

# RULE 3.99 CRIMINAL PUNISHMENT CODE SCORESHEET

1. DATE OF SENTENCE <b>5.17.07</b>	2. PREPARER'S NAME <input type="checkbox"/> DC <input checked="" type="checkbox"/> SAO <b>Major</b>	3. COUNTY <b>Hillsborough</b>	4. SENTENCING JUDGE <b>M. Lopez</b>
5. NAME (LAST, FIRST, MI.) <b>Bailey, James</b>	6. DOB <b>8-28-80</b>	8. RACE <input type="checkbox"/> B <input checked="" type="checkbox"/> W <input type="checkbox"/> OTHER	10. PRIMARY OFF. DATE <b>10/28/06-10/29/06</b>
	7. DC #	9. GENDER <input checked="" type="checkbox"/> M <input type="checkbox"/> F	11. PRIMARY DOCKET # <b>06-23752</b>
			12. PLEA <input checked="" type="checkbox"/> TRIAL <input type="checkbox"/>

I. **PRIMARY OFFENSE:** If Qualifier, please check ☐ A ☐ S ☐ C ☐ R (A=Attempt, S=Solicitation, C=Conspiracy, R=Reclassification)

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
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<b>3</b>	<b>810.02(4)(b)</b>	<b>Burglary of a Conveyance</b>	<b>4</b>	
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(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony triples Primary Offense points ☐

**FILED**

I. **22**

II. **ADDITIONAL OFFENSE(S):** Supplemental page attached ☒

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	POINTS	TOTAL
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<b>06-23752</b>	<b>3</b>	<b>812.014(2)(b)</b>	<b>4</b>	<b>AT FRANK</b>	<b>1</b>	<b>3.6 = 3.6</b>
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Description **Grand Theft - Vehicle**

<b>06-23385</b>	<b>3</b>	<b>893.13(6)</b>	<b>3</b>	<b>□□□□</b>	<b>1</b>	<b>2.4 = 2.4</b>
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Description **Possess of Methamphetamine (Contr Subs)**

<b>07-4426</b>	<b>M</b>	<b>893</b>	<b>M</b>	<b>□□□□</b>	<b>4</b>	<b>1.2 = .8</b>
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Description **Poss Cannabis + 20g / Para**

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

Prior capital felony triples Additional Offense points ☐

Supplemental page points **10**

II. **16.8**

III. **VICTIM INJURY:**

	Number	Total		Number	Total
2nd Degree Murder	240 X	=	Slight	4 X	=
Death	120 X	=	Sex Penetration	80 X	=
Severe	40 X	=	Sex Contact	40 X	=
Moderate	18 X	=			

III. \_\_\_\_\_

IV. **PRIOR RECORD:** Supplemental page attached ☐

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
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(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

Supplemental page points \_\_\_\_\_

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Page 1 Subtotal:

IV. **19.5**  
**58.3**

# 3.992(b) CRIMINAL PUNISHMENT CODE SUPPLEMENTAL SCORESHEET

NAME (LAST, FIRST, M.I.) <b>Bailey James</b>	DOCKET # <b>23752</b> <b>06-23887</b>	DATE OF SENTENCE <b>5.17.07</b>
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## II. ADDITIONAL OFFENSE(S):

DOCKET#	FEL/MM DEGREE	F.S. #	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
<b>06-23752</b>	<b>M</b>	<b>316.1935(3)</b>	<b>4</b>	<b>□□□□</b>	<b>1</b>	<b>3.6</b>	<b>3.6</b>
Description: <b>Armed Robbery - Free to Elude</b>							
<b>06-23752</b>	<b>M</b>	<b>316.061</b>	<b>M</b>	<b>□□□□</b>	<b>1</b>	<b>2</b>	<b>2</b>
Description: <b>Leaving Scene of Accident</b>							
<b>07-4425</b>	<b>3</b>	<b>812.014(2)(c)</b>	<b>4</b>	<b>□□□□</b>	<b>1</b>	<b>3.6</b>	<b>3.6</b>
Description: <b>Grand Theft - Motor Vehicle</b>							
<b>07-4425</b>	<b>M</b>	<b>322</b>	<b>M</b>	<b>□□□□</b>	<b>2</b>	<b>2</b>	<b>4</b>
Description: <b>DWLS</b>							
<b>07-4426</b>	<b>3</b>	<b>893.13(6)(a)</b>	<b>3</b>	<b>□□□□</b>	<b>1</b>	<b>2.4</b>	<b>2.4</b>
Description: <b>Poss Controlled Substance</b>							

(Level - Points: M=0.2, 1=0.7, 2=1.2, 3=2.4, 4=3.6, 5=5.4, 6=18, 7=28, 8=37, 9=46, 10=58)

**10**  
**1478**  
**11.870**

## IV. PRIOR RECORD

FEL/MM DEGREE	F.S. #	OFFENSE LEVEL	QUALIFY A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
____/____	____	____	□□□□	____/____	____	X	=
____/____	____	____	□□□□	____/____	____	X	=
____/____	____	____	□□□□	____/____	____	X	=
____/____	____	____	□□□□	____/____	____	X	=
____/____	____	____	□□□□	____/____	____	X	=
____/____	____	____	□□□□	____/____	____	X	=

(Level - Points: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29)

IV. \_\_\_\_\_

## Reasons for Departure – Mitigating Circumstances

(reasons may be checked here or written on the scoresheet)

- ☐ Legitimate, uncoerced plea bargain
- ☐ The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- ☐ The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- ☐ The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- ☐ The need for payment of restitution to the victim outweighs the need for a prison sentence.
- ☐ The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- ☐ The defendant acted under extreme duress or under the domination of another person.
- ☐ Before the identity of the defendant was determined, the victim was substantially compensated.
- ☐ The defendant cooperated with the State to resolve the current offense or any other offense.
- ☐ The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- ☐ At the time of the offense the defendant was too young to appreciate the consequences of the offense.
- ☐ The defendant is to be sentenced as a youthful offender.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence.

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Effective Date: For offenses committed under the Criminal Punishment Code effective on or after October 1, 1998.

- V. Legal Status violation = 4 Points V. \_\_\_\_\_
- VI. Community Sanction violation before the court for sentencing  
6 points x each successive violation OR  
New felony conviction = 12 points x each successive violation VI. \_\_\_\_\_
- VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 Points VII. \_\_\_\_\_
- VIII. Prior Serious Felony = 30 Points VIII. \_\_\_\_\_

Subtotal Sentence Points \_\_\_\_\_

IX. Enhancements (only if the primary offense qualifies for enhancement)

Law Enforcement Protection ____ x 1.5 ____ x 2.0 ____ x 2.5	Drug Trafficking ____ x 1.5	Grand Theft Motor Vehicle ____ x 1.5	Street Gang ____ x 1.5	Domestic Violence (offenses committed on or after 10-1-97) ____ x 1.5
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Enhanced Subtotal Sentence Points IX. 58.3

TOTAL SENTENCE POINTS 58.3

### SENTENCE COMPUTATION

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non-state prison sanction.

If total sentence points are greater than 44:

58.3 total sentence points
minus 28 = 30.3
x .75 = 22.725
22.725  
lowest permissible prison sentence in months

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in s. 775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If total sentence points are greater than or equal to 363, a life sentence may be imposed.

30y  
 maximum sentence in years

### TOTAL SENTENCE IMPOSED

	Years	Months	Days
<input checked="" type="checkbox"/> State Prison <input type="checkbox"/> Life	<u>2</u>		
<input type="checkbox"/> County Jail <input type="checkbox"/> Time Served			
<input type="checkbox"/> Community Control			
<input type="checkbox"/> Probation			

Please check if sentenced as ☐ habitual offender, ☐ habitual violent offender, ☐ violent career criminal, ☐ prison releasee reoffender, or a ☐ mandatory minimum applies.

☐ Mitigated Departure    ☒ Plea Bargain

Other Reason \_\_\_\_\_

<b>JUDGE'S SIGNATURE</b>	
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