

RULE 3.992(C) CRIMINAL PUNISHMENT CODE ORESHEET

1. DATE OF SENTENCE 10-21-04	2. PREPARER'S NAME ☐ DC ☒ SAO Anderson	3. COUNTY H. Nebraska	4. SENTENCING JUDGE F. Carriotta
5. NAME (LAST, FIRST, M.I.) Caper, James	6. DOB 4/7/85	8. RACE ☒ B ☐ W ☐ OTHER	10. PRIMARY OFF. DATE 5/4/04
	7. DC #	9. GENDER ☒ M ☐ F	11. PRIMARY DOCKET # 04-2509
			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
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F3, 810.02

Burg Conveyance

4

(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 ☐

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1.22

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

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY	COUNTS	POINTS	TOTAL
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Sample / F3 / 810d2 / 4 XXXX 3 x 36 10.8

Description

Burg / Conveyance

Sigma / B / 812014 / 21 / 0000 2 x 1.2 = 1.2

Description

Gr. Thesis/3rd Degree

03-15813 / F3 / 893.13 / 1 0000 1 x .5 = .5

Description

Poss	Coe
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100	100

(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 _____

11. 12.9

III. VICTIM INJURY:

	Number	Total		Number	Total
2 nd 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 ☐

[illegible]

(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

DISTRIBUTION:

White / Original / Clerk
Green / DC Data
Canary / State Attorney

Pink / Defense Attorney
Goldenrod / DC Offender File

Page 1 Subtotal:

IV.

34. a

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

- V. Legal Status violation = 4 Points
- 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

FILED

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V. _____
VI. _____

- VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 Points
- VIII. Prior Serious Felony = 30 Points

RICHARD AKE, CLERK

VII. _____
VIII. _____

Subtotal Sentence Points 34.9

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

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

Enhanced Subtotal Sentence Points IX. _____

TOTAL SENTENCE POINTS 34.9

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 = ANSRS
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.

5 yrs
maximum sentence in years

TOTAL SENTENCE IMPOSED

	Years	Months	Days
☐ State Prison	_____	_____	_____
☐ Life	_____	_____	_____
☐ County Jail	_____	_____	_____
☐ Time Served	_____	_____	_____
☐ Community Control	_____	_____	_____
☒ Probation	_____	<u>36</u>	_____

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

Michael J. Lee