11-5524

STATE OF FLORIDA

IN THE TENTH JUDICIAL CIRCUIT COURT, IN AND FOR POLK COUNTY

-VS-

CASE NUMBER

PUGH, ALETHEA D **53-2011-CF-005524-A000-XX**

Defendant

DC NUMBER **H40174**

ORDER OF PROBATION

This cause coming before the Court to be heard, and you, the defendant, being now present before the court, and you having

☒ entered a plea of guilty to

Count 01 **G/THEFT OVER $10,000 LESS THAN $20,000**

SECTION 1: ORDER WITHHOLDING ADJUDICATION

☒ Now, therefore, it is ordered and adjudged that the adjudication of guilt is hereby withheld and that you be placed on Probation for a period of 5 YEARS AND SEE BELOW: under the supervision of the Department of Corrections, subject to Florida law.

SECTION 2: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE

It is hereby ordered and adjudged that you be:

☒ confined in the County Jail
for a term of 6 MONTHS with credit for ALL jail time, as a special condition of supervision.

IT IS FURTHER ORDERED that you shall comply with the following standard conditions of supervision as provided by Florida law:

(1) You will report to the probation officer as directed.

(2) You will pay the State of Florida the amount of $30.00 per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.

(3) You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.

(4) You will not possess, carry or own any firearm. You will not possess, carry, or own any weapon without first procuring the consent of your officer.

(5) You will live without violating any law. A conviction in a court of law is not necessary for such a violation of law to constitute a violation of your probation, community control, or any other form of court ordered supervision.

(6) You will not associate with any person engaged in any criminal activity.

(7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.

(8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.

(9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.

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(10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.

(11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.

(12) You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.

(13) You will submit to the taking of a digitized photograph by the department. This photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.

(14) You will report in person within 72 hours of your release from incarceration to the probation office in POLK County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 2 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at 970 E. MAIN STREET, BARTOW, FL. 33830 .

SPECIAL CONDITIONS

☒ 1. DOC and/or LEO Warrantless search/seizures
☒ 2. You will be required to pay for drug testing unless exempt by the court.
☒ 3. You will make restitution to the following victim(s), as directed by the court, until the obligation is paid in full:
NAME: HAINES CITY SCHOOL ATHLETIC BOOSTER CLUB
TOTAL AMOUNT: $11,000.00
Additional instructions ordered, including specific monthly amount, begin date, due date, or joint & several: WITHIN: AS DIRECTED
☒ 4. You will have no contact (direct or indirect) with the victim **HAINES CITY HIGH SCHOOL** or the victim's family during the period of supervision.
☒ 5. Other: BEST EFFORT TO BE EMPLOYED - NO FIDUCIARY DUTIES
DEFENDANT IS TO MAKE BEST EFFORT TO MAINTAIN FULL-TIME EMPLOYMENT. DEFENDANT MAY NOT BE SELF-EMPLOYED. IF UNEMPLOYED AT ANY TIME WHILE ON PROBATION, DEFENDANT MUST PROVIDE HER PROBATION OFFICER WITH COPIES OF A MINIMUM OF TEN DIFFERENT JOB APPLICATIONS FOR WHICH THE DEFENDANT IS QUALIFIED. THE APPLICATIONS MUST BE ACCURATE AND SUBMITTED IN GOOF FAITH FOR A POSITION FOR WHICH THE DEFENDANT IS QUALIFIED AN BELIEVED SHE MAY BE HIRED FOR. IF EMPLOYMENT IS OFFERED AND NOT ACCEPTED, THE DEFENDANT MUST PROVIDE TO HER PROBATION OFFICER WITHIN TEN DAYS THE REASON FOR WHICH EMPLOYMENT WAS NOT ACCEPTED.
☒ 6. Other: DEFENDANT CANNOT BE EMPLOYED IN ANY CAPACITY IN WHICH SHE HAS FIDUCIARY DUTIES.
☒ 7. Other: DEFENDANT CAN ONLY UTILIZE, OR HAVE ACCESS TO, ONE, CHECKING ACCOUNT, WHICH MUST BE IN HER NAME, AND OF WHICH WILL BE SUBJECT OT REVIEW AT ANYTIME BY THE DEPARTMENT OF CORRECTIONS AND/ OR LAW ENFORCEMENT

Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in additional to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:

- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
- Are designated as a sexual predator pursuant to s. 775.21; or
- Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s. 943.0435(1)(a)1.a.(I), or a similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense; the following conditions are imposed in addition to all other conditions:

(a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The court may also designate additional locations to protect a victim. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.

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(b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

YOU ARE HEREBY PLACED ON NOTICE that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

IT IS FURTHER ORDERED that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

IT IS FURTHER ORDERED that you pay the following charges/costs/fees if checked:

CHECK ALL THAT ARE ORDERED:

MANDATORY COSTS IN ALL CASES

☒ $513.00 **Additional court cost for felony offense**, pursuant to s. 938.05(1)(a), F.S.

MANDATORY COURT COSTS FOR COURT-APPOINTED COUNSEL CASES

☒ $300.00 **Prosecution Costs**, pursuant to s. 938.27, F.S. (Minimum of $100 Felony/$50 Misdemeanor)

DISCRETIONARY

☒ $882.50 **Investigative Costs**, pursuant to s. 938.27, F.S. (if applicable and requested) **HCPD**

MANDATORY COURT COSTS AUTHORIZED BY LOCAL GOVERNMENTAL ENTITIES

☒ $ 1.00 Per month during the term of supervision to the following **nonprofit organization** established for the sole purpose of supplementing the rehabilitative efforts of the Department of Corrections, pursuant to s. 948.039(2), F.S.: FIRST STEP

OTHER OBLIGATIONS IMPOSED

☒ $ 2.00 Per month for each month of supervision for **Training Trust Fund Surcharge**, pursuant to s. 948.09, F.S.

PAYMENT IS TO BE MADE THROUGH AND PAYABLE TO: ☐ **Department of Corrections or** ☒ **Clerk of Court (COLLECTIONS)**

(If collected by the Department of Corrections, a surcharge of 4% will be added to all payments ordered by the court, pursuant to s. 945.31, F.S.)

SPECIFIC INSTRUCTIONS FOR PAYMENT: DUE WITHIN 56 MONTHS

IT IS FURTHER ORDERED that the clerk of this court file this order in the clerk's office and provide certified copies of same to the officer for use in compliance with the requirements of law.

DONE AND ORDERED, on JUL 05 2012

NUNC PRO TUNC 06/29/2012

BETH HARLAN, Circuit Judge

I acknowledge receipt of a copy of this order and that the conditions have been explained to me and I agree to abide by them.

Date: _____

_____
Defendant

Instructed by: _____
Supervising Officer

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Revised 07/01/11