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JUDGMENT  
MEMO OF SENTENCE / ORDER OF THE COURT  
IN THE CIRCUIT / COUNTY COURT POLK COUNTY, FLORIDA / CRIMINAL DIVISION

DIV: MG PRET

DAPD

DATE: 07/18/2023 BONDSMAN: ~~CASH~~

DEF. LOC: CARD

BI# 2306208

CASE NO.: 2023CT-001555-A000-BA STATE VS. PEACH JAMES D

SEQ# CT#  
P 1 DUI-PROPERTY DAMAGE/PERSONAL INJURY ↑ .15  
NO MORE CHARGES FOR THIS CASE ONLY

FINE / GST  
B195290

BD SRTY / CASH  
500

STATE ATTY B. Peterson

ECR BEFORE CT/COURT REPORTER/TAPE JUDGE: KEVIN M KOHL

*mckibben for*

DEFENDANT	PLEA	ADJUDICATION	FINAL DISPOSITION
<input checked="" type="checkbox"/> Pres w/o Atty <u>J. Rickard</u>	<input type="checkbox"/> Not Guilty	<input checked="" type="checkbox"/> Guilty	<input type="checkbox"/> Acquitted
<input checked="" type="checkbox"/> Pres w/Atty	<input type="checkbox"/> Guilty	<input type="checkbox"/> Not Guilty	<input type="checkbox"/> Dismissed
<input type="checkbox"/> Counsel Pres	<input checked="" type="checkbox"/> Nolo Cont	<input type="checkbox"/> Withheld	<input type="checkbox"/> No Bill / Nolle Prose WR/ORAL
<input type="checkbox"/> Interpreter Pres	<input checked="" type="checkbox"/> PNG W/D	<input type="checkbox"/> Withheld Pending Disposition	<input checked="" type="checkbox"/> Court Retains Jurisdiction
<input type="checkbox"/> Deft's Pres Waived	<input type="checkbox"/> Waive Counsel	<input type="checkbox"/> PD Appointed	
<input type="checkbox"/> FTA	<input type="checkbox"/> Order Approving Waiver of Counsel		
<input type="checkbox"/> Capias / Warrant Ordered	<input checked="" type="checkbox"/> Waive Speedy / Jury Trial		<b>FINE / CT COST IMPOSED</b>
<input type="checkbox"/> Bond Set \$ _____ c/s	<input type="checkbox"/> Order of Non-Imprisonment		<input checked="" type="checkbox"/> Cost Order Filed for Costs/Fines/Fees
<input type="checkbox"/> Each CT <input type="checkbox"/> Total	<input type="checkbox"/> Refer to DIVR		<input type="checkbox"/> Payment Due Date _____
<input type="checkbox"/> Bond \$ _____ Forfeited	<input type="checkbox"/> FTA Disp _____		<input checked="" type="checkbox"/> Fine/CC to come from cash bond (FS903.286)
<input type="checkbox"/> Bond Changed to \$ _____ c/s	<input type="checkbox"/> License Suspension		<input checked="" type="checkbox"/> Refer to Court Payments & Compliance
<input type="checkbox"/> Bond Discharged / Reinstated	<input type="checkbox"/> With Valid D/L		<input type="checkbox"/> May Work Hours In Lieu of Fine/CC Cost if qualifies
<input type="checkbox"/> Information filed in open court	<input type="checkbox"/> Without D/L		<input type="checkbox"/> Fine, Costs, Fees Reduced to Judgment Lien
<input type="checkbox"/> Capias / Warrant Withdrawn	<input checked="" type="checkbox"/> Court Ord D/L Susp <u>6</u> DYS / <u>MOS</u> YRS		<input type="checkbox"/> PD Fee Reduced to Lien
<input type="checkbox"/> PCSO Notified	WARR @ _____		<input type="checkbox"/> SAO to prepare Restitution Lien

Defendant Placed on Probation for 12 DYS/MOS/YRS to run CONCUR/CONSEC w/ \_\_\_\_\_

Conditions of  Probation\*  PTR  DR Court Program  Jail \*Conditions contained on reverse side incorporated into this order by reference\*

30 ACS Hours w/in 10 MOS  May Buy Out Hours @ \$14/hr  May / No Early Term after \_\_\_\_\_

8 / 12 / 26 Week DV Course / BIP  8 Week Anger Management Class  NCTI / AIM / ADAPT Class Enroll w/in \_\_\_\_\_

Treatment if Recommended by Ord. Eval. 10 mos  No Weapons/Firearms/Ammo  DDS/DUI/MOP DUI/Boat Course Enroll w/in 60 days

No Acts of Violence  No Alcohol/Bars/Lounges  EVAL(SA) DV / MH Enroll w/in 60 days

STDT w/in \_\_\_\_\_  Ignition Interlock for 6 MOS/YRS  Vehicle Immobilization / Impound Order for 10 Days

Letter of Apology to \_\_\_\_\_  No Contact with \_\_\_\_\_

Victim Impact Panel enroll w/in 90 DYS  All Conditions completed w/in \_\_\_\_\_  Warrantless Searches/Random Analysis by PO or LEO

Restitution \$ unknown to unknown within Breath Tests

Admits / Denies VOP  Term Satisfactory / Unsatisfactory  VOP Revoked / Restored / Modified

Special Conditions: deft to pay \$173.99 towards court costs & fees per month to be paid in full by 11th month of probation per court

Continued for:  ARR  DOCK  DISP  HEAR  PRET  MDOC  JSEL  JTRL  NTRL  HREV  COMP  REVI  NOTIFY

12/13/23 @ 830 Rest per court  DEFT  PA  PD  RC  SAO  JAIL  PROB  COLL  BD/CB DEP

**COMMITMENT**  Defendant Remanded into Custody/Parker vs. State No Bond  Incarceration Costs Assessed \$ \_\_\_\_\_ per day (F.S. 960.293)

It is the judgment of the court, and sentence of the law that the above named defendant be confined in the:  Polk County Jail  Therapeutic Consequence

\_\_\_\_\_ DAYS / MOS / YRS CT# \_\_\_\_\_ TO RUN CONCUR / CONSEC WITH \_\_\_\_\_

\_\_\_\_\_ DAYS / MOS / YRS CT# \_\_\_\_\_ TO RUN CONCUR / CONSEC WITH \_\_\_\_\_

\_\_\_\_\_ DAYS / MOS / YRS CT# \_\_\_\_\_ TO RUN CONCUR / CONSEC WITH \_\_\_\_\_

\_\_\_\_\_ DAYS / MOS / YRS CT# \_\_\_\_\_ TO RUN CONCUR / CONSEC WITH \_\_\_\_\_

\_\_\_\_\_ DAYS Suspended Upon Completing \_\_\_\_\_ DYS Weekend Work Release  Inmate Work Release Conditions Provided to Defendant

Weekend Work Release to begin \_\_\_\_\_ at 7:45 AM  Sat. Only  Sun. Only  Weekday  Written Arg Speech Provided to Deft.

Turn Self into Jail on \_\_\_\_\_ @ \_\_\_\_\_ AM/PM and \_\_\_\_\_ days will be suspended.

To Be Given Credit for \_\_\_\_\_ (ALL/DYS/MOS) Time Served

Defendant To Be Released This Case Only  PTR  R.O.R.

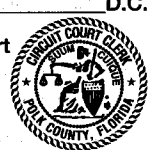
RECEIVED AND FILED  
JUL 18 2023  
STACY M. BUTTERFIELD, CLERK

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL OF THE CIRCUIT / COUNTY COURT OF THIS DATE

Date 07/18/2023 by [Signature] D.C.  
Stacy M. Butterfield  
Clerk of the Circuit Court

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Judge



ORIGINAL (COURT FILE)

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**General Rules and Definitions**

**"WAIVER OF SPEEDY TRIAL"** means the defendant acknowledged his or her desire to waive the procedural speedy trial rule for a period of \_\_\_\_\_ days. The Waiver or Speedy Trial executed was hereby confirmed and approved on this date in Open Court.

**"WAIVER OF JURY TRIAL"** means that on this date, the defendant HEREBY ACKNOWLEDGED that he or she had been advised by the Court of his or her constitutional right to a trial by jury. The defendant hereby freely and voluntarily waives right to a trial by jury. **DONE AND ORDERED IN OPEN COURT.**

**"ORDER OF NO IMPRISONMENT"** means the Court, prior to trial in this case hereby files its statement of intention that imprisonment will not be imposed upon the defendant in the event of conviction. **DONE AND ORDERED IN OPEN COURT.**

**"WAIVER OF COUNSEL"** means the defendant hereby acknowledged that he or she had been advised by the Court of his or her constitutional right to be represented by an attorney in this cause; that if he or she is not financially able to employ an attorney the Court will appoint an attorney to represent the defendant without immediate expense to the defendant. Further, the Court has fully advised the defendant of the charge against him or her, the maximum penalty involved, and his or her right to a trial by jury. The defendant desired to unconditionally waive right to counsel. This waiver was made freely, voluntarily, and with full understanding of these rights without any promises or inducements being made of any nature whatsoever. **DONE AND ORDERED IN OPEN COURT.**

**"ORDER APPROVING WAIVER OF COUNSEL"** means the Court having advised the defendant of the right to counsel, including the right to Court-appointed counsel in the event of indigence, and the defendant having executed in open Court a Waiver of Counsel, and the Court being satisfied that the waiver is made freely, voluntarily, intelligently and with full knowledge of its consequence, it is ORDERED AND ADJUDGED that the Waiver of Counsel executed by the defendant is hereby confirmed and approved. **DONE AND ORDERED IN OPEN COURT.**

**IT IS FURTHER ORDERED THAT YOU SHALL COMPLY WITH THE FOLLOWING CONDITIONS OF PROBATION:**

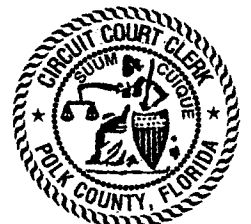
- (1) You will not change your residence or employment without notifying your Probation Officer.
- (2) You will report each month, on an assigned date, as directed by your Probation Officer.
- (3) You will not violate the law and will not violate any temporary or permanent Injunction for Protection issued regarding Domestic Violence.
- (4) You will not use intoxicants to excess, or use any controlled substance except medication prescribed by a physician.
- (5) You will work faithfully at suitable employment.
- (6) You will allow your Probation Officer to visit you in your home, your employment site, or elsewhere, and you will comply with all instruction your Officer gives you.
- (7) You will pay fifty dollars (\$50) per month to cover the cost of your supervision.
- (8) You will comply with any special conditions of probation as ordered by the court, and cited on the front of this document, within 60 days.
- (9) You will successfully complete any community service hours ordered and comply with all rules and scheduling as outlined by your Probation Officer.
- (10) You will report to the Polk County Probation Office at: \_\_\_\_\_ 930 E. Parker Street, Room 292, Lakeland  
 \_\_\_\_\_ 1745 or 1755 US 17 South, Bartow \_\_\_\_\_ 3425 Lake Alfred Road / 6 Gill Jones Plaza, Winter Haven

**IF PLACED ON PROBATION FOR DRIVING UNDER THE INFLUENCE, YOU SHALL COMPLY WITH THE ADDITIONAL CONDITIONS:**

- (11) You will enroll at Tri-County Addictions Rehabilitation Services, Inc. within 10 working days from the date of the order, or 10 days after release from jail, in the appropriate program DUI Counterattack or Multiple Offender Program and successfully complete the said program within three months if Counterattack, or 6 months if Multiple Offender.
- (12) You will successfully complete and pay for any treatment recommended by Tri-County resulting from an evaluation which indicates substance abuse.
- (13) You will not drink any alcoholic beverages nor enter any establishment whose primary business is the dispensing of alcoholic beverages.
- (14) Operation of any motor vehicle is prohibited until the Florida Department of Highway Safety and Motor Vehicles reinstates your privilege to drive.

STACY M. BUTTERFIELD  
CLERK OF THE CIRCUIT COURT

CERTIFIED TO BE A TRUE COPY  
Attest: Stacy M. Butterfield  
Clerk of the Circuit Court  
County Court - Criminal Division



IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK COUNTY, FLORIDA FC-2

STATE OF FLORIDA, Plaintiff v. \_\_\_\_\_, Defendant

Case Number: 23CT-1555-BA  Violation of Probation

Order of mandatory (M) and discretionary (D) costs/fines/fees **\*\*THIS JUDGMENT IS NOT A LIEN\*\***

The Defendant is hereby ordered to pay the following fines, costs, restitution and fees for the above referenced case number, for which let execution issue.

Driving 316.193 or Boating 327.35 Under the Influence	Florida Statute/Authority		1st	2nd	3 <sup>rd</sup> > 10 Yrs MM
Fine	316.193	M	500.00	1,000.00	2,000.00
Additional Costs	938.185(1)(a)	M	65.00	65.00	65.00
Additional Crimes Comp (5% Surchg)	938.04	M	25.00	50.00	100.00
Alcohol Assessment	938.07	M	135.00	135.00	135.00
Alcohol/Drug Assessment	938.13	M	15.00	15.00	15.00
Alcohol/Drug Treatment (AO 2-72.2)	938.21, 938.23	M	80.00	80.00	80.00
Cleaning Trust Fund	938.01	D	3.00	3.00	3.00
Ct Facilities (Ordinance 10-08)	318.18(13)(a)	M	30.00	30.00	30.00
Crime Compensation Fund	938.03	M	50.00	50.00	50.00
Crime Stoppers	938.06	M	20.00	20.00	20.00
Crimes Prevention Fund	775.083(2)	M	20.00	20.00	20.00
Local Law Enforcement Ed	938.15	M	2.00	2.00	2.00
Criminal Justice Fund	938.05 (1)	M	60.00	60.00	60.00
Radio Sys TF/ Brain & Spinal TF	318.18.17/327.35.9	M	3.00	3.00	3.00
SAO Fee - upon conviction	938.27(8)	M	50.00	50.00	50.00
Teen Court (Ordinance 07-042)	938.19	M	3.00	3.00	3.00
<b>GUILTY</b>			<b>1,061.00</b>	<b>1,586.00</b>	<b>2,636.00</b>

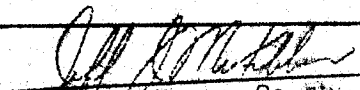
In addition to base amounts, the following enhancements apply to any DUI violation with a blood/ breath alcohol of 0.15 or higher, any BUI violation with a blood/ breath alcohol of 0.20 or higher, and/or DUI/ BUI if accompanied by a person under the age of 18 years.

Fine	M	500.00	1,000.00	2,000.00
Surcharge (5%)	M	25.00	50.00	100.00
<b>Total Assessment with Additional Fine</b>		<b>1,586.00</b>	<b>2,636.00</b>	<b>4,736.00</b>

- \$        OTHER FINE/COST AMOUNT
- M  \$50.00 - Indigence Application Fee [F.S. 27.52(1)(b)]
- M  \$50.00 - Misdemeanor Public Defender/Court Appointed Attorney [F.S. 938.29(1)]
- D \$        Additional Public Defender/Court Appointed Attorney Fee [F.S. 938.29(1)]
- D \$ 100 Additional SAO Fees [F.S. 938.27(8)]
- \$        Cost of Supervision
- M  \$10.00 - DUI/Immobilization Service Fee [Polk County Administrative Order 2003-002]
- M        \$500.00 Failure to submit to breathalyzer-boating under the influence only [F.S. 327.352]
- D \$ 117.93 Investigation Costs [F.S. 938.27(7)] payable to BPD
- D \$        \$100.00 Operating Trust Fund of Law Enforcement FDLE/Drug [Chapters 775-896 Florida Statutes, F.S. 938.055]
- D \$        Witness Fees [F.S. 92.142] for        Witnesses @        per Witness
- \$        Up to fine Amount Alcohol and Drug Abuse Treatment & Education Trust Fund [F.S. 938.23] for violations of F.S. 316.193 (DUI)

you shall pay \$1.00/month of supervision within 90 days per F.S. 948.019(2) and Admin Order 2-64.1.  
 you shall pay \$2.00/month of Supervision per F.S. 948.09(1)(a) (training and equipment).  
 you shall pay \$30.00/month of Supervision.  
 The Court reserves jurisdiction to award costs of incarceration per F.S. 960.291, et. seq.  
 you shall pay \$30.00/month Cost of Radio Frequency Electronic Monitoring and \$50.00/month cost of Global Positioning System Monitoring if applicable.

DONE AND ORDERED in Polk County, Florida on 7-18-23

Judge's Signature:  revised 05/09/2017  
 Jeff McKibben, County Judge  
 Official Signature

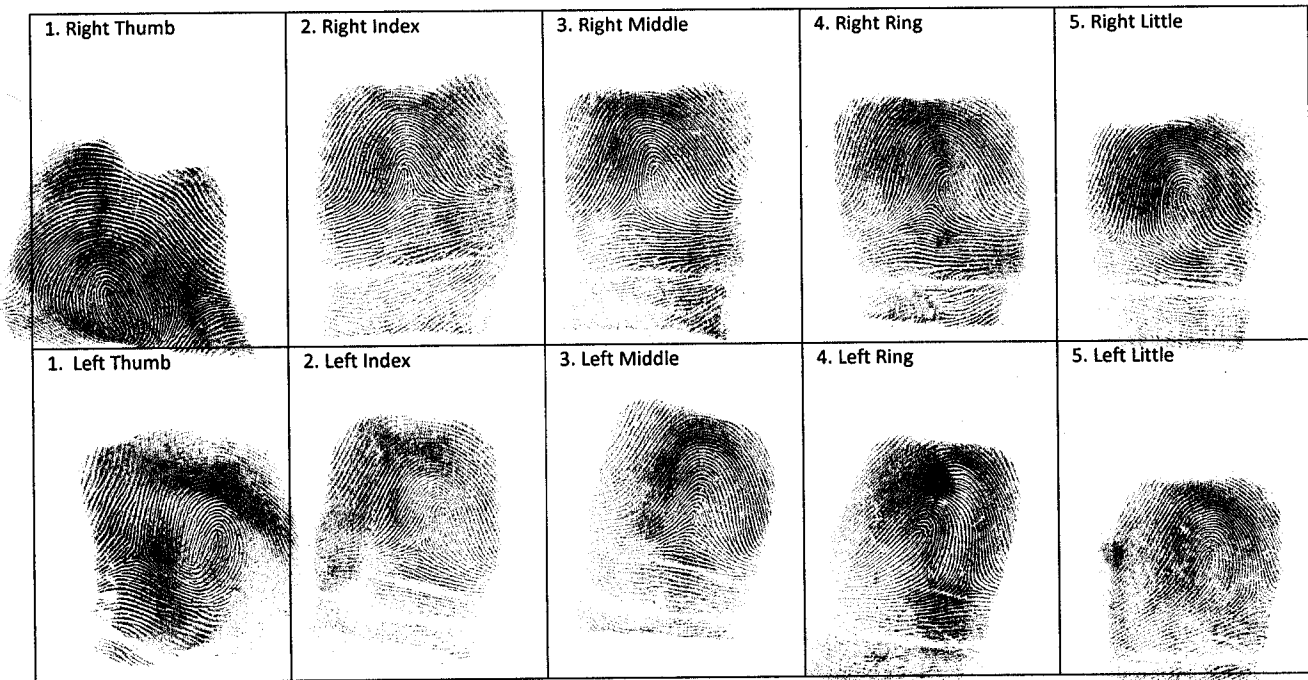
State of Florida vs.

JAMES D PEACH

Case Number

53-2023CT-001555-A000-BA

FINGERPRINTS OF DEFENDANT



Fingerprints taken by: J. Getsee Bailiff  
(Name) (Title)

I HEREBY CERTIFY that the above and foregoing fingerprints are the fingerprints of the defendant, JAMES D PEACH, and that they were placed thereon by said defendant in my presence this 18<sup>th</sup> day of July, 2023.

J. Getsee #5406  
Court Officer/Court Employee/Criminal Justice Agency Employee