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FILED
JAN 30 2007
CLERK OF CIRCUIT COURT

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
STATE OF FLORIDA, IN AND FOR HILLSBOROUGH COUNTY
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NO: 06 CF 013041 A.

-vs-

DIVISION: I

DANIEL SANTIAGO /

FILED
CLERK CIRCUIT COURT
2007 JAN 29 PM 12:50
HILLSBOROUGH COUNTY FLA

UNIFORM PLEA, ACKNOWLEDGMENT AND WAIVER OF RIGHTS FORM

CHARGE(S)	MANDATORY MINIMUM	MAXIMUM PENALTY
Driving While License Revoked - DTO		5 years FSP.

Check either "a" or "b"

✓ 1(a) I am pleading guilty, and acknowledge (my guilt)(I feel it is in my best interests to do so).

___ 1(b) I am pleading nolo contendere, and acknowledge I feel it is in my best interest to do so.

___ 2(a) I am pleading open to the Court and understand there is no agreement as to what sentence I will receive, and the Court can sentence me within its discretion.

✓ 2(b) I am pleading pursuant to a plea agreement and the terms of that agreement are as follows:

W/H

FSP_____ Psychological evaluation and treatment if necessary _____

County Jail _____ Probation 18 months Specified Residency_____

Community Control _____
Community Control II _____

Restitution to: _____ in the amount of: _____ to be paid monthly @ _____

Drug/Alcohol Evaluation (within 30 days) and treatment if necessary (counseling/urine screens)
Community Service 50 cah Driver's License Revocation_____
at 5 hours per month GED _____

Other with-hold of adjudication, automatic termination upon completion & ct costs.

ask to transfer to Pasco County

3. I understand if probation or community control is part of the plea agreement the court may impose any special conditions it believes it should but such special conditions will be orally pronounced by ~~the~~ Court at the time of sentencing.

4. I understand and agree I am to receive credit for time served of _____ day(s).

5. I understand I have a right to plead not guilty and the right to be tried by a jury to determine whether I am guilty or not guilty. I understand I have the right to be represented by an attorney at the trial and if I cannot afford one, the Court will appoint an attorney to represent me. I understand I have the right to compel the attendance of witnesses on my behalf, the right to confront and cross examine all witnesses testifying against me, and the right to remain silent. I understand if I plead guilty or nolo contendere, there will be no trial and I waive all the rights that go along with a trial.

6. I understand I have the RIGHT TO APPEAL the judgment and sentence of the Court within thirty (30) days from the date of sentence. I understand if I wish to take an appeal and cannot afford an attorney to help me in my appeal, the Court will appoint an attorney to represent me for that purpose. I understand if I plead guilty or nolo contendere without reserving the right to appeal, I am waiving my rights to appeal all matters relating to the judgment including the issue of my guilt or innocence. I admit there is a factual basis for the charge(s) to which I am entering a plea.

7. I understand there are facts the State could use to prove the charge(s) against me.

8. I understand if I plead guilty or nolo contendere the judge may ask me questions about the charge(s) to which I have just pled and if I am untruthful, my answer(s) may later be used against me in a prosecution for perjury.

9. I understand if I plead guilty or nolo contendere and am not a United States citizen, my plea may cause immigration problems, including DEPORTATION, exclusion and problems for adjustment of immigration status pursuant to the laws and regulations governing the United States Naturalization and Immigration Service.

10. I understand if the charge(s) to which I am pleading is a drug related offense my driver's license could be suspended or revoked.

X 11. I understand if I plead guilty or nolo contendere to a sexually violent offense or a sexually motivated offense, or if I have been previously convicted of such an offense, the plea may subject me to involuntary civil commitment as a sexually violent predator upon completion of any prison sentence on this or any other case.

X 12. I understand if I plead guilty or nolo contendere to a qualifying sexual offense, or if I have been previously convicted of such an offense or if I have been designated a sexual predator, I will be subject to mandatory electronic monitoring pursuant to section 948.30(3), Florida Statutes.

13. I understand my pleading guilty or nolo contendere will result in the Court imposing MANDATORY statutory costs. I also understand my plea may result in the Court imposing certain other costs and attorney's fees and I do not object to the imposition of such costs and fees and I waive my right to a hearing on the imposition of such costs and fees. I have had an opportunity to review the attached Uniform Order Assessing Costs, Fines & Surcharges with my attorney. I understand if I fail to pay the imposed costs and fees my driver's license may be suspended.

14. I understand a conviction for an offense to which I am pleading guilty or nolo contendere may serve to enhance the sentence for any offense for which I may be convicted of in the future.

15. I am not under the influence of drugs, an alcoholic beverage or medication, but I am taking this medication: _____

16. I do not have any mental illness that would keep me from understanding this plea and its consequences.

17. I certify that no one has threatened or coerced me in any way in order to get me to enter this plea, and I am pleading freely and voluntarily. Other than the terms of the plea negotiation as set forth above (if applicable), no one has promised me anything upon which I have relied in order to influence me to enter this plea.

18. I certify that I have discussed the charges with my attorney including the maximum possible and mandatory minimum (if any) penalties and possible defenses and am fully satisfied with the representation of my attorney. I understand by entering this plea there is no guarantee what gain/credit time, if any, I will receive should I be sentenced to Florida State Prison. I understand prior convictions or treatment as a habitual offender will affect my eligibility to earn gain/credit time.

19. I have reviewed my sentencing guidelines score sheet and it is correct.

X 20. I have reviewed an habitual felony offender/habitual violent felony offender form and understand everything in it. I understand that if sentenced as a habitual felony offender/habitual violent felony offender, I may not be eligible for certain gain time or for treatment programs.

21. I have reviewed the standard terms of probation and I understand I must follow them as well as any special conditions the court thinks are appropriate.

22. I understand no one can accurately predict the actual time I will serve on a sentence and I may be required to serve the entire sentence.

23. I certify that there are not any other witnesses I want my attorney to investigate or call, nor is there any other type of discovery or investigation I want my attorney to do prior to entering this plea.

24. I certify that no one, including my attorney, has made any promises concerning any gain time or credit time other than the fact that I am going to receive credit for every day I actually spent in jail on this/these case(s).

1/29/07 _____
Date Defendant

STATEMENT OF ATTORNEY

I, as the attorney for the above Defendant, state that I have reviewed this plea form with my client and to the best of my knowledge and belief the Defendant fully understands its contents.

1/29/07 _____
Date Attorney

(revised 09/06/05)

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

'STATE OF FLORIDA
v.
DEFENDANT: Daniel Santiago

CASE NO: 06CF013041A
DIVISION: I

FILED
JAN 29 2007
CLERK OF CIRCUIT COURT

UNIFORM ORDER ASSESSING COSTS, FINES & SURCHARGES AND ENTERING JUDGMENT

The defendant is hereby ordered to pay and a judgment is hereby entered on behalf of Hillsborough County and the State of Florida on the following sums, as indicated:

MANDATORY COSTS IN ALL CASES

1. $50 / 20 ■ Crime Prevention Court Costs - §775.083, Fla. Stat. ($50 felonies **OR** $20 misdemeanors, criminal traffic offenses and misdemeanor ordinance violations)
2. $ 3 ■ Additional Court Costs Clearing Trust Fund - §938.01, Fla. Stat. (Applies in all cases upon conviction)
3. $ 50 ■ Crimes Compensation Trust Fund - §938.03, Fla. Stat.
4. $200 / 50 ■ Additional Court Costs - §938.05, Fla. Stat. ($200 felonies **OR** $50 misdemeanors and criminal traffic offenses - §318.14(10)(a), Fla. Stat.)
5. $ 2 ■ Criminal Justice Education - §938.15, Fla. Stat. and Hillsborough County Ordinance 97-17 (Applies in all cases upon conviction)
6. $ 65 ■ Court Costs - §939.185, Fla. Stat. and Hillsborough County Ordinance 04-33 (Court innovations; legal aid; law library; teen court, JAC, juvenile alternative programs)

MANDATORY COSTS, FINES & SURCHARGES IN SPECIFIC TYPES OF CASES

7. $ 40 ☐ Public Defender Appointment application fee - §27.52, Fla. Stat. (Mandatory if public defender appointed and not paid by disposition)
8. $ 40 ☐ County or municipal ordinance violations - §34.045, Fla. Stat. (Against nonprevailing party)
9. $ 20 ☐ Traffic Surcharge - §318.18(13)(b), Fla. Stat. and Hillsborough County Ordinance 04-26 (criminal violations listed in §318.17, Fla. Stat.)
10. $ 500 ☐ Solicitation for Prostitution civil penalty - §796.07(6), Fla. Stat. (Mandatory in **solicitation for prostitution** cases.)
11. $ ☐ 5% surcharge on criminal fines and certain court costs - §938.04, Fla. Stat. (When courts costs imposed pursuant to §318.14(10), Fla. Stat., or when any fine imposed)
12. $ 20 ☐ Crime Stoppers Program surcharge - §938.06, Fla. Stat. (Mandatory surcharge when fine imposed.)
13. $ 135 ☐ DUI or BUI Court Costs - §938.07, Fla. Stat. (When DUI or BUI fine imposed pursuant to §316.193 or §327.35, Fla. Stat.)
14. $ 201 ☐ Domestic Violence surcharge - §938.08, Fla. Stat. (Mandatory in **assault, battery, stalking, sexual battery, and domestic violence cases.** Payment of this surcharge is a condition of supervision.)
15. $ 151 ☐ Rape Crisis Program surcharge - §938.085, Fla. Stat. (Mandatory in **most assault and battery cases** and **all sexual battery cases.** Payment of this surcharge is a condition of supervision.)
16. $ 101 ☐ Certain Crimes Against Minors - §938.10, Fla. Stat. (§§784.085, 796.03, 800.04, 847.0145 or 985.4045, or chapters 787, 794 or 827, Fla. Stat., regardless of adjudication)
17. $ 15 ☐ County Alcohol or Other Drug Abuse Trust Fund - §938.13, Fla. Stat. and Hillsborough County Ordinance 89-29 (Mandatory upon conviction in misdemeanor alcohol/drug cases)
18. $ ☐ Costs of Prosecution/Investigative Costs - §938.27, Fla. Stat. (Only if costs requested and documented. Payment is a condition of supervision.)
19. $ ☐ Public Defender Fees and Costs - §938.29, Fla. Stat. (If public defender is appointed)
20. $ ☐ Drug Cases (Mandatory fine) - §893.13, Fla. Stat. or §893.135, Fla. Stat.
21. $ ☐ DUI Cases (Mandatory fine) - §316.193, Fla. Stat.

DISCRETIONARY COSTS, FINES AND OTHER CHARGES

22. $ ☐ County Alcohol or Other Drug Abuse Trust Fund Assessment - §§938.21 and 932.23, Fla. Stat., and Hillsborough County Ordinance 97-16 (Alcohol and drug cases //up to amount of fine)
23. $ 100 ☐ FDLE Operating Trust Fund - §938.25, Fla. Stat. (drug cases)
24. $ ☐ Fines - §775.083, Fla. Stat., or §775.0835, Fla. Stat.
25. $ 5 ☐ Emergency Medical Services Trust Fund - §316.061 or §316.192, Fla. Stat. (Mandatory surcharge if fine imposed for crashes involving damage or reckless driving.)
26. $ ☐ Other: _____

TOTAL $ _____ PAYMENT IS: ■ A condition of probation (if applicable);
■ FOR WHICH LET EXECUTION ISSUE.

DONE AND ORDERED in open court in Hillsborough County this 29 day of Jan, 2007.

Manuel Lopez
CIRCUIT COURT JUDGE

(July/2004)