

RULE 3.9 a) CRIMINAL PUNISHMENT CODE ORESHEET

1. DATE OF SENTENCE	2. PREPARER'S NAME ☐ DC ☒ SAO	3. COUNTY <u>Hill</u>	4. SENTENCING JUDGE <u>Perry</u>
5. NAME (LAST, FIRST, M.I.) <u>Mercado, Charlie</u>	6. DOB <u>08/05/1980</u>	8. RACE ☒ B ☐ W ☐ OTHER	10. PRIMARY OFF. DATE <u>08/11/2002</u>
	7. DC #	9. GENDER ☒ M ☐ F	11. PRIMARY DOCKET # <u>02-12954</u>
			12. PLEA ☐ TRIAL ☐

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
<u>1</u>	<u>893.13</u>	<u>Delivery of Cocaine w/2000 ft</u>	<u>5</u>	
		(Level - Points: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116) <u>Public Housing</u>		
		Prior capital felony triples Primary Offense points ☐		<u>I. 28</u>

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

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
<u>02-12954</u>	<u>1</u>	<u>893.13</u>	<u>5</u>	☐ ☐ ☐ ☐	<u>1</u>	<u>x 5.4</u>	<u>= 5.4</u>
		DESCRIPTION <u>Poss w/1000 ft w/1000 ft of P.H.</u>					
<u>02-12954</u>	<u>3</u>	<u>893.13</u>	<u>3</u>	☐ ☐ ☐ ☐	<u>1</u>	<u>x 2.4</u>	<u>= 2.4</u>
		DESCRIPTION <u>Possession of Cocaine</u>					
<u>02-12954</u>	<u>M</u>	<u>843.02</u>	<u>M</u>	☐ ☐ ☐ ☐	<u>1</u>	<u>x 0.2</u>	<u>= 0.2</u>

DESCRIPTION BAWON
(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
II. 8.0

III. **VICTIM INJURY:**

	Number	Total		Number	Total
2nd Degree Murder	240 x	<u> </u>	Slight	4 x	<u> </u>
Death	120 x	<u> </u>	Sex Penetration	80 x	<u> </u>
Severe	40 x	<u> </u>	Sex Contact	40 x	<u> </u>
Moderate	18 x	<u> </u>			

III.

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

SEP 23 '08

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
			☐ ☐ ☐ ☐	Clerk of the Circuit Court	<u>X</u>	<u> </u>	<u>=</u>
			☐ ☐ ☐ ☐		<u>X</u>	<u> </u>	<u>=</u>
			☐ ☐ ☐ ☐		<u>X</u>	<u> </u>	<u>=</u>
			☐ ☐ ☐ ☐		<u>X</u>	<u> </u>	<u>=</u>
			☐ ☐ ☐ ☐		<u>X</u>	<u> </u>	<u>=</u>
			☐ ☐ ☐ ☐		<u>X</u>	<u> </u>	<u>=</u>
			☐ ☐ ☐ ☐		<u>X</u>	<u> </u>	<u>=</u>

(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

IV.

Page 1 Subtotal: 36

V.

VI. 6

- ☐ 6 points x each successive violation OR
- ☐ New felony conviction = 12 points x each successive violation OR
- ☐ 12 points x each successive violation for a violent felony offender of special concern OR
- ☐ New felony conviction = 24 points x each successive violation for a violent felony offender of special concern

VII.

VIII.

Subtotal Sentence Points

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

Domestic Violence

(offenses committed on or after 10-1-97)

_____ x 1.5

IX.

TOTAL SENTENCE POINTS 42

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:

_____	minus 28 =	_____	x .75 =	_____
total sentence points				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.

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maximum sentence
in years

TOTAL SENTENCE IMPOSED

Clark of the Circuit Court

Years Months Days

- ☐ State Prison
☐ County Jail
☐ Community Control
☐ Probation
☒ Life
☒ Time Served

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

JUDGE'S SIGNATURE