

**happening**
20:22
23:9
26:23
45:13
53:3
60:17

**happy**
35:9

**hard**
30:12

**harsh**
44:16

**hate**
55:6

**head**
12:14

**headed**
8:20
82:16
85:5

**health**
98:13
103:8,12
119:20

**hear**
17:19
20:25
43:13
45:25
59:2
107:23

**heard**
10:8
23:21
46:17,18
62:6
76:10
79:13,17
100:11
117:10,
11,22

**hearing**
7:21 9:23
12:6,7
22:17
23:13
25:6
26:18,19,
23 39:16
44:8,9,24
58:7 66:1
76:24
81:4,7
82:7
85:24
87:21
88:15
93:22,23
94:17
95:25
113:25
114:8
121:2

**hearings**
19:16
116:4

**held**
30:24
53:20,21
121:2

**hell**
55:25

**helpers**
47:17

**helpful**
51:10,18

**Henderson**
97:4

**Herald**
8:7 9:11

**Hey**
51:4

**high**
59:13
76:17
78:1

**hire**
78:25

**historicall y**
5:10,12

**history**
109:16

**hold**
50:21
55:22
88:18

**holding**
48:21

**holds**
31:14

**holes**
35:24
36:21

**home**
57:6,8
98:11
119:18

**homeowner**
86:24
87:2
96:25

**honestly**
38:12
51:12

**honor**
4:13 11:8
70:1
76:10
85:3,17

**hoping**
92:5

**horrible**
47:22

**hospital**
92:5,14

**hour**
82:8

**hours**
35:10,13
53:8
56:14,16

**house**
48:19,25

**housed**
106:5

**housing**
54:5,10
57:11,21

**huge**
47:14

**Hughes**
4:13,14
19:24
104:1

**Huh-uh**
79:4,22
111:6

**human**
51:16
52:7,13

**hurry**
28:18

**hurt**
42:13
43:7,8,12

I

**idea**
39:13
40:8
79:21,24

**identified**
23:23

**II**
97:24
98:1
101:3
120:22
121:16

**III**
98:4
121:7,11,
15,19

**illegal**
17:12
75:19

**imminent**
8:14

**impetus**
63:23

**importance**
68:19

**important**
19:17
33:4
37:2,19,
25 62:21
67:22
68:13
107:14

**importantly**
7:25

**impose**
43:17
44:12,15
45:2
46:4,8,22
73:24
117:8

**imposed**
73:20
121:16, 23,24
122:1

**imposing**
46:3
105:19
108:20
116:15
118:19

**impress**
45:19

**impression**
66:8,10

**incarcerated**
102:14

**incidental**
99:21

**inclined**
57:22

**include**
76:16
101:9
119:23

**included**
5:1 6:8
43:22
72:4 75:7

**including**
86:24
104:1

**independently**
114:5

**indicating**
60:18

**indiscernible**
68:25

**individual**
14:15

**individualized**
85:24

**ineffective**
6:21 17:9
71:3 77:1

**ineffectiveness**
27:24
80:9
81:16

**influence**
103:3

**influences**
80:15

**information**
5:21 16:6
29:22
30:18,19, 25 31:11, 16 32:25
39:6
44:10
47:6,10
48:5 50:3
73:3,10, 12,16
74:7,9
75:5
80:19
81:25
82:2
90:17,21
91:6,8
95:24
97:14
100:10
101:4,14, 16,20
110:20,21
113:15

**Ingrid**
97:1

**inherent**
5:15 7:22
10:5

**initial**
72:21
101:11

**initials**
109:11

**inmates**
14:17
53:17

**innocence**
43:19

**inquire**
117:14

**inquiry**
82:8

**intend**
25:16
50:1
83:23

**intended**
45:9 74:3

**intending**
25:17

**intends**
97:9

**intent**
9:22,25
12:19
76:15
78:20
80:23

**intention**
83:24

**Intentional**
115:5
118:9

**intentions**
49:25

**interest**
16:23
17:15
27:5,9, 10,12
49:17
50:9 58:9
80:20
97:1
111:20
112:18
113:1,11
116:2

**interfere**
103:13

**interfering**
94:23

**internationally**
7:17

**internet**
29:24
30:1

**investigation**
98:24
110:3
120:19

**investigative**
109:15

**involved**
20:10,14
24:5 45:3
59:16
64:19
67:7 72:1
86:23
97:6

**irrelevant**
75:16

**issue**
8:21 10:9
21:1
25:4,7,22
26:7
27:6,19
34:11,14
47:14
53:16,18
54:4,21
56:21
60:16,22
64:20
72:2
73:18
75:18
91:2
105:9
110:15
120:25

**issues**
10:3
12:23
16:22
17:16
18:4
23:21
28:11
48:3
58:11
59:14
60:1,11
63:12,13, 15,16
74:16,20
76:24
78:15
87:17
95:20
99:21
102:22
103:12,20
114:1

**issuing**
10:1

**J**

**Jackson**
4:4,6,16, 18 6:2, 16,24,25 7:7,13 8:18 9:16 10:8,16 11:20,21 12:3,14, 16 13:3, 7,9,13, 16,18,21, 25 14:4, 8,12,19, 23 15:7, 10,17,20 16:2,9, 14,16 17:3,19 18:2,7,9, 11,15 19:4,14, 20 20:12, 16 21:10, 25 22:24 23:17 24:3 25:23 26:1,4 27:2,22 28:10,13, 17,20 29:7,18 30:1,6,9, 21 31:19 32:4,15 33:17,23 35:20,21, 22 36:5, 9,20 37:6,15, 21 38:2, 5,11,18, 20,25 39:3,7, 10,14,24 40:22 41:11 42:12,20, 25 43:3, 6,20 45:24 46:12,24 47:3,12 48:7,13, 17 49:7, 11,19 50:20 51:12 52:12,23, 25 55:1, 4,8,20,24 56:2,5,9, 23,25 57:2,5, 14,17 58:21,24 59:4,22 60:20,25 61:3,7, 13,15 62:2 63:10,18 64:21 65:6,13, 16,24 66:16,20, 24 67:23 68:1,21, 24 69:2, 6,12,20 70:13,16, 25 72:9, 17 73:11, 23 74:1, 22 75:7, 21,25 76:20,21 77:2,5,7, 10,14,18, 22 78:4, 8,12,16 79:2,10, 16,22,24 80:4,14, 18,21 81:2,6,9, 12 82:6 84:2,7, 13,17,22 85:1,3,20 86:5,6,13 87:16,21 88:3,6,8, 19,21 89:8,10, 15,19,25 90:4,6, 10,13 91:16,18 92:25 93:13,25 94:5,6,9, 14,20,25 95:6,11, 13,16,22 96:3,6, 10,13,17 97:9 99:16 101:8,25 102:5,7, 10,13,19, 24 103:2, 5,10,16, 22,25 104:3,6, 9,11,13, 16,19,21 105:2,6, 10,12,20 106:14, 18,22,24 107:3,6, 9,16,21 108:1,6, 10,16,18, 24 109:3, 6,9,12, 13,19,22, 24 110:8, 11,13,16 111:3,6, 8,16 112:2,6, 10,15,21 113:2,8, 12,21 114:9 115:17,24 116:3,9, 17 117:3 118:17 119:14 120:9,11, 14 122:2, 3,15,16, 17,23

**Jackson's**
4:24 7:23 9:24 10:6,15 62:19 71:22 72:22 93:18

**Jackson-maldonado**
102:7,8

**jail**
29:13 30:14 40:12 45:12 53:4,16, 25 57:7, 20 59:14, 25 60:8 63:9 71:10 72:1 81:22,23 102:18

**jailhouse**
73:1

**jailhouse-former-prison**
73:13

**January**
122:5

**jeopardize**
30:9,10

**jeopardizes**
30:11 31:17

**Jessica**
4:15 19:21

**job**
33:3 40:20 43:18 44:18 51:21 52:20 120:12

**joined**
101:22

**jokingly**
80:1

**judge**
4:19 10:10,12, 20 11:5, 12 17:7 22:16,18 23:5,23 25:20 26:6,8,21 32:24 34:14 35:7 41:24

45:10,23
46:1,15
49:11,18
50:18
51:20
52:4
53:15
56:19
59:16
61:18
62:14,25
63:14
65:3
66:1,11
71:24
72:19
82:22
83:8,16
86:21
87:10
88:16
93:5,12
94:18
96:23
97:9
99:25
100:10
101:5,21
106:4
113:18
114:20
116:19,22
117:13,25
118:5
119:4
121:13
122:20

**judgment**
54:6
99:15
100:4

**judicial**
21:6

**jump**
69:4

**juncture**
57:22
76:19
82:11,16
87:24

**June**
71:11
92:7,10
122:4

**juries**
43:11

**jurisdiction**
60:15
121:20

**juror**
40:19

**jurors**
40:18

**jury**
32:11
40:18
43:14,15
44:19
45:2
46:6,19,
21 47:15
107:19

**justice**
8:15 9:6
92:8

**juvenile**
19:25
30:24
41:19
44:3 46:3
53:23
54:2 63:1
65:14
73:19,21
86:8 92:8
104:2
105:14
106:6
109:17

**juveniles**
54:1
105:24

**K**

**KANE**
91:4

**kicks**
67:9

**kill**
55:10,11

**killer**
49:13

**kind**
17:5
32:19
33:9
36:16
43:10
48:1
54:20
59:6,13
62:15
67:21
68:3 79:8
103:4,11
120:6
122:9

**kinds**
6:11

**knew**
6:16,17
24:25
25:13
64:7

**knowing**
46:17

**knowledge**
15:1
19:22
87:17

**L**

**Lands**
115:5
118:10

**language**
64:5
100:18
101:15

**laptop**
77:19

**large**
22:22
80:12

**Larry**
4:17

**lasted**
82:7

**law**
14:10,13,
14,16
15:5,9,
13,16
16:12,13
32:13
37:4
41:15,24
42:3
43:23
44:2
45:1,6
46:7
64:18
67:4,6
73:14,15,
19 81:1
86:22
87:1
96:22
100:14,
19,20
117:18

**laws**
105:24

**lawyer**
5:25 6:10
13:24
14:7 32:6
45:15
48:25
50:21
71:15
74:5
79:9,20
80:25
122:25

**lawyering**
95:10

**lawyers**
4:10 6:2,
18 7:5,10
11:25
15:2
17:18,25
20:25
21:7 23:2
30:11
32:7
33:14
39:20
43:14
44:9 47:6
48:12,21
49:4
50:19
52:18
57:25
70:19
77:1
78:14,21,
24 80:10
84:24
89:6,14,
17 90:3
91:17

94:16
95:1
96:5,15
103:24
107:1,24
110:15
114:10
116:7,11

**lawyers'**
44:18

**laying**
35:23
36:10

**lead**
21:22

**learning**
64:1

**leave**
9:2 10:22

**led**
35:1
80:19

**legal**
14:3,5,21
15:1,22,
25 28:21
32:12,23
36:16
40:5
41:18
45:13
46:4,20
61:2
68:14
73:13
100:16
114:16

**legally**
58:1

**length**
28:3
63:21
81:18
114:22

**lengthy**
10:24
113:23

**lessen**
43:20
64:13

**lesser**
43:22
44:12
68:14

**letter**
50:13
61:20,25
62:1,24
63:24,25
64:6

**letting**
53:4

**level**
27:8
77:17,20
80:9
81:16

**Lewis**
8:7

**library**
14:16
15:6 81:1

**license**
64:19
73:14

**licensed**
14:6
15:2,15
32:11
73:15

**licensing**
16:6

**lie**
28:15
45:16,17

**life**
32:1
41:13,19
42:2,14
43:3,6,11
44:3
45:16,17
46:4,9
62:8 63:2
65:10,14
67:10
73:20,24
75:4 76:7
85:20,21
90:22
100:24,25
112:14,25
119:2

**light**
59:22

**lightly**
8:3

**lines**
69:10

**listed**
86:23,25
96:24
97:4
100:19

**listen**
44:25
48:4,11
52:18
59:5
88:19
111:10
119:14

**listening**
16:21
47:24

**lists**
73:2

**litem**
54:19

**literally**
9:13
57:23

**litigation**
48:3
74:11

**lived**
43:7

**local**
7:20 9:13
24:20

**locally**
7:17

**location**
98:11
119:18

**locked**
82:25
83:1

**logically**
40:3

**long**
52:5 55:5
58:19
83:25

**loosely**
44:10

**lost**
107:10

**lot**
12:10,25
23:14
35:16
36:25
49:19
50:4 55:1
68:9,18
73:16
88:22
95:20

**lots**
79:12

**loud**
45:25

**luck**
123:1

**M**

**made**
6:14 49:6
73:4
74:14
87:16
104:4
106:7,10

**mail**
33:11
40:12

**majority**
106:2

**make**
5:5,19
6:16 9:15
12:22
16:15
17:17
18:4
21:23
24:11,17
33:1,2,3,
16 34:9,
10,12
40:19
42:14
44:22
45:1
51:13
52:5
55:11
60:6
62:2,10,

11 70:10, 23 74:11, 19 76:2,3 78:10,20 84:20 85:10,11 86:2,18 87:25 89:3,12 93:9 96:21 101:23 119:14

**makes**
20:3,19 52:15 67:8 68:17

**making**
12:18 38:18 52:19 67:21 85:25

**Malicious**
115:4 118:9

**mandatory**
46:11 65:9,10 100:24 101:1,2

**manner**
61:24

**manual**
63:9,14

**March**
26:19 94:18

**Marie**
102:8

**Marsy's**
86:22 96:22 117:18

**material**
62:15

**math**
68:3

**Matt**
13:9 28:25 29:8

**matter**
21:2 34:5 64:12 82:10 85:18 88:16

**matters**
4:10 92:24

**maximum**
44:16

**Maxwell**
97:4

**meaning**
30:13 34:10 44:11 82:13 116:14

**means**
24:8 37:7 38:3,7 46:10 65:1 68:9 76:7 99:16 111:5,17 118:17

**media**
5:8,11,13 7:16,19 8:9,24 9:12,23 31:13 33:8,9 49:2,10, 21 50:4, 9,22 51:23

**medication**
98:16 119:24

**meet**
59:19

**meetings**
62:24

**mental**
98:13 103:8,11, 17 119:20

**mentioned**
72:9

**message**
70:2

**messages**
33:25

**met**
50:16

**Metz**
11:5,8,18 24:8

**Miami**
8:7 9:10

**Michael**
97:5

**min-man**
119:5

**mind**
37:11 38:1 103:16

**mindset**
78:17

**minimum**
46:10 101:1,2

**minimum-mandatory**
65:11 67:10 76:15 119:2 122:10

**minimums**
65:1

**minute**
25:25 28:16 42:24 43:2 88:18,20

**minutes**
40:11 57:9

**Mischief**
99:6 113:4 115:7 118:13 121:8

**misconceptions**
62:11

**misimpression**
62:7

**misinformation**
41:21 80:13

**missed**
77:23

**misstated**
50:23

**misunderstanding**
27:10

**misunderstandings**
81:20

**misunderstood**
88:10

**mitigation**
44:11

**modified**
118:3

**moment**
4:3 23:3 69:5 71:16 117:13,21

**moments**
41:5 88:24 89:1

**monetary**
99:18

**monitoring**
45:12

**month**
18:12,13

**months**
53:10 54:2 96:9

**morning**
4:13,19 18:23 28:19 58:14 84:9 93:16,17 94:5,9 95:25 102:21 103:1,6,

15

**motion**
4:8,9,24, 25 5:2 6:5,7 7:9,21 10:3 12:5 13:5,6 14:21 16:19,22 17:23 22:17 27:7,11, 19 28:3 33:20 36:19 60:22 70:22 71:2,6,11 74:17 76:22 78:23 80:8 81:15 82:3,5 87:20 89:5,13 90:2 93:20,24 94:16 95:1,18, 21 114:3

**motive**
40:9

**mouth**
33:8 62:6

**move**
12:4 54:8,16 57:22,24 58:4 87:9 90:20 113:14

**movement**
35:17 54:10 56:15

**moving**
97:7

**multiple**
5:8

**murder**
22:2,4,6, 9 37:4 42:5 46:7 67:4 97:13 100:14,17 101:10 110:24 112:8 118:25

**mute**
94:22

**muted**
94:22,23 101:23

N

**names**
11:17

**narrow**
35:12

**nationally**
7:17

**nature**
5:3,23 9:12 27:18 51:16 52:7,13 72:14 75:2 85:8 93:19 114:15

**nearby**
54:14

**nearest**
54:5

**needed**
19:15 20:5

**negative**
50:10

**negotiated**
109:1 114:25 115:1

**Nelson**
4:8 9:16 12:6 22:17 26:18 76:24 87:21 88:15 93:22 95:25 113:25

**news**
8:10 31:13 50:12 79:13

**newspaper**
7:20

**Nicole**
102:7,8

**ninth**
77:11,23, 24

**ninth-grade**
77:17

**no-contest**
111:5,17, 24 112:8

**nods**
12:14

**not-guilty**
111:14

**notarized**
101:4

**notice**
58:7,12 60:13 96:19

**notify**
86:19

**notion**
16:19

**number**
8:13 27:4 57:18 61:3 80:6 97:17 108:22 117:9

**numbers**
61:12 63:4 64:11 91:1

O

**O'NEAL**
19:1,8 24:20

**objection**
94:1

**obvious**
28:1

**occasions**
18:18 96:12

**occur**
55:19,23 83:21

**occurred**
60:18 84:9 95:24

**offense**
85:8 119:8

**offenses**
43:22 67:8 75:3 111:21

**offer**
17:11 65:21 66:2,4, 14,17 67:2,12 69:11 70:8 75:6,15, 19,23 76:2,4,6, 12,16 78:8 82:12 83:18 96:5,7 108:25

**offered**
65:18 81:17 109:1

**office**
11:10,24 16:24 17:16,25 18:1 21:8,11 24:1,4 30:17 95:4 97:3 100:21 120:18,20

**officer**
18:22
46:8 67:7
100:15

**officers**
35:8
55:4,15

**ongoing**
27:16

**online**
31:13
33:9
50:11

**onset**
7:15

**open**
5:12 9:25
32:21
33:8
34:8,9
70:8
74:24
75:11
82:13
84:5
88:25
91:17
93:1,2
96:21

**opened**
93:3
96:20

**operation**
5:19

**opinion**
10:4

**opportunity**
44:22
69:23
82:15
86:19
100:3
114:14
117:3

**opposed**
46:3
47:24

**option**
54:3,8
70:21

**options**
54:7
63:1,5
120:13

**Orange**
22:4,12

**order**
4:23 5:22
6:20
10:2,18
22:10
54:18
59:10
89:4
99:17
103:7
106:17

**ordered**
98:2
121:3,22

**originally**
114:13

**Orlando**
22:5 54:6
57:10,24
58:8,16

**outlets**
5:9

**oversees**
11:23

P

**p.m.**
123:2

**packet**
72:5

**paper**
30:13
71:19,22
72:4,8,
11,24
81:23

**papers**
32:3

**paperwork**
91:10

**parade**
79:10

**part**
4:24
11:22
22:22
36:11
51:21
61:23
63:23
64:4 66:4
74:17
80:12
90:8
94:9,12,
18 95:20
102:21

**parte**
61:23

**parties**
9:23
10:15
86:23

**parts**
48:24

**party**
29:22
82:2 97:6

**passed**
15:14

**past**
32:20

**path**
80:20

**pay**
98:23
100:3
120:17

**PDR**
83:23
109:21

**pending**
21:4
87:20
95:1
116:12

**people**
25:5
29:12
30:15,23
33:5
35:22
36:20,25
38:21,24
39:5,12,
25 40:4,
6,7,24
47:8,16,
22,24
48:11
49:12
51:23
53:21
54:24
56:12
57:25
71:25
72:1 76:7
79:13
80:15

**perceives**
45:7

**perform**
79:18

**period**
53:24
54:2
121:1,17,
21

**periods**
56:17

**Perkins**
22:16,18
23:5
26:8,21
88:16
94:18

**person**
5:9 13:8,
10,14
14:1,20
27:11
29:23
31:5,7
36:14
43:4
54:12
64:18
76:6
80:24
98:17
101:22
120:2

**person's**
6:19

**personally**
50:2

**personnel**
11:16

**persons**
11:15
15:12
80:14
117:9,11

**perspective**
59:16,18

**phone**
46:13
56:10,12
93:8

**phones**
54:23
56:16

**physically**
87:7

**pick**
40:18
43:15

**pictures**
30:2

**piece**
72:11

**place**
54:18
60:6
85:18
86:11
105:14,
16,17

**plea**
17:11
65:21
66:14,17
67:2,12
69:2,11
70:8
75:6,15,
19,23
76:2,4,5,
6 78:8
82:12
83:9,13,
17 84:3
86:25
87:3,17
89:21,24
90:9,16,
20 94:3,
4,13
96:5,7,16
100:7,9
101:5
103:24
104:5,25
107:1,7,
15,18,23
108:4,23,
25 109:2,
11 111:2,
5,14,17,
20,24
112:1,8,
14,16,22
113:6,9,
16 114:6
115:16

**pleas**
88:2 89:4
97:10,11,
16 108:14
113:21,23
114:25
115:19,
23,25
116:24
117:1,6

**podium**
93:14

**point**
8:1 34:17
44:25
63:20
77:18
81:6
83:13
84:3
85:5,16
86:16
87:5 96:9
99:18

**pointed**
71:17

**pointing**
43:16

**police**
35:2,18
37:14,17,
20 73:6

**popped**
33:12

**portion**
4:25 11:4
17:6
100:23

**position**
5:7 10:4
23:25
24:4
26:12

**positioned**
62:16

**positions**
76:4

**possess**
98:10

**possibility**
99:25

**post**
33:8

**potential**
6:6,7
114:16

**potentially**
32:13
94:4

**power**
5:15

**practical**
21:2

**practice**
15:16
32:12
73:8,15

**practices**
14:4

**practicing**
32:13
64:18

**predicting**
68:11

**predisposition**
109:14,20

**preferable**
120:16

**preparation**
100:9

**prepare**
100:10

**prepared**
86:24
87:3,9
97:14
101:5

**prescribed**
98:16
119:24,25

**presence**
114:9

**present**
4:7 8:23,
24 11:15
13:19
44:9
85:9,12,
13 86:20
87:1,7
96:25
98:12
108:3
117:11
119:19

**presentence**
110:3

**press**
13:12
31:14
50:11,21

**pressure**
42:21

**prevent**
8:13
73:1,9

**prevents**
95:8

**previously**
11:17
13:11,15
14:2
71:21
75:6
83:18
114:2
116:5
121:4

**previously-entered**
97:10,15

**previously-filed**
93:20

**printed**
61:10

**prior**
84:21

**prison**
14:2,16
15:5,6
31:1,6
32:10
80:25
105:13,16
111:1
113:6
115:7,9,

15

**private**
9:3 78:25

**privy**
11:24

**probation**
66:20,21
97:23
98:1,5,6,
20 99:24,
25 118:20
119:11,
12,16
120:3,5,
19,21,23
121:5,9,
14,16,17

**probationary**
76:12

**problem**
85:10

**problems**
103:17

**procedurally**
26:23
85:15

**procedure**
23:6

**proceed**
81:10
83:24
84:1,16
92:20
93:2,11
110:9
112:7
114:6
117:12

**proceeding**
4:22 7:18
10:25
12:19
85:11
87:7

**proceedings**
5:12 7:23
8:2,23
9:24
10:1,14
11:4
16:21
58:2
74:13
75:17
93:7
94:24
101:24
115:11
123:2

**process**
5:17 7:24
10:6
86:9,11
94:9
114:12
122:12,14

**professional**
60:7

**program**
98:22
120:7

**progression**
23:10

**prohibited**
52:2

**Prong**
9:18

**prongs**
9:10

**proof**
120:5

**proper**
60:7 61:2

**properly**
6:21 7:8
10:2
12:25
52:21

**property**
98:18
99:17
120:2

**proposed**
61:11

**prosecution**
98:23
120:18

**prosecutor**
70:6
83:11
108:13
117:18

**protect**
9:9 31:15
53:2
72:22
73:8

**protected**
5:18,20
7:12,24
8:25
73:17

**protecting**
9:19

**prove**
45:20
108:13
111:19,23

**provide**
71:19,22

**provided**
29:12
81:17

**PSI**
83:23
110:4

**public**
4:14 5:13
6:15,17
8:23
10:14
11:16,18,
23 16:23
17:15,24
19:2,25
20:9 21:8
24:1,4,8,
9,21 29:8
74:14
95:4
99:13
118:19
120:20

**public's**
5:21

**Publishing**
8:7

**Puerto**
105:6

**pulled**
72:16

**punishable**
112:13,24
113:5
115:6,9,
15

**puppies**
48:20

**puppy**
48:24

**purpose**
9:21 44:1
45:9,23
73:22
113:13

**purposeful**
25:12

**purposes**
26:22
85:19
87:12
89:21,23
95:3

**pursuant**
119:2

**pushed**
64:22

**put**
33:10
55:6,8,13
59:13
63:24
79:2 80:4
81:2
83:18
91:1

**putting**
31:12
55:16

## Q

**qualifications**
15:19
16:5,7

**question**
12:11
25:19
29:21
37:13,16
42:19
47:1 48:9
65:3,7
68:22,23
70:12
71:18
104:12,13

105:10
106:20
107:24

**questions**
12:10
13:1
23:16
24:17
26:3,25
47:2 62:3
78:6
89:12
90:12
95:14
96:14
104:7
112:4
119:15
122:2,16

**quickly**
54:20
58:11

**R**

**raise**
12:24
28:11
54:4
60:21
101:25

**raised**
6:5 10:3
16:18,22
17:23
27:7,14,
19 28:4
41:6
74:16
76:22
80:7
81:14
82:4
93:20
95:18
114:3

**raises**
5:23

**raising**
95:8

**ramificatio ns**
6:11

**ran**
54:20

**Random**
98:8
119:16

**raped**
43:8

**re-read**
64:2

**re-reads**
64:9

**reach**
106:2

**reaching**
38:7

**read**
28:4,22
45:1
50:14
62:1,25
64:1 73:6
107:4,6

**reading**
15:5 69:9

**reads**
64:8

**ready**
90:14
92:20
93:2,11

**real**
79:4

**realistic**
58:17

**reason**
37:9,10
47:6 57:5
64:4
69:14
71:21
72:21

**reasonable**
108:14

**reasons**
5:14
32:22
44:11,14
54:24
71:18

**recall**
94:10

**receipt**
72:4,8

**receive**
7:25 41:9
47:5 62:8
71:9
87:12

**received**
44:3 61:2
74:2

**receives**
9:16

**receiving**
71:8
80:14

**recently**
7:20

**recess**
82:14
83:3
91:13

**reckless**
47:22

**recommended**
98:15
116:13
119:22

**reconsider**
69:11,21

**reconsidera tion**
12:5
76:22
93:21

**reconvened**
83:3
91:13

**record**
4:12
11:18
12:18,20
24:12
28:2
61:22
67:19
83:6
85:18
87:12
88:17
91:15
95:3
100:11
101:9
108:21
113:14

**recorded**
12:21

**reduce**
67:13
99:14

**reduced**
108:15

**reduces**
65:22

**reduction**
75:7

**refer**
44:10

**referenced**
102:22
115:13

**references**
5:1

**referencing**
36:19

**referred**
4:8
109:21
111:20
115:10

**refuse**
49:1

**refused**
29:8

**regard**
49:20,24

**regular**
50:17
102:17

**regularly**
59:12,19

**reinitiated**
94:3

**related**
16:24
39:16
58:3
73:19
94:11

**relates**
74:15,21
76:21

**relationshi p**

59:3

**release**
22:11
98:14,19
119:21
120:4
122:7,13

**released**
50:14
122:3,4

**relied**
16:11

**rely**
16:4

**relying**
14:21
48:10

**remain**
94:23
108:8

**remaining**
9:1 104:8

**remember**
22:7
33:12
38:9,11
65:17
66:15

**remotely**
5:9

**remove**
17:18
18:5

**removing**
100:18

**reopen**
84:4,24
85:16
87:24

**repeat**
89:10
90:7
112:21

**rephrase**
12:12
71:20

**report**
73:6
109:15,
16,21

**reported**
7:16
12:21
51:24

**reporter**
12:18,21
69:1 94:7

**represent**
16:20
58:2
78:25
79:3,7,19
80:23
82:10
94:2

**representation**
17:24
27:15,17
80:12
84:11
96:2
114:2

**represented**
79:11

**representing**
20:11
81:11,12
89:23
97:1

**represents**
19:3 95:4

**request**
12:6
75:12
76:23
80:22
81:3,14
93:22
116:6

**requested**
118:22

**requesting**
84:14
90:2

**require**
50:25
105:24
108:12

**required**
76:3
99:11,14
120:17

**requirement**
5:16

**requirements**
11:25

**requires**
15:15

**research**
14:17

**reserved**
98:3
121:1,20

**reside**
98:11
119:18

**resolve**
22:22

**respond**
50:9
52:4,6,8,
11

**response**
34:1 49:5
70:7

**rest**
68:7 70:9

**restitution**
98:2
117:19
118:22
120:25
121:3,19,
22

**result**
47:23

**resulted**
94:3

**results**
79:15,16

**resurrected**
66:9

**retain**
114:6

**review**
84:14,21
85:21
86:8,10
87:15
114:14

**reviewed**
28:2
114:21
117:16

**revoked**
65:25
66:1

**Rico**
105:6

**rid**
20:24
78:24

**rights**
5:17,20
7:24 9:9,
19 10:6
107:14

**rise**
27:8 80:8
81:15

**road**
31:21

**Roberts**
4:15
17:10
23:20
51:9
69:25
76:9,10
83:11
85:17,23
86:2
87:13
89:22
112:5

**role**
49:24
50:5,7

**room**
68:7

**rotundas**
56:12

**rules**
12:17

**ruling**
10:24

**run**
59:25
98:1,5
99:8
116:15
118:17
120:23
121:9

**running**
121:10

**S**

**sage**
81:17
**sanction**
41:8
68:15
105:19
**sanctions**
46:3,9,23
63:2
65:14
**Sarah**
4:19
**sat**
63:8
**satisfied**
81:7
**save**
66:6
**Sawicki**
97:5
**scare**
45:7 74:2
**scenario**
75:13
**schedule**
54:15
**scheduled**
8:17
88:15
**scheduling**
26:22
**school**
14:11,13
15:14
16:5
52:10
77:9 78:1
102:12
120:9,10,
13
**schooling**
63:17
**scoresheet**
27:25
28:10,12
41:7
60:22,24
61:2,5,8,
11 62:5,
14,21
63:3,4,7,
9,14
64:11,12,
14,15,20,
25 65:4
71:4,12,
13 74:21,
23 75:10
87:11,15
91:2
100:23
118:3,4
**scoresheet's**
90:19
**seal**
12:19
74:12
**sealed**
5:2 71:7
**sealed/confidential**
11:4 93:7
**searches**
98:17
120:1
**seat**
23:4
**seated**
83:5
**seats**
40:19
**security**
11:16
**seek**
99:18
**seeking**
98:20
116:6
120:5
**sees**
50:5
54:17
**segs**
56:13
**send**
70:2
**sense**
16:15
21:24
33:16
42:15
55:12
**sentence**
17:12
31:24
32:10
41:19
42:2
43:3,6,
11,15,18
44:4,5,
12,16
45:2,16
46:1,4,
15,20
47:15
62:8 63:2
65:10
66:19,22
67:14
68:13,16
73:24
75:19
76:8
81:21
86:9
97:20
99:7
108:20
109:1
111:24
115:1,22
116:13,15
117:8
118:21
119:2
121:18
122:11
**sentenced**
41:12
42:14
46:2
70:16
83:22
104:9
118:10,14
119:8
120:23
121:8
**sentences**
73:19,20
118:16
121:24
122:1
**sentencing**
27:24
28:12
43:25
44:8,22,
24 71:4
74:25
83:21,24
85:24
86:12
109:22
110:10
117:12
122:19
**separate**
81:13
106:1
**separately**
105:24
**Sergeant**
97:4
**serial**
49:12
**serve**
68:12
80:2
**served**
14:2 15:4
31:1,6
67:24
80:25
91:21
119:10
**service**
25:3
**services**
81:8
**serving**
31:24
32:10
43:3,6
**session**
93:16
**set**
4:10 8:6
23:12
58:6 61:5
89:1
94:17
**settled**

92:20

**Seventh**
11:19

**severe**
68:15

**share**
29:16
35:15

**Sheriff**
48:18
49:5,6
51:7,25
97:2

**Sheriff's**
97:3
100:21
120:20

**shoes**
31:6,22

**shoot**
37:9 38:5

**shooting**
33:22
35:16
37:13,17,18

**short**
10:5 13:9
15:4,18
28:25
29:8,15,19,20,23
30:25
31:4,12
36:15
38:14
58:7,12
60:13
73:12
96:19
107:9

**shot**
35:2,18,23 36:4,7,9,18
37:1,6,10,17,19,20

**shotgun**
37:8 38:3

**show**
33:24
35:9
45:19,22
51:6 73:5
98:20
120:5

**showers**
53:6

**showing**
73:2

**shown**
84:15

**shows**
26:13
31:13

**shut**
56:16

**shy**
31:12

**side**
45:1

**sign**
70:13

**signature**
109:10

**signed**
104:5

**significance**
32:2

**silent**
93:10
108:8

**similar**
35:24
94:15

**simply**
40:9

**sit**
15:24
32:8 34:4
43:17
59:5

**sits**
51:20

**sitting**
29:13
40:18
52:4

**situation**
8:10 44:6
52:16
86:17

**situations**
60:8

**Sixth**
102:19

**slander**
48:17

**sleep**
56:13,14

**Smartjailmail**
39:8,11

**snitches**
73:2

**social**
8:9 33:9

**solemnly**
102:2

**solitary**
52:23,25
53:5,9,18,20
54:21,22

**solves**
96:1
105:8

**somebody's**
38:13

**sort**
75:21
109:15

**sorts**
44:10
51:23
52:1

**sought**
117:19

**sounds**
27:13
45:6,8
68:6,8,9
71:11
105:3

**speak**
23:2
50:18,19

**special**
98:6
119:12
121:4,19

**specific**
5:5,23
6:1
115:12

**specifically**
49:4

**specifics**
23:7

**Spencer**
24:20

**spend**
35:13
63:25

**spent**
15:5 64:8
81:1
102:20

**spoke**
96:24

**spoken**
26:21
86:22

**Sponte**
4:23

**spread**
29:24

**squared**
91:10

**stabbed**
36:24

**stage**
62:15

**stamps**
35:12

**standards**
8:6

**standing**
35:8,18
51:15

**standpoint**
66:13
68:14

**start**
16:17
27:23
48:5
96:15
110:17

**starts**

27:22

**state**
4:11,20
5:6 6:15
8:23
10:11
15:16
17:12
30:17
44:13
51:3,7
64:13
65:18,22
67:1 73:2
74:23
75:9,19,
23 82:11
83:18,21
84:4,25
86:16,18
92:5
96:18,21,
22 102:6
105:16
108:12
110:19
111:18,22
114:9
115:21
117:11
119:1
120:18
122:18,20

**State's**
44:14
114:16

**stated**
74:24
82:6

**statement**
44:23
73:5,7

**statements**
13:11
30:4 49:5

**States**
105:5

**statutes**
62:25

**stay**
11:6
31:22
57:16
82:21

**step**
40:3

**stipulate**
92:6,13
98:24
114:20
116:19

**stipulated**
100:16
118:12

**stipulating**
119:4

**stipulation**
114:23
116:25

**stop**
48:10

**stopping**
34:2

**strategic**
9:4 72:21

**strategically**
73:8

**strategies**
6:6

**strategy**
8:25
25:11

**study**
14:13

**stuff**
14:5
36:21,22
48:20

**stupid**
79:3,4

**Sua**
4:23

**subject**
46:9
57:19
98:17
111:1
120:1

**substance**
22:7,20
24:22

**substances**
103:4

**sudden**
31:8

**sufficient**
85:12
95:24

**suggest**
40:2

**suicide**
55:2,5,7
56:7
59:22
60:4

**support**
43:24

**supporters**
25:5,6
33:6 40:2
47:9,17
69:14
74:8
80:16

**supportive**
58:1

**supposed**
23:11
48:22
61:5
77:23

**Supreme**
8:6 15:15

**surgery**
79:18

**swear**
102:2

**swirl**
50:3

**Switching**
99:3

**sword**
51:20

**sworn**
102:1

**T**

**table**
15:24
32:8
65:22,24
66:2
70:21
76:13
82:13
83:19
96:9

**tablet**
56:11

**tablets**
54:23

**tactic**
74:2

**taking**
69:7,13
119:23,25

**talk**
7:10 12:8
13:23
14:24
17:14
22:13
23:7
24:13
27:21
28:5,7
29:10,11
31:16
33:18
39:18,20
40:6,13
41:10
49:1,15,
19 50:15,
22,25
56:21
59:2,17
60:7,20
66:12
69:23
70:18,20
74:20
76:20
78:10,21
89:2 96:4
111:9,11
112:3

**talked**
6:3,18
32:19
38:14,15,
20 40:14
41:2
65:20
103:6

**talking**
24:2
25:21

27:23
31:13
34:21,25
35:10,25
39:25
40:12,24
41:15
42:9
47:17
48:12
51:8
66:15
85:19
122:8

**talks**
36:20
59:4

**tase**
55:17

**teacher**
77:10,22

**telling**
38:10,13
39:21
45:15
47:9
48:11
51:3
68:11
69:10

**ten**
35:10,13
119:11

**tender**
97:11,16

**Tenders**
116:22

**term**
120:2

**terms**
21:22
23:5,10
37:3
68:17
76:12

**testify**
39:2
107:24
108:8

**text**
33:25
70:1

**therapist**
54:17
57:4
58:20
59:3,11
60:3

**thigh**
36:11,25
38:6

**thing**
36:23
38:21
42:12,22
48:7
75:25
79:9
100:22

**things**
12:8
14:14
16:18
24:13
31:12
33:9,19
41:10
50:24
51:23,24,
25 52:1
59:18
60:5,21
64:2,9
72:13
76:25
78:23
122:6

**thinking**
68:21

**thinks**
15:1
77:22

**Thomas**
4:19,20
10:12,19
11:1
70:1,2,6
76:11
85:6,14
86:14,15,
21 87:9
88:10,13
90:15
91:1,7,12
92:13
96:23
100:9,13
113:13
117:13,25
119:4
121:13
122:20

**thought**
40:24
54:7,14
65:16
91:2

**thoughts**
43:2

**threat**
8:14 10:6
117:7

**threaten**
45:8
55:11

**threatened**
55:10,17

**threatening**
43:10

**throw**
51:19

**thrown**
105:12

**time**
10:13
12:22,24
14:2
15:4,5
25:22
31:1,6,16
33:7,13
35:12
39:18
48:2
50:10,18
51:22,23
52:4
53:24
55:5
56:10
63:9,25
64:8
66:13
68:4
69:24
70:11
75:15
78:10
80:25
81:1
82:18
85:12
86:21
89:2
90:20
91:16,21
92:9 96:4
99:10
103:23
110:14
114:10
116:10,
14,15
118:18
122:9

**timely**
81:18

**times**
56:17
108:22

**timing**
85:15

**timing-wise**
85:7

**today**
4:10 5:5,
9 7:21
8:12,18
9:12 10:2
12:25
24:12,17
27:8 28:8
32:8,17
34:4,13
56:4 58:6
62:3
69:24
70:9,13,
17 74:4,
13 77:4
78:7,11
81:7
82:5,20
83:22,23
87:4
95:19
103:12,21
104:5,9
106:8
107:18
109:2
116:4,11
122:8

**today's**
8:10
26:23
89:21

**told**
18:23

28:25
29:3 33:2
40:15
45:15
49:24
50:18
66:3,7
106:9,15

**topic**
25:24
26:25
28:7,9
29:2
32:20
42:18
45:4 47:3
49:16
64:10,16
66:3

**torture**
55:9

**total**
121:17

**totally**
41:23
42:1

**trade**
98:22
120:7

**trafficking**
22:6

**training**
120:7

**transport**
21:14
25:15

**transported**
25:1

**transporting**
22:10

**treatment**
98:15
119:23,24

**trial**
5:18 6:6
8:1,17,
19,22
9:9,17
10:7
15:25
23:6,14
31:17
32:9
33:3,4,7
40:20
42:22
57:23
58:4,13
67:16,20
69:7,15,
21 78:17
86:10
93:19
107:10,15
108:5,9

**trouble**
67:18
68:16

**true**
37:12

**trust**
31:4
66:24

**truth**
102:3,4

**tryer**
34:6

**tuning**
48:5

**turn**
93:4

**turned**
92:7 93:9

**Twenty**
97:22

**Twitter**
33:11

**type**
14:14
19:5
36:12
41:8 67:5
79:8
115:12

**typically**
58:22
99:14,22
109:14

**U**

**U.K.**
33:11

**U.S.**
104:15,
19,23

**Uh-huh**
61:13

**ultimately**
21:22
57:18
70:15
72:3
78:19

**unable**
72:13

**uncommon**
22:20

**undergo**
98:13
119:20

**undermined**
45:14

**understand**
6:10,24
7:1,6,8,
12 11:20
12:2,11
15:3,4,6,
8,11,18,
21 16:1,
3,8,10
20:7
25:15
26:11
29:14,17,
21,25
30:3,7,24
31:18
32:14,18
37:23
38:7,17
39:23
40:20
42:16
44:1,4,19
46:11,20,
23 47:4,
11 52:18
62:20
63:22
64:2,9,
24,25
65:1,5
69:19
71:5
72:20
74:6
75:22
78:11,15
79:6 80:1
84:6 85:7
86:5,12
87:6,25
89:3,9,20
95:7,12
97:13
102:25
104:14,17
107:7,17,
22 108:2,
7,11,19
110:9
111:4,10,
15 112:1
114:15
115:18
117:8
119:1

**understanding**
16:13
26:20
32:23
41:8
62:20
63:20
64:6
103:14
105:22
106:1,3,5
114:12
116:12

**understands**
24:5
74:1,4
113:22
117:5

**understood**
26:22
64:21

**unfortunate**
25:9

**United**
105:5

**universe**
30:5
33:13
40:13

**unrelated**
41:24
42:1

**upswell**

50:3

**urinalysis**
98:8
119:16

**V**

**vacation**
58:21

**variety**
5:14

**venue**
9:8,14

**VI**
118:13

**victim**
52:1
96:24
97:5

**victims**
85:9
86:19,24
100:19

**video**
84:15

**videoconference**
57:12,14

**videos**
72:13

**view**
5:11
28:23
64:19,23

**virtual**
8:9

**Virtually**
7:18

**visit**
54:15

**vocabulary**
107:12

**vocal**
49:23

**voluntarily**
80:22
82:1
109:5
113:22
117:3

**Volusia**
17:2,18
18:6
20:6,11,
18 21:5,
12,14
24:2
25:1,16,
17 27:17
49:6
54:19
91:24
97:12,22
99:2,8
100:20
106:11
110:18,19
115:19
116:16
117:2,22
118:21
120:20
121:25

**W**

**wait**
10:19,23
13:13
57:9
112:21

**waive**
83:23
101:1

**waiver**
113:14

**waiving**
39:21
110:5
119:1

**wanted**
32:22
36:1,3
52:22
59:9 65:7
69:15
86:2
91:21
114:5

**wanting**
48:8 49:4

**warrant**
22:14

**warrantless**
98:17
120:1

**watch**
28:15,23
34:8
55:5,7
56:8
59:22
60:4

**watched**
34:24

**ways**
33:6
54:24
77:25

**weapons**
36:15
98:10,12
119:17,19

**week**
53:7,8
58:8,24
60:3

**weekly**
54:12
58:20

**weeks**
26:14
55:24
56:1,2,4,
19 57:1,2
58:3

**weighed**
54:7

**white**
45:22

**Willful**
115:4
118:9

**wise**
16:4

**wishes**
82:9
83:19
87:6

**withdraw**
89:5 90:2
97:10

**withdrawing**
80:22
97:15

**withdrew**
94:1
116:6

**witnesses**
39:1
107:24,25
108:3
118:1

**word**
53:11

**words**
107:11

**work**
17:25
21:7 48:1
77:16

**worked**
14:16

**working**
12:1
19:10,21,
23

**works**
63:23

**world**
29:16

**worldwide**
9:14
40:10

**worry**
18:21
23:1 31:6

**worse**
33:15
52:16,20

**worth**
35:11

**wrap**
87:13

**write**
13:5

**writing**
63:24

**written**
80:22
82:4
107:1
108:22
109:11

**wrong**
48:24
49:8 50:4
51:7 53:3

69:16

**wrote**
64:5

**Y**

**Yahoo**
33:12

**year**
41:12
58:17
63:13

**years**
15:13
41:25
48:2
63:17
66:20,21
68:6,10
76:14
85:21
97:20,22,
23 98:1,4
99:9
102:15
111:1
113:6
115:6,9,
15
118:11,14
119:8,11
120:23
121:8,11,
14,17

**yesterday**
33:10

**you-all**
10:23
53:13
59:2
76:20
87:19

**young**
40:9
68:8,9

**Z**

**Zoom**
10:17
11:14
93:5
94:21
96:25
101:23

# EXHIBIT
# 12

(Y) FILE IN COURT FILE
(Y) COPY SENT TO STATE ATTORNEY Thomas Avallone
(Y) COPY SENT TO DEFENSE COUNSEL
( ) NOT HEARD EX PARTE
( ) NOT IN FORM OF MOTION
DATE: December 30, 2022
JUDICIAL ASSISTANT

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

THE STATE OF FLORIDA

-V- CASE No. 2021 303222 CFDB

NICOLE JACKSON MALDONADO

Defendant
_____/

FILED
22 DEC 30 AM 11:25
CLERK OF THE CIRCUIT & CTY COURT VOLUSIA CTY. CC13

## PETITION FOR WRIT OF HABEAS CORPUS
and
## TO REMOVE DEFENDANT FROM SOLITARY CONFINEMENT

**COMES NOW,** the Defendant Nicole Jackson Maldonado in pro se in the above cause and pleads with this court to order the Jailer's at Volusia County Jail annex to place the Defendant back in her normal cell and out of solitary confinement for the reasons that follow:

1. In June of 2021 Defendant (a 15-year-old juvenile) was arrested and charged as an adult then handed over to the Volusia County jail. For the first 7 to 8 months Defendant was placed in solitary confinement without any reason other than there was "NO ROOM" in the juvenile area to place her.

2. There was no Hearing regards this solitary placement as per the requirements of the law.

3. In addition, Defendant was never given outside recreation nor any inside recreation. Covid 19 was the jails excuse to keep Defendant from any recreation. (Which is not a legal answer)

4. Defendant was only allowed out of her cell for showers. Defendant begged her Public Defender Lawrence Avallone to help get her out and was told by MR. Avallone there "was nothing he could do"

### CURRENT SITUATION.

1. In or around December 19th the Defendant was again placed in solitary confinement for same reasons as given above. The jailers have stated that "THERE IS NO ROOM" to place Defendant in the juvenile area as that is filled with adults. This is not legal defense.

2. Defendant at this time has not been informed when this solitary time will end which leaves the question: How long will Defendant actually remain in solitary.

3. Once again Defendant is not being given ant recreation time inside or out.

FILED
2022 DEC 29 PM 2:58
CLERK OF THE CIRCUIT & CTY COURT VOLUSIA CTY. FL CC 45

4. Again, Defendant has begged her Public Defender Lawrence Avallone to do something about it and his answer was, he can't.

5. The Defendant was never giver a proper Hearing as to this solitary punishment as per the law.

6. Due to Defendants Public Defender not assisting in this matter and the fact the jailers do not respond to Defendant's requests, forces the Defendant to turn to this court and order Defendant's removal from solitary and back into a normal cell situation.

7. Defendant has no access to books, magazines, T.V. Or any of the comforts" afforded her when in a normal cell situation.

8. In summation of the facts presented the Defendant needs to remind the jailers that she is a pretrial detainee and has not been convicted of any crime.

In support of Defendant's motion, she submits the following case studies in support.

## STATEMENT OF LAW

Defendant cites the following rule and sub mitts those pertinent parts for this court's consideration.

**Fla. Admin. Code R.** [redacted]

(1) **Definition:**

**(a)** Administrative Confinement - refers to the temporary separation of an inmate from inmates in general population in order to provide for security and safety until such time as a more permanent inmate management decision process can be concluded, such as a referral to disciplinary confinement, close management, protective management, or a transfer.

**(i) Major Rule Violation:**

(Defendant states she was placed in solitary for no violation other than the jail is overcrowded)

(2) **Procedures for Placement in Administrative Confinement.**

**(a)** Administrative confinement is a temporary confinement status that may limit conditions and privileges as provided in subsection (5) of this rule as a means of promoting the security, order and effective management of the institution. Otherwise, the treatment of inmates in administrative confinement shall be as near to that of inmates in general population as assignment to administrative confinement shall permit. Any deviations shall be fully documented as set forth in the provisions of this rule.

**(b)** When a decision is made to place an inmate in administrative confinement, the reason for such placement shall be explained to the inmate and the inmate shall be given an opportunity to

present verbal comments on the matter. The inmate shall also be allowed to submit a written statement. Prior to placing the inmate in administrative confinement, the inmate shall be given a pre-confinement health assessment, including a physical and mental health evaluation that shall be documented in the inmate's health care record. Inmates shall be weighed upon admission to administrative confinement, at least once a week while in administrative confinement, and upon leaving administrative confinement. The weight of the inmate shall be recorded on Form DC6-229, Daily Record of Special Housing. Form DC6-229 is incorporated by reference in Rule [redacted] F.A.C.

**(3) Reasons for Placement in Administrative Confinement with Time Limits. Placement of an inmate in administrative confinement is authorized for the following reasons:**

**(a)** Disciplinary charges are pending and the inmate needs to be temporarily separated from inmates in general population in order to provide for security or safety until such time as the disciplinary hearing is held. A senior correctional officer or above shall have the authority to place an inmate in administrative confinement for this reason. The length of time spent in administrative confinement for this reason shall not exceed seven working days unless the ICT authorizes an extension of five working days. This extension shall be documented on Form DC6-229, Daily Record of Special Housing

**(b)** Outside charges are pending against the inmate and the presence of the inmate in the general population would present a danger to the security or order of the institution.

**(c)** Inmates shall be placed in administrative confinement pending review of the inmate's request for protection from other inmates.

(Defendant does not fall into any of these categories)

Defendant also wishes to submit the following. Though the below proposed rule has yet to come before Congress the House regards this issue as an important one (see: in part)

**H. R. 176**

To amend title 18, United States Code, to impose conditions on the use of solitary confinement in Federal prisons, and for other purposes

**IN THE HOUSE OF REPRESENTATIVES**

January 4, 2021

**§ 4015. Solitary confinement**

"(a) In general. —Any placement of an inmate in solitary confinement shall comply with the following:

"(1) An inmate shall not be placed in solitary confinement unless there is reasonable cause to believe that—

"(A) the inmate would create a substantial risk of immediate serious harm to another, as evidenced by recent threats or conduct; and

"(B) a less restrictive intervention would be insufficient to reduce this risk.

The correctional facility shall bear the burden of establishing this standard by clear and convincing evidence before any agency review. An inmate who would create a substantial risk of immediate serious harm to self, or who create a substantial risk of immediate serious harm to another because of a medical reason shall be placed in an appropriate medical facility.

"(2) An inmate shall not be placed in solitary confinement for non-disciplinary reasons.

"(3) An inmate shall not be placed in solitary confinement before receiving a personal and comprehensive medical and mental health examination conducted by a clinician. A preliminary examination shall be conducted by a member of the medical staff within 12 hours before confinement and the clinical examination shall be conducted within 48 hours of confinement.

"(4) An inmate shall only be held in solitary confinement pursuant to initial procedures and reviews which provide timely, fair and meaningful opportunities for the inmate to contest the confinement in such an administrative proceeding as the Director shall establish. These procedures shall include—

Defendant states that such Bill goes on in it creating meaningful requirements to place a person in solitary. The foundation of this Bill has been supported in case after case throughout the court system. The bottom line is the Defendant has done nothing as far as disciplinary actions and is in solitary for the sole reason of there is nowhere else to put her.

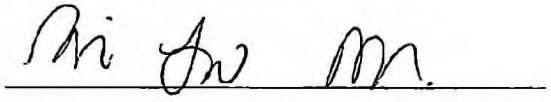
Defendant states that none of the above language was demonstrated in her case. Because Defendant is still in solitary, she has no alternative to request this court to take action.

Defendant closes out her petition with citations of Florida case law that supports her position before this court. When it comes to rules regarding the placement of inmates into any type of segregation the rules matter and must be followed.

SEE: Clark v Wainwright 490 So. 2D 1055 (Fla 1ST. DCA 1986) and Granger v Florida State Prison, 424 So.2d. 937 ( Fla 1st DCA 1983)

WHEREFORE the Defendant Hopes and Prays that this Honorable Court grant the above petition for Writ of Habeas Corpus

Respectfully submitted



Nicole Jackson Maldonado

## CERTIFICATION OF SERVICE

I Nicole Jackson Maldonado do hereby certify that a true and correct set of copies have been hand delivered by Jean Baily Notary Public to the Clerk of the court to be filed as well as the following;

Public Defenders office located at:

251 North Ridgewood Avenue
Daytona Beach, Florida 32114

Attn: Lawrence Avallone

State Attorney's Office located at:

251 N Ridgewood Ave # 300,
Daytona Beach, FL 32114

Attn: Sara Thomas

The Daytona Beach Jail Annex Located at :
1300 Red John Dr, Daytona Beach, FL 32124

Attn: Steven Smith

On this 29th day of December 2022.

Nicole Jackson Maldonado

## Notarized Oath

STATE OF FLORIDA

COUNTY OF VOLUSIA

Before me, the undersigned authority, this day personally appeared Nicole Jackson Maldonado, who first being duly sworn, says that she is the defendant in the above-styled cause, that she has read the foregoing petition for Writ of Habeas Corpus and has personal knowledge of the facts and matters therein set forth and alleged and that each and all of these facts and matters are true and correct.

Nicole Jackson Maldonaldo

SWORN AND SUBSCRIBED TO before me on Dec. 29th, 2022

Wannetta Jean Bailey
NOTARY PUBLIC

WANNETTA JEAN BAILEY
MY COMMISSION # HH 234988
EXPIRES: June 20, 2026

Personally known Under penalties of perjury, I declare that I have read the foregoing motion and that the facts stated in it are true.

Wannetta Jean Bailey

# EXHIBIT
# 13