

RULE 3.992(a) CRIMINAL PUNISHMENT CODE SCORESHEET

1. DATE OF SENTENCE <u>9/24/06</u>	2. PREPARER'S NAME ☐ DC ☒ SAO	3. COUNTY <u>Hills</u>	4. SENTENCING JUDGE <u>Perry</u>
5. NAME (LAST, FIRST, M.I.) <u>Lemus, Jose</u>	6. DOB <u>7/17/69</u>	8. RACE ☒ B ☐ W ☐ OTHER	10. PRIMARY OFF. DATE <u>7/21/03</u>
	7. DC #	9. GENDER ☒ M ☐ F	11. PRIMARY DOCKET # <u>03-18130</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>2</u>	<u>893.13</u>	<u>Delivery of Cocaine</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)

Prior capital felony triples Primary Offense points ☐

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

Clerk of the Circuit Court

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
<u>03-18130</u>	<u>3</u>	<u>893</u>	<u>3</u>	☐ ☐ ☐ ☐	<u>1</u>	<u>2.4</u>	<u>2.4</u>

Description

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 ☐

Supplemental page points

2.4

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 ☐

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	DESCRIPTION	NUMBER	POINTS	TOTAL
<u>2</u>	<u>893</u>	<u>5</u>	☐ ☐ ☐ ☐	<u>Del Cocaine</u>	<u>1</u>	<u>3.6</u>	<u>3.6</u>
<u>3</u>	<u>893</u>	<u>3</u>	☐ ☐ ☐ ☐	<u>Pass Cocaine</u>	<u>2</u>	<u>1.6</u>	<u>3.2</u>
<u>1</u>	<u>893</u>	<u>1</u>	☐ ☐ ☐ ☐	<u>Traff Cocaine</u>	<u>1</u>	<u>14</u>	<u>14</u>
<u>M</u>	<u>Various</u>	<u>m</u>	☐ ☐ ☐ ☐	<u>Various</u>	<u>10</u>	<u>.2</u>	<u>2.0</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. 22.8
53.2

DISTRIBUTION:

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

Pink / Defense Attorney
Goldenrod / DC Offender File

Page 1 Subtotal:

- 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. 6

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

Clerk of the Circuit Court

VII. _____
VIII. _____

Subtotal Sentence Points 59.2

- 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. _____

TOTAL SENTENCE POINTS 59.2

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:
59.2 minus 28 = 31.2 x .75 = 23.4
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

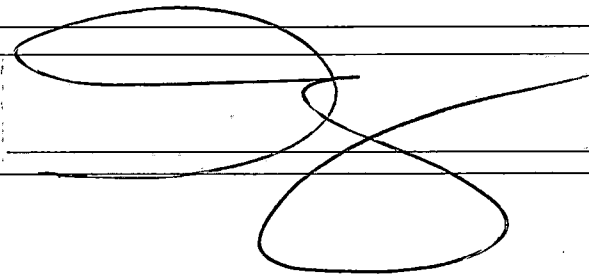
	Years	Months	Days
☐ State Prison	_____	_____	_____
☐ County Jail	_____	_____	_____
☐ Community Control	_____	_____	_____
☒ Probation	_____	<u>00</u>	_____

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

 9/14/06