

RULE 3.992(a) CRIMINAL PUNISHMENT COLLEGE SCORESHEET

1. DATE OF SENTENCE <u>5/22/16 7/18/16</u>	2. PREPARER'S NAME Lennon ☒ SAO ☐ DC	3. COUNTY HILLSBOROUGH	4. SENTENCING JUDGE Lopez
5. DEFENDANT (LAST, FIRST, M.I.) White, Brenda L.	6. DOB 02/16/1976	8. RACE WHITE	10. PRIMARY OFF. DATE 08/17/2005
	7. DC #	9. GENDER Male	11. PRIMARY DOCKET # 05-CF-019417

I. PRIMARY OFFENSE:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
<u>2</u>	<u>812.019</u>	<u>Dealing in Stolen Property</u>		

(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 ☐

I. 28

II. ADDITIONAL OFFENSE(S):

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY	COUNTS	POINTS	TOTAL
<u>04-CF-015058</u>	<u>M</u>	<u>812.014</u>	<u>M</u>		<u>1</u>	<u>0.2</u>	<u>0.2</u>
DESCRIPTION: <u>Grand Theft</u> <u>PT</u>							
DESCRIPTION: _____							
DESCRIPTION: _____							

(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 ☐

II. 0.2

III. VICTIM INJURY:

	Number	Total		Number	Total
2nd Degree Murder	240 X	= 0	Slight	4 X	= 0
Death	120 X	= 0	Sex Penetration	80 X	= 0
Severe	40 X	= 0	Sex Contact	40 X	= 0
Moderate	18 X	= 0			

III. 0

IV. PRIOR RECORD:

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY	NUMBER	POINTS	TOTAL
DESCRIPTION: _____						
DESCRIPTION: _____						
DESCRIPTION: _____						

(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. 0

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

V. _____

VI. 42.6

VII. _____

VIII. _____

Subtotal Sentence Points 41.2 34.2

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

Law Enforcement Protection	Drug Trafficking	Grand Theft Motor Vehicle	Street Gang (offenses committed on or after 10-1-98)	Domestic Violence (offenses committed on or after 10-1-98)
☐ 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. 0

TOTAL SENTENCE POINTS 34.2

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 the total sentence points are greater than or equal to 363, a life sentence may be imposed.

20
maximum sentence in years

TOTAL SENTENCE IMPOSED

	Years	Months	Days
☐ State Prison	_____	_____	_____
☐ County Jail	_____	_____	_____
☐ Community Control	_____	_____	_____
☐ Probation	_____	<u>12</u>	_____
☐ Life	_____	_____	_____
☐ Time Served	_____	_____	_____

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

☐ Mitigated Departure ☒ Plea Bargain

Other Reason _____

JUDGE'S SIGNATURE

m. Lopez

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.