

_____ Probation Violator
 _____ Community Control Violator
 _____ Retrial
 _____ Resentence

In the Circuit Court, 2nd Judicial Circuit,
 in and for Gadsden County, Florida
 Division Felony
 Case Number 92-841CFA

State of Florida

v. Chadwick D. Banks
 Defendant

JUDGMENT

The defendant, Chadwick D. Banks, being personally before this court
 represented by Steve Seliger, the attorney of record, and the state
 represented by J. Williams, and having
 ___ been tried and found guilty by jury/by court of the following crime(s)
 ___ entered a plea of guilty to the following crime(s)
 entered a plea of nolo contendere to the following crime(s)

Count	Crime	Offense Statute Number(s)	Degree of Crime	Case Number	OBTS Number
1	1st Degree Murder	782.04(1)	cap.	92-841CFA	0004409 989
2	1st Degree Murder	782.04(1)	cap.	92-841CFA	0004409 989
3	Sexual Battery on child under 12 by def 16 yoa or older	794.011(2)	cap.	92-841CFA	0004409 989

and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the defendant is hereby ADJUDICATED GUILTY of the above crime(s).
 ___ and pursuant to section 943.325, Florida Statutes, having been convicted of attempts or offenses relating to sexual battery (ch. 794) or lewd and lascivious conduct (ch. 800) the defendant shall be required to submit blood specimens.
 ___ and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD.

State of Florida

v.

Chadwick D. Banks

Defendant

Case Number

92-841 CFA

FINGERPRINTS OF DEFENDANT

Fingerprints taken by: Captain Kenneth S. Smith Jail Administrator
Name Title

I HEREBY CERTIFY that the above and foregoing are the fingerprints of the defendant, Chadwick D. Banks, and that they were placed thereon by the defendant in my presence in open court this date.

DONE AND ORDERED in open court in Gadsden County, Florida, this 29th day of April, 19 94.

Will [Signature]
Judge

State of Florida
v.

In the Circuit Court, _____ Judicial Circuit
in and for _____ County, Florida
Division _____
Case Number _____

Defendant _____

CHARGES/COSTS/FEES

The defendant is hereby ordered to pay the following sums if checked:

- \$50.00 pursuant to section 960.20, Florida Statutes (Crimes Compensation Trust Fund).
- \$3.00 as a court cost pursuant to section 943.25(3), Florida Statutes (Criminal Justice Trust Fund).
- \$2.00 as a court cost pursuant to section 943.25(13), Florida Statutes (Criminal Justice Education by Municipalities and Counties).
- A fine in the sum of \$ _____ pursuant to section 775.0835, Florida Statutes. (This provision refers to the optional fine for the Crimes Compensation Trust Fund and is not applicable unless checked and completed. Fines imposed as a part of a sentence to section 775.083, Florida Statutes are to be recorded on the sentence page(s).)
- \$20.00 pursuant to section 939.015, Florida Statutes (Handicapped and Elderly Security Assistance Trust Fund).
- A 10% surcharge in the sum of \$ _____ pursuant to section 775.0836, Florida Statutes (Handicapped and Elderly Security Assistance Trust Fund).
- A sum of \$ _____ pursuant to section 27.3455, Florida Statutes (Local Government Criminal Justice Trust Fund).
- A sum of \$ _____ pursuant to section 939.01, Florida Statutes (Prosecution/Investigative Costs).
- A sum of \$ _____ pursuant to section 27.56, Florida Statutes (Public Defender Fees).
- Restitution in accordance with attached order.
- Other _____

DONE AND ORDERED in open court in Badsden County, Florida,
 this 29 day of April, 1994.

 Judge

Defendant Chadwick D Banks Case Number 91-841 CFA

Other Provisions, continued:

Consecutive/Concurrent
As To Other Counts

It is further ordered that the sentence imposed for this count shall run
(check one) ___ consecutive to concurrent
with the sentence set forth in count all of this case.

Consecutive/Concurrent
As To Other Convictions

It is further ordered that the composite term of all sentences imposed for the counts
specified in this order shall run
(check one) ___ consecutive to concurrent
with the following:
(check one)

___ any active sentence being served.

specific sentences: 91-249 CFA

In the event the above sentence is to the Department of Corrections, the Sheriff of Gadsden
County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility
designated by the department together with a copy of this judgment and sentence and any other documents specified by
Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing notice of appeal within
30 days from this date with the clerk of this court and the defendant's right to the assistance of counsel in taking the appeal
at the expense of the State on showing of indigency.

In imposing the above sentence, the court further recommends _____

DONE AND ORDERED in open court at Gadsden County, Florida,
this 29 day of April, 1994.

Will [Signature]
Judge

SENTENCE

(As to Count 1)

The defendant, being personally before this court, accompanied by the defendant's attorney of record, Steve Seliger, and having been adjudicated guilty herein, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown

(Check one if applicable.)

and the Court having on 3-14-94 deferred imposition of sentence until this date
(date)

and the Court having previously entered a judgment in this case on _____ now resentsences the defendant (date)

and the Court having placed the defendant on probation/community control and having subsequently revoked the defendant's probation/community control.

It Is The Sentence Of The Court that:

The defendant pay a fine of \$ _____, pursuant to section 775.083, Florida Statutes, plus \$ _____ as the 5% surcharge required by section 960.25, Florida Statutes.

The defendant is hereby committed to the custody of the Department of Corrections.

The defendant is hereby committed to the custody of the Sheriff of _____ County, Florida.

The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

To Be Imprisoned (Check one; unmarked sections are inapplicable.):

For a term of natural life.

For a term of _____.

Said SENTENCE SUSPENDED for a period of _____ subject to conditions set forth in this order.

If "split" sentence, complete the appropriate paragraph.

Followed by a period of _____ on probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

However, after serving a period of _____ imprisonment in _____, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

SPECIAL PROVISIONS

(As to Count 1)

By appropriate notation, the following provisions apply to the sentence imposed:

Mandatory/Minimum Provisions:

- Firearm** It is further ordered that the 3-year minimum imprisonment provisions of section 775.087(2), Florida Statutes, is hereby imposed for the sentence specified in this count.
- Drug Trafficking** It is further ordered that the _____ mandatory minimum imprisonment provisions of section 893.135(1), Florida Statutes, is hereby imposed for the sentence specified in this count.
- Controlled Substance
Within 1,000 Feet of School** It is further ordered that the 3-year minimum imprisonment provisions of section 893.13(1)(e)1, Florida Statutes, is hereby imposed for the sentence specified in this count.
- Habitual Felony Offender** The defendant is adjudicated a habitual felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084(4)(a), Florida Statutes. The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Habitual Violent
Felony Offender** The defendant is adjudicated a habitual violent felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084(4)(b), Florida Statutes. A minimum term of _____ year(s) must be served prior to release. The requisite findings of the court are set forth in a separate order or stated on the record in open court.
- Law Enforcement
Protection Act** It is further ordered that the defendant shall serve a minimum of _____ years before release in accordance with section 775.0823, Florida Statutes.
- Capital Offense** It is further ordered that the defendant shall serve no less than 25 years in accordance with the provisions of section 775.082(1), Florida Statutes.
- Short-Barreled Rifle,
Shotgun, Machine Gun** It is further ordered that the 5-year minimum provisions of section 790.221(2), Florida Statutes, are hereby imposed for the sentence specified in this count.
- Continuing
Criminal Enterprise** It is further ordered that the 25-year minimum sentence provisions of section 893.20, Florida Statutes, are hereby imposed for the sentence specified in this count.

Other Provisions:

- Retention of Jurisdiction** The court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).
- Jail Credit** It is further ordered that the defendant shall be allowed a total of 583 days as credit for time incarcerated before imposition of this sentence.
- Prison Credit** It is further ordered that the defendant be allowed credit for all time previously served on this count in the Department of Corrections prior to resentencing.

SENTENCE

(As to Count 2)

The defendant, being personally before this court, accompanied by the defendant's attorney of record, Steve Seliger, and having been adjudicated guilty herein, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown

(Check one if applicable.)

and the Court having on 3-14-94 deferred imposition of sentence until this date
(date)

and the Court having previously entered a judgment in this case on _____ now resentsences the defendant
(date)

and the Court having placed the defendant on probation/community control and having subsequently revoked the defendant's probation/community control.

It Is The Sentence Of The Court that:

The defendant pay a fine of \$ _____, pursuant to section 775.083, Florida Statutes, plus \$ _____ as the 5% surcharge required by section 960.25, Florida Statutes.

The defendant is hereby committed to the custody of the Department of Corrections.

The defendant is hereby committed to the custody of the Sheriff of _____ County, Florida.

The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

To Be Imprisoned (Check one; unmarked sections are inapplicable.):

For a term of natural life.

For a term of Death Penalty.

Said SENTENCE SUSPENDED for a period of _____ subject to conditions set forth in this order.

If "split" sentence, complete the appropriate paragraph.

Followed by a period of _____ on probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

However, after serving a period of _____ imprisonment in _____, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

SPECIAL PROVISIONS

(As to Count 2)

By appropriate notation, the following provisions apply to the sentence imposed:

Mandatory/Minimum Provisions:

- Firearm _____ It is further ordered that the 3-year minimum imprisonment provisions of section 775.087(2), Florida Statutes, is hereby imposed for the sentence specified in this count.
- Drug Trafficking _____ It is further ordered that the _____ mandatory minimum imprisonment provisions of section 893.135(1), Florida Statutes, is hereby imposed for the sentence specified in this count.
- Controlled Substance Within 1,000 Feet of School _____ It is further ordered that the 3-year minimum imprisonment provisions of section 893.13(1)(e)1, Florida Statutes, is hereby imposed for the sentence specified in this count.
- Habitual Felony Offender _____ The defendant is adjudicated a habitual felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084(4)(a), Florida Statutes. The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Habitual Violent Felony Offender _____ The defendant is adjudicated a habitual violent felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084(4)(b), Florida Statutes. A minimum term of _____ year(s) must be served prior to release. The requisite findings of the court are set forth in a separate order or stated on the record in open court.
- Law Enforcement Protection Act _____ It is further ordered that the defendant shall serve a minimum of _____ years before release in accordance with section 775.0823, Florida Statutes.
- Capital Offense It is further ordered that the defendant shall serve no less than 25 years in accordance with the provisions of section 775.082(1), Florida Statutes.
- Short-Barreled Rifle, Shotgun, Machine Gun _____ It is further ordered that the 5-year minimum provisions of section 790.221(2), Florida Statutes, are hereby imposed for the sentence specified in this count.
- Continuing Criminal Enterprise _____ It is further ordered that the 25-year minimum sentence provisions of section 893.20, Florida Statutes, are hereby imposed for the sentence specified in this count.

Other Provisions:

- Retention of Jurisdiction _____ The court retains jurisdiction over the defendant pursuant to section 947.16(3), Florida Statutes (1983).
- Jail Credit It is further ordered that the defendant shall be allowed a total of 583 days as credit for time incarcerated before imposition of this sentence.
- Prison Credit _____ It is further ordered that the defendant be allowed credit for all time previously served on this count in the Department of Corrections prior to resentencing.

SENTENCE

(As to Count 3)

The defendant, being personally before this court, accompanied by the defendant's attorney of record, Steve Selig, and having been adjudicated guilty herein, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown

(Check one if applicable.)

and the Court having on 3-14-94 deferred imposition of sentence until this date (date)

and the Court having previously entered a judgment in this case on _____ now resentences the defendant (date)

and the Court having placed the defendant on probation/community control and having subsequently revoked the defendant's probation/community control.

It Is The Sentence Of The Court that:

The defendant pay a fine of \$ _____, pursuant to section 775.083, Florida Statutes, plus \$ _____ as the 5% surcharge required by section 960.25, Florida Statutes.

The defendant is hereby committed to the custody of the Department of Corrections.

The defendant is hereby committed to the custody of the Sheriff of _____ County, Florida.

The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

To Be Imprisoned (Check one; unmarked sections are inapplicable.):

For a term of natural life.

For a term of _____.

Said SENTENCE SUSPENDED for a period of _____ subject to conditions set forth in this order.

If "split" sentence, complete the appropriate paragraph.

Followed by a period of _____ on probation/community control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

However, after serving a period of _____ imprisonment in _____, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

