

RULE 3.992() CRIMINAL PUNISHMENT CODE SHEET

1. DATE OF SENTENCE <u>2/20/06</u>	2. PREPARER'S NAME ☐ DC ☒ SAO <u>R. Tamayo</u>	3. COUNTY <u>Hills.</u>	4. SENTENCING JUDGE <u>Behnke, Debra</u>
5. NAME (LAST, FIRST, M.I.) <u>Harrell, James</u>	6. DOB <u>8/24/84</u>	8. RACE ☒ B ☐ W ☐ OTHER	10. PRIMARY OFF. DATE <u>9/20/03</u>
	7. DC #	9. GENDER ☒ M ☐ F	11. PRIMARY DOCKET # <u>03-16787</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>F3</u>	<u>810.02(4)(c)</u>	<u>Burglary Conveyance</u>	<u>4</u>	<u>22</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 ☐

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

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY	COUNTS	POINTS	TOTAL
<u>03-16787</u>	<u>F3</u>	<u>812.014(2)(k)1</u>	<u>2</u>	<u>0 S C R</u>	<u>1</u>	<u>1.2</u>	<u>1.2</u>
Description <u>Grand Theft</u>				☐	<u>X</u>		
Description				☐	<u>X</u>		
Description				☐	<u>X</u>		

(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 1.2

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	=			

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

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
			☐				
			☐				
			☐				
			☐				
			☐				
			☐				

(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

Page 1 Subtotal:

IV. 23.2

2

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. 6

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	Drug Trafficking	Grand Theft Motor Vehicle	Street Gang (offenses committed on or after 10-1-96)	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 ~~23.2~~ 29.2

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

maximum sentence
in years

TOTAL SENTENCE IMPOSED

	Years	Months	Days
☐ State Prison	_____	_____	_____
☐ County Jail	_____	_____	_____
☐ Community Control	_____	_____	_____
☐ 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 _____

JUDGE'S SIGNATURE