

agreed plea

RULE 3.992(a) CRIMINAL PUNISHMENT CODE SCORESHEET

The Criminal Punishment Code Scoresheet Preparation Manual is available at: http://www.dc.state.fl.us/pub/sen_cpcm/index.html

1. DATE OF SENTENCE 1/27/2023	2. PREPARER'S NAME THOMAS, SARAH <input type="checkbox"/> DC <input checked="" type="checkbox"/> SAO	3. COUNTY VOLUSIA	4. SENTENCING JUDGE BLACKBURN, ELIZABETH A
5. NAME (LAST, FIRST, M.I.) JACKSON-MALDONADO, NICOLE MARIE	6. DOB 2/8/2007	8. RACE <input type="checkbox"/> B <input checked="" type="checkbox"/> W <input type="checkbox"/> OTHER	10. PRIMARY OFF. DATE 6/1/2021
	7. DC #	9. GENDER <input type="checkbox"/> M <input checked="" type="checkbox"/> F	11. PRIMARY DOCKET # 2021303222CFDB
			12. PLEA <input checked="" type="checkbox"/> <input type="checkbox"/> 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
C	782.04 1A1	ATTEMPTED FIRST DEGREE MURDER (FIREARM)	10	116.00

(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
2021303222CFDB	1	810.02 2b	8	<input type="checkbox"/> A <input type="checkbox"/> S <input type="checkbox"/> C <input type="checkbox"/> R	1 X	37	= 37
Description BURGLARY OF A DWELLING WHILE ARMED WITH A FIREARM							
2021303222CFDB	3	806.13 1b3	2	<input type="checkbox"/> A <input type="checkbox"/> S <input type="checkbox"/> C <input type="checkbox"/> R	2 X	1.2	= 2.4
Description CRIMINAL MISCHIEF (\$1000.00 OR MORE)							
21-00041-CVA	3	890.28(1)	2	<input type="checkbox"/> A <input type="checkbox"/> S <input type="checkbox"/> C <input type="checkbox"/> R	5 X	10	= 10
Description Wilful Malicious & Intentional Burn of Lands.							
(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 <input type="checkbox"/>							

Supplemental page points **0.00**

III. VICTIM INJURY:

	Number	Total		Number	Total
2nd Degree Murder	240 X	= 0	Slight	4 X	= 0
Death	120 X	= 0	Sex Penetration	80 X	= 0
Severe	40 X	= 0	Sex Contact	40 X	= 0
Moderate	18 X	= 0			

FILED
IN OPEN COURT

JAN 27 2023

Clerk Circuit & County
Court Volusia County, FL

IV. PRIOR RECORD: Supplemental page attached ☐

FEL/ MM DEG	F.S.#	OFF. LEVE L	QUALIFY	DESCRIPTION	CT.	POINTS	TOTAL
/	/	/	<input type="checkbox"/> A <input type="checkbox"/> S <input type="checkbox"/> C <input type="checkbox"/> R		/	X	= 0
/	/	/	<input type="checkbox"/> A <input type="checkbox"/> S <input type="checkbox"/> C <input type="checkbox"/> R		/	X	= 0
/	/	/	<input type="checkbox"/> A <input type="checkbox"/> S <input type="checkbox"/> C <input type="checkbox"/> R		/	X	= 0
/	/	/	<input type="checkbox"/> A <input type="checkbox"/> S <input type="checkbox"/> C <input type="checkbox"/> R		/	X	= 0
/	/	/	<input type="checkbox"/> A <input type="checkbox"/> S <input type="checkbox"/> C <input type="checkbox"/> R		/	X	= 0
/	/	/	<input type="checkbox"/> A <input type="checkbox"/> S <input type="checkbox"/> C <input type="checkbox"/> R		/	X	= 0

(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

0.00

IV. 0.00

Page 1 Subtotal:

164.20

165.4

NAME (LAST, FIRST, MI) JACKSON-MALDONADO, NICOLE MARIE	DOCKET # 2021303222CFDB
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Page 1 Subtotal: 154.20
165.4

V. Legal Status violation = 4 Points

- ☐ Escape ☐ Fleeing ☐ Failure to appear ☐ Supersedeas bond ☐ Incarceration ☐ Pretrial intervention or diversion program
☐ Court imposed or post prison release community supervision resulting in a conviction

V.

VI. Community Sanction violation before the court for sentencing

- ☐ Probation ☐ Community Control ☐ Pretrial Intervention or diversion
☐ 6 points for any violation other than new felony conviction x each successive violation OR
☐ New felony conviction = 12 points x each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
☐ 12 points x each successive violation for a violent felony offender of special concern when the violation is not based solely on failure to pay costs, fines, or restitution OR
☐ New felony conviction = 24 points x each successive violation for a violent felony offender of special concern if new offense results in a conviction before or at the sametime for violation of probation

VI. 0.00

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 Points

VII.

VIII. Prior Serious Felony = 30 Points

VIII.

IX. Enhancements (only if the primary offense qualifies for enhancement)

- | | | | | | |
|-------------------|-------------------------|-------------------------|-------------------------|---|---|
| Law Enf. Protect. | Drug Trafficker | Motor Vehicle Theft | Criminal Gang Offense | Domestic Violence in the Presence of Related Child (offenses committed on or after 3/12/07) | Adult-on-Minor Sex Offense (offenses committed on or after 10/1/14) |
| <u>1</u> x 1.5 | <u> </u> x 2.0 | <u> </u> x 2.5 | <u> </u> x 1.5 | <u> </u> x 1.5 | <u> </u> x 2.0 |

Subtotal Sentence Points

154.20

Enhancement Subtotal Sentence Points

IX. 77.10

TOTAL SENTENCE POINTS

231.30

SENTENCE COMPUTATION

165.4

242.5

If total sentence points are less than or equal to 44, the lowest permissible sentence is any non_state prison sanction. If the total sentence points are 22 points or less, see Section 775.082(10), Florida Statutes, to determine if the court must sentence the offender to a non_state prison sanction.

If total sentence points are greater than 44:

231.30 ~~242.5~~ minus 28 = 203.3 x .75 = 152.475 ~~160.875~~
total sentence points **165.4** lowest permissible prison sentence in months **124.05**

If total sentence points are 60 points or less and court makes findings pursuant to both Florida Statutes 948.20 and 397.334(3), the court may place the defendant into a treatment-based drug court program.

The maximum sentence is up to the statutory maximum for the primary and any additional offenses as provided in 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.

55.412

maximum sentence in years

**DOC
F/B
Probation**

- ☒ State Prison ☐ Life
☐ County Jail ☐ Time Served
☐ Community Control
☒ Probation ☐ Modified

Years 20

Months

Days

40

Please check if sentenced as ☐ habitual offender, ☐ habitual violent offender, ☐ violent career criminal, ☐ prison release reoffender, or a ☐ mandatory minimum applies.

☐ Mitigated Departure ☒ Plea Bargain ☐ Prison Diversion Program

Other Reason

JUDGE'S SIGNATURE

[Signature]

Effective Date: For offenses committed under the Criminal Punishment Code effective for offenses committed on or after October 1, 1998, and subsequent revisions.

RULE 3.992(b) CRIMINAL PUNISHMENT CODE SUPPLEMENTAL SCORESHEET

NAME (LAST, FIRST, M.I.) JACKSON-MALDONADO, NICOLE MARIE	DOCKET# 2021303222CFDB	DATE OF SENTENCE
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II. ADDITIONAL OFFENSE(S):

DOCKET#	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
/	/	/		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	X	=	0
Description							
/	/	/		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	X	=	0
Description							
/	/	/		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	X	=	0
Description							
/	/	/		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	X	=	0
Description							
/	/	/		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	X	=	0
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)

II. 0.00

IV. PRIOR RECORD:

FEL/ MM DEG	F.S.#	OFF. LEVE L	QUALIFY A S C R	DESCRIPTION	CT.	POINTS	TOTAL
/	/	/	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		X	=	0
/	/	/	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		X	=	0
/	/	/	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		X	=	0
/	/	/	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		X	=	0
/	/	/	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		X	=	0
/	/	/	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		X	=	0

(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)

IV. 0.00

Reasons for Departure - Mitigating Circumstances (reasons may be checked here or written on the scoresheet)

- ☐ Legitimate, uncoerced plea bargain.
- ☐ The defendant was an accomplice to the offense and was a relatively minor participant in the criminal conduct.
- ☐ The capacity of the defendant to appreciate the criminal nature of the conduct or to conform that conduct to the requirements of law was substantially impaired.
- ☐ The defendant requires specialized treatment for a mental disorder that is unrelated to substance abuse or addiction, or for a physical disability, and the defendant is amenable to treatment.
- ☐ The need for payment of restitution to the victim outweighs the need for a prison sentence.
- ☐ The victim was an initiator, willing participant, aggressor, or provoker of the incident.
- ☐ The defendant acted under extreme duress or under the domination of another person.
- ☐ Before the identity of the defendant was determined, the victim was substantially compensated.
- ☐ The defendant cooperated with the State to resolve the current offense or any other offense.
- ☐ The offense was committed in an unsophisticated manner and was an isolated incident for which the defendant has shown remorse.
- ☐ At the time of the offense the defendant was too young to appreciate the consequences of the OFFENSE.
- ☐ The defendant is to be sentenced as a youthful offender.
- ☐ The defendant is amenable to the services of a post adjudicatory treatment based drug court program and is otherwise qualified to participate in the program.
- ☐ The defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug related overdose.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest permissible sentence.

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