No.

IN THE SUPREME COURT OF THE UNITED STATES

MIGUEL JAIMES LUVIANO, PETITIONER

v.

STATE OF FLORIDA, RESPONDENT.

ON PETITION FOR A WRIT OF CERTIORARI TO THE FOURTH DISTRICT COURT OF APPEAL OF FLORIDA

APPENDIX TO PETITION FOR A WRIT OF CERTIORARI

CAREY HAUGHWOUT
Public Defender

Benjamin Hunter Eisenberg
Assistant Public Defender
Counsel of Record

Office of the Public Defender
Fifteenth Judicial Circuit of Florida
421 Third Street
West Palm Beach, Florida 33401
(561) 355-7600
beisenberg@pd15.state.fl.us
appeals@pd15.org

373 So.3d 349 (Mem)
District Court of Appeal of Florida, Fourth District.

Miguel JAIMES-LUVIANO, Appellant,
v.
STATE of Florida, Appellee.

No. 4D2022-1382
|
[October 18, 2023]

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, Martin County; Sherwood Bauer, Jr., Judge; L.T. Case No. 2020CF000951.

Attorneys and Law Firms

Carey Haughwout, Public Defender, and Cynthia L. Anderson, Assistant Public Defender, West Palm Beach, for appellant.

Ashley Moody, Attorney General, Tallahassee, and Alexandra A. Folley, Assistant Attorney General, West Palm Beach, for appellee.

Opinion

Gerber, J.

The defendant primarily appeals from his conviction for trafficking in methamphetamines – 200 grams or more. We affirm that conviction on all arguments raised without further discussion. However, we remand for the circuit court to correct its written sentencing order on the defendant's misdemeanor convictions for driving without a valid driver's license, leaving the scene of an accident with property damage, and resisting arrest without violence.

After the circuit court adjudicated the defendant guilty on those three misdemeanor charges, the circuit court orally sentenced the defendant "to time served on each and every one of those charges." However, the circuit court later entered a written sentencing order which, contrary to the oral pronouncement, imposed a 591-day prison term on those charges.

The defendant filed a Florida Rule of Criminal Procedure 3.800(b)(2) motion challenging the 591-day prison sentence as "greater than the maximum allowable sentences for those three crimes." Because the circuit court did not rule on the motion within sixty days, the motion is deemed denied. *See* Fla. R. Crim. P. 3.800(b)(2)(B).

The defendant argues, and the state concedes, the circuit court must ministerially correct its written sentencing order to conform to its orally pronounced sentence of "time served." Driving without a valid driver's license and leaving the scene of an accident with property damage are second degree misdemeanors for which a person may be sentenced "by a definite term of imprisonment not exceeding 60 days." §§ 316.061(1), 322.39, 775.082(4)(b), Fla. Stat. (2020). Resisting arrest without violence ***350** is a first degree misdemeanor for which a person may be sentenced "by a definite term of imprisonment not exceeding 1 year." §§ 775.082(4)(a), 843.02, Fla. Stat. (2020). Thus, the written sentencing order's 591-day prison term, whether viewed cumulatively or individually for each of those charges, exceeded the respective statutory maximums.

Based on the foregoing, we remand for the circuit court to ministerially correct its written sentencing order on the three misdemeanor charges to either conform to its orally pronounced sentence of "time served" or set forth the statutory maximum of days for each of those charges. *See Raines v. State*, 317 So. 3d 1162, 1162 (Fla. 4th DCA 2021) ("Where a trial court's written sentencing order conflicts with the oral pronouncement, the oral pronouncement controls. On remand, the trial court shall correct the written sentencing order.") (internal citations and quotation marks omitted). The defendant need not be present for this ministerial task. *Id.*

Lastly, we conclude the defendant's argument that the circuit court erred in imposing costs which were not mandatory or orally pronounced lacks merit, with no further discussion required. We also conclude the defendant's argument that he was entitled to a twelve-person jury under the Sixth and Fourteenth Amendments to the United States Constitution has been rejected in *Guzman v. State*, 350 So. 3d 72, 73 (Fla. 4th DCA 2022), *review denied*, No. SC22-1597, 2023 WL 3830251 (Fla. June 6, 2023).

Affirmed; remanded for correction of written sentencing order.

Levine and Conner, JJ., concur.

All Citations

373 So.3d 349 (Mem), 48 Fla. L. Weekly D2023

End of Document

Supreme Court of Florida

FRIDAY, JANUARY 5, 2024

Miguel Jaimes-Luviano,
Petitioner(s)
v.
State of Florida,
Respondent(s)

SC2023-1497
Lower Tribunal No(s).:
4D2022-1382;
432020CF000951CFAXMX

This cause having heretofore been submitted to the Court on jurisdictional briefs and portions of the record deemed necessary to reflect jurisdiction under Article V, Section 3(b), Florida Constitution, and the Court having determined that it should decline to accept jurisdiction, it is ordered that the petition for review is denied.

No motion for rehearing will be entertained by the Court. *See* Fla. R. App. P. 9.330(d)(2).

CANADY, LABARGA, COURIEL, GROSSHANS, and FRANCIS, JJ., concur.

A True Copy
Test:

SC2023-1497 1/5/2024
John A. Tomasino
Clerk, Supreme Court
SC2023-1497 1/5/2024

KS
Served:

CYNTHIA LORRAINE ANDERSON
HON. SHERWOOD BAUER JR.
4DCA CLERK
MARTIN CLERK
ALEXANDRA ANTOINETTE FOLLEY

III. APPELLANT WAS ENTITLED TO A TWELVE PERSON JURY UNDER THE SIXTH AND FOURTEENTH AMENDMENTS AND HE DID NOT WAIVE THAT RIGHT.

Jaimes Luviano was convicted by a jury comprised of a mere six people. T 238. The Sixth and Fourteenth Amendments guarantee the right to a twelve-person jury when the defendant is charged with a felony.

C. Standard of review and preservation

The standard of review of constitutional claims is de novo. *See A.B. v. Florida Dept. of Children & Family Services*, 901 So. 2d 324, 326 (Fla. 3d DCA 2005).

Jaimes Luviano did not personally waive his right to a twelve person jury.

D. Jaimes Luviano acknowledges Guzman pending before the Florida Supreme Court on identical issue

Jaimes Luviano notes that this Court recently decided *Guzman v. State*, 350 So. 3d 72 (Fla. 4th DCA 2022) pending SC22-1597, which rejected a defendant's argument "that his convictions by a six-person jury violated the Sixth and Fourteenth Amendments to the United States Constitution." *Id.* at 73. The majority opinion in *Guzman* found this Court was bound by the United States Supreme

Court's holding in *Williams* that six-person juries are constitutionally permissible until the high court expressly revisited that holding. *Id.*

In a concurring opinion, Judge Gross "explain[ed] that [the defendant's] legal argument on jury composition present[ed] a classic example of how the law navigates the shifting sands of constitutional analysis." *Id.* at 75 (Gross, J., concurring). Although disagreeing with the defendant that *Ramos v. Louisiana*, 140 S. Ct. 1390 (2020), had overturned *Williams*, Judge Gross wrote that, "if applied to the issue of jury size, the originalist analysis in *Ramos* would undercut *Williams*'s functionalist underpinnings." *Id.* at 78 (Gross, J, concurring). "At a minimum, *Ramos* . . . suggests that *Williams* was wrongly decided." (Gross, J., concurring). Furthermore, the defendant "has a credible argument that the original public meaning of the Sixth Amendment right to a 'trial by an impartial jury' *included* the right to a 12-person jury. *Id.* (Gross, J., concurring).

Guzman is currently pending before the Florida Supreme Court. Appellate attorneys have the obligation to "zealously assert[] the client's position under the rules of the adversary system." R. Regulating Fla. Bar prmbl. As part of this obligation, undersigned "[c]ounsel has the responsibility to make such [arguments] as may

be necessary to keep the defendant's case in an appellate 'pipeline.'" *Sandoval v. State*, 884 So. 2d 214, 217 n. 1 (Fla. 2d DCA 2004). Therefore, although acknowledging this Court is bound by *Guzman*, Jaimes Luviano seeks to preserve this argument for further review.

E. The Constitution requires a twelve-person jury.

On the merits, although the Supreme Court held in *Williams v. Florida*, 399 U.S. 78, 86 (1970), that juries as small as six were constitutionally permissible, *Williams* is impossible to square with the Supreme Court's ruling in *Ramos v. Louisiana*, 140 S. Ct. 1390 (2020), which concluded that the Sixth Amendment's "trial by an impartial jury" requirement encompasses what the term "meant at the time of the Sixth Amendment's adoption," *id.* at 1395; U.S. Const. amend. VI.

Prior to 1970, subjecting Jaimes Luviano to a trial with only six jurors would have indisputably violated his Sixth Amendment rights. As the *Ramos* Court observed, even Blackstone recognized that under the common law, "no person could be found guilty of a serious crime unless 'the truth of every accusation ... should ... be confirmed by the unanimous suffrage of twelve of his equals and neighbors[.]" *Ramos*, 140 S. Ct. at 1395. "A 'verdict, taken from eleven, was no

verdict' at all." *Id.*

After the Sixth Amendment was enacted, a bevy of state courts—ranging from Alabama to Missouri to New Hampshire—interpreted it to require a twelve-person jury. *See Miller, Comment, Six of One Is Not A Dozen of the Other*, 146 U. PA. L. REV. 621, 643 n.133 (1998) (collecting cases from the late 1700s to the 1860s). In 1898, the U.S. Supreme Court added its voice to the chorus, noting that the Sixth Amendment protects a defendant's right to be tried by a twelve-person jury. *Thompson v. Utah*, 170 U.S. 343, 349-350 (1898) *overruled on other grounds* by *Collins v. Youngblood*, 497 U.S. 37, 51-52 (1990). As the *Thompson* Court explained, since the time of the Magna Carta, the word "jury" had been understood to mean a body of twelve people. *Id.* Given that understanding had been accepted since 1215, the Court reasoned, "[i]t must" have been "that the word 'jury'" in the Sixth Amendment was "placed in the constitution of the United States with reference to [that] meaning affixed to [it]." *Id.* at 350.

The Supreme Court continued to cite the basic principle that the Sixth Amendment requires a twelve-person jury in criminal cases for seventy more years. For example, in 1900, the Court explained

that "there [could] be no doubt" "[t]hat a jury composed, as at common law, of twelve jurors was intended by the Sixth Amendment to the Federal Constitution." *Maxwell v. Dow*, 176 U.S. 581, 586 (1900). Thirty years later, the Court reiterated that it was "not open to question" that "the phrase 'trial by jury'" in the Constitution incorporated juries' "essential elements" as "they were recognized in this country and England," including the requirement that they "consist of twelve men, neither more nor less." *Patton v. United States*, 281 U.S. 276, 288 (1930). And as recently as 1968, the Court remarked that "by the time our Constitution was written, jury trial in criminal cases had been in existence in England for several centuries and carried impressive credentials traced by many to Magna Carta," such as the necessary inclusion of twelve members. *Duncan v. Louisiana*, 391 U.S. 145, 151-152 (1968).[2]

---

[2] *See also, e.g., Capital Traction Co v. Hof*, 174 U.S. 1, 13 (1899) ("'Trial by jury,' in the primary and usual sense of the term at the common law and in the American constitutions, is not merely a trial by a jury of 12 men" but also contains other requirements); *Rassmussen v. United States*, 197 U.S. 516, 529 (1905) ("The constitutional requirement that 'the trial of all crimes, except in cases of impeachment, shall be by jury,' means, as this court has adjudged, a trial by the historical, common-law jury of twelve persons").

In 1970, however, the *Williams* Court overruled this line of precedent in a decision that Justice Harlan described as "stripping off the livery of history from the jury trial" and ignoring both "the intent of the Framers" and the Court's long held understanding that constitutional "provisions are framed in the language of the English common law [] and ... read in the light of its history." *Baldwin v. New York*, 399 U.S. 117, 122-24 (1970) (citation omitted) (Harlan, J., concurring in the result in *Williams*). Indeed, *Williams* recognized that the Framers "may well" have had "the usual expectation" in drafting the Sixth Amendment "that the jury would consist of 12" members. *Williams*, 399 U.S. at 98-99. But *Williams* concluded that such "purely historical considerations" were not dispositive. *Id.* at 99. Rather, the Court focused on the "function" that the jury plays in the Constitution, concluding that the "essential feature" of a jury is it leaves justice to the "commonsense judgment of a group of laymen" and thus allows "guilt or innocence" to be determined via "community participation and [with] shared responsibility." *Id.* at 100-01. According to the *Williams* Court, both "currently available evidence [and] theory" suggested that function could just as easily be performed with six jurors as with twelve. *Id.* at 101-102 & n.48; *cf.*

Burch v. Louisiana, 441 U.S. 130, 137 (1979) (acknowledging that *Williams* and its progeny "departed from the strictly historical requirements of jury trial").

Williams's ruling that the Sixth Amendment (as incorporated to the States by the Fourteenth) permits a six-person jury cannot stand in light of *Ramos*. There, the Supreme Court held that the Sixth Amendment requires a unanimous verdict to convict a defendant of a serious offense. In reaching that conclusion, the Ramos Court overturned *Apodaca v. Oregon*, 406 U.S. 404 (1972), a decision that it faulted for "subject[ing] the ancient guarantee of a unanimous jury verdict to its own functionalist assessment." *Ramos*, 140 S. Ct. at 1401-02.

That reasoning undermines *Williams* as well. *Ramos* rejected the same kind of "cost-benefit analysis" the Court undertook in *Williams*, observing that it is not the Court's role to "distinguish between the historic features of common law jury trials that (we think) serve 'important enough functions to migrate silently into the Sixth Amendment and those that don't.'" *Ramos*, 140 S. Ct. at 1400-01. Ultimately, the *Ramos* Court explained, the question is whether "at the time of the Sixth Amendment's adoption, the right to trial by

jury included" the particular feature at issue. *Id.* at 1402. As the history summarized above establishes, there can be no serious doubt that the common understanding of the jury trial during the Revolutionary War era was that twelve jurors were required—a "verdict, taken from eleven, was no verdict at all." *See id.* at 1395 (quotation marks omitted).

Even setting aside *Williams's* now-disfavored functionalist logic, its ruling suffered from another significant flaw: it was based on research that was out of date shortly after the opinion issued.

Specifically, the *Williams* Court "f[ou]nd little reason to think" that the goals of the jury guarantee—including, among others, "to provide a fair possibility for obtaining a representative[] cross-section of the community"—"are in any meaningful sense less likely to be achieved when the jury numbers six, than when it numbers 12." *Williams*, 399 U.S. at 100. The Court theorized that "in practice the difference between the 12-man and the six-man jury in terms of the cross-section of the community represented seems likely to be negligible." *Id.* at 102.

In the time since *Williams*, that determination has proven incorrect. Indeed, the Court acknowledged as much just eight years

later in *Ballew v. Georgia*, 435 U.S. 223 (1978), when it concluded that the Sixth Amendment barred the use of a five-person jury. Although *Ballew* did not overturn *Williams*, the *Ballew* Court observed that empirical studies conducted in the handful of intervening years highlighted several problems with *Williams'* assumptions. For example, *Ballew* noted that more recent research showed that (1) "smaller juries are less likely to foster effective group deliberation," *id.* at 232, (2) smaller juries may be less accurate and cause "increasing inconsistency" in verdict results, *id.* at 234, (3) the chance for hung juries decreases with smaller juries, disproportionally harming the defendant, *id.* at 236; and (4) decreasing jury sizes "foretell[] problems ... for the representation of minority groups in the community," undermining a jury's likelihood of being "truly representative of the community," *id.* at 236-37.

Moreover, the *Ballew* Court "admit[ted]" that it "d[id] not pretend to discern a clear line between six members and five," effectively acknowledging that the studies it relied on also cast doubt on the effectiveness of the six-member jury. *Id.* at 239; *see also id.* at 245-46 (Powell, J., concurring) (agreeing that five-member juries are

unconstitutional, while acknowledging that "the line between five- and six-member juries is difficult to justify").

Post-*Ballew* research has further undermined *Williams*. Current empirical evidence indicates that "reducing jury size inevitably has a drastic effect on the representation of minority group members on the jury." Diamond et al., *Achieving Diversity on the Jury: Jury Size and the Peremptory Challenge*, 6 J. OF EMPIRICAL LEGAL STUD. 425, 427 (Sept. 2009); *see also* Higginbotham et al., *Better by the Dozen: Bringing Back the Twelve-Person Civil Jury*, 104 Judicature 47, 52 (Summer 2020) ("Larger juries are also more inclusive and more representative of the community. ... In reality, cutting the size of the jury dramatically increases the chance of excluding minorities."). Because "the 12-member jury produces significantly greater heterogeneity than does the six-member jury," Diamond et al., at 449, it increases "the opportunity for meaningful and appropriate representation" and helps ensure that juries "represent adequately a cross-section of the community." *Ballew*, 435 U.S. at 237.

Other important considerations also weigh in favor of the twelve-member jury. For instance, studies indicate that twelve-

member juries deliberate longer, recall evidence better, and rely less on irrelevant factors during deliberation. *See* Smith & Saks, *The Case for Overturning Williams v. Florida and the Six-Person Jury*, 60 FLA. L. REV. 441, 465 (2008). Minority views are also more likely to be thoroughly expressed in a larger jury, as "having a large minority helps make the minority subgroup more influential," and, unsurprisingly, "the chance of minority members having allies is greater on a twelve-person jury." *Id.* at 466. Finally, larger juries deliver more predictable results. In the civil context, for example, "[s]ix-person juries are four times more likely to return extremely high or low damage awards compared to the average." Higginbotham et al., at 52.

Jaimes Luviano recognizes that the state constitution provides:

> SECTION 22. Trial by jury.—The right of trial by jury shall be secure to all and remain inviolate. The qualifications and the number of jurors, not fewer than six, shall be fixed by law.

Art. I, § 22, Fla. Const. And he recognizes that section 913.10, Florida Statutes, provides for six jurors except in capital cases. *See also* Fla. R. Crim. P. 3.270.

But Florida's provision for a jury of six stems from the dawn of the Jim Crow era, one month after federal troops were withdrawn from the state. The historical background is as follows:

In 1875, the Jury Clause of the 1868 constitution was amended to provide that the number of jurors "for the trial of causes in any court may be fixed by law." *See Florida Fertilizer & Mfg. Co. v. Boswell*, 34 So. 241, 241 (Fla. 1903).

The common law rule of a jury of twelve was still kept in Florida while federal troops remained in the state. There was no provision for a jury of less than twelve until the Legislature enacted a provision specifying a jury of six in Chapter 3010, section 6. *See Gibson v. State*, 16 Fla. 291, 297–98 (1877) (quoting and discussing Chapter 3010, section 6, Laws of Florida (1877)); *Florida Fertilizer*, 34 So. at 241 (noting that previously all juries had twelve members).

The Legislature enacted chapter 3010 with the jury-of-six provision on February 17, 1877. *Gibson*, 16 Fla. at 294. This was less than a month after the last federal troops were withdrawn from Florida in January 1877. *See* JERRELL H. SHOFNER, *Reconstruction and Renewal, 1865-1877*, in THE HISTORY OF FLORIDA 273 (Michael

Gannon, ed., first paperback edition 2018) ("there were [no] federal troops" in Florida after 23 January 1877").

The jury-of-six thus first saw light at the birth of the Jim Crow era as former Confederates regained power in southern states and state prosecutors made a concerted effort to prevent Blacks from serving on jurors.

On its face the 1868 constitution extended the franchise to Black men. But the historical context shows that that it was part of the overall resistance to Reconstruction efforts to protect the rights of Black citizens. The constitution was the product of a remarkable series of events including a coup in which leaders of the white southern (or native) faction took possession of the assembly hall in the middle of the night, excluding Radical Republican delegates from the proceedings. *See* Richard L. Hume, *Membership of the Florida Constitutional Convention of 1868: A Case Study of Republican Factionalism in the Reconstruction South*, 51 Fla. Hist. Q. 1, 5-6 (1972); SHOFNER, at 266. A reconciliation was effected as the "outside" whites "united with the majority of the body's native whites to frame a constitution designed to continue white dominance." Hume at 15.

The racist purpose of the resulting constitution was spelled out by Harrison Reed, a leader of the prevailing faction and the first governor elected under the 1868 constitution, who wrote to Senator Yulee that the new constitution was constructed to bar Blacks from legislative office:

> Under our Constitution the Judiciary & State officers will be appointed & the apportionment will prevent a negro legislature.

Hume, at 15-16. *See also* SHOFNER, at 266.

In *Ramos*, Justice Gorsuch noted that the Louisiana non-unanimity rule arose from Jim Crow era efforts to enforce white supremacy. *Ramos*, 140 So. Ct. at 1394; *see also id.* at 1417 (Kavanaugh, J., concurring) (non-unanimity was enacted "as one pillar of a comprehensive and brutal program of racist Jim Crow measures against African-Americans, especially in voting and jury service."). The history of Florida's jury of six arises from the same historical context.

In view of the foregoing, a jury of six at a criminal trial is unconstitutional under the Sixth and Fourteenth Amendments of the United States Constitution. *See* U.S. Const. amend. VI, U.S. Const. amend. XIV.

Finally, Jaimes Luviano did not waive his Sixth Amendment right to a twelve-person jury. A defendant may waive his right to a constitutional jury, but the "express and intelligent consent of the defendant" is required. *Patton*, 281 U.S. at 312. Jaimes Luviano's claim is of "constitutional dimension" not statutory right, which is fundamental error and can be raised for the first time on appeal. *See e.g., Johnson v. State*, 994 So. 2d 960, 964 (Fla. 2008) (holding Johnson's general silence "did not constitute a valid waiver" of "his right to a jury trial"); *Smith v. State*, 857 So. 2d 268, 270 (Fla. 5th DCA 2003) (reasoning the constitutional right to a jury trial is fundamental in nature).

This Court should reverse the judgment and sentence and remand for a new trial with a twelve-person jury, as required by the Sixth and Fourteenth Amendments to the United States Constitution.

IV. UNAUTHORIZED COSTS SHOULD BE STRICKEN

Jaimes Luviano specifically requests that the $200 cost of prosecution (COP) and an unspecified $50 be struck because there is no statutory authority for $200 COP and the written order appears to impose $50 more than what was orally pronounced. In addition, statutory authority for the $415 should be provided for adequate review of the written cost order.

A. Standard of review and preservation

This Court reviews the statutory authority of costs de novo as it is a pure legal question. *McNeil v. State*, 215 So. 3d 55, 58 (Fla. 2017). Jaimes Luviano preserved this issue by raising it in a Rule 3.800(b)(2) motion. SR.400.

B. No statutory authority for a $200 Cost of Prosecution

The $200 cost of prosecution must be struck because it is not statutorily authorized. Florida Statute 938.27(8) mandates trial courts impose $100 cost of prosecution per case for a felony offense and provides authority to increase that amount upon "sufficient proof of higher costs incurred." § 938.27(8), Fla. Stat. (2013). The burden of demonstrating costs incurred is on the state attorney. § 938.27(4),

Fla. Stat. (2013). Here, the State entered no evidence to prove the $200 cost of prosecution. *See* T.537. Without such evidence, the trial court had no authority to impose more than $100. *See* § 938.27(8), Fla. Stat. (2013); *see also Icon v. State*, 322 So. 3d 117, 119 (Fla. 4th DCA 2021).

Further, the trial court did not ask if Jaimes Luviano wanted a hearing on the matter nor did Jaimes Luviano affirmatively state no objection; therefore, his due process rights were violated. *See* T.250; *Gaudagno v. State*, 291 So. 3d 962, 963 (Fla. 4th DCA 2020) (holding $200 COP "was done without notice or record support); *Brown v. State*, 189 So. 3d 837, 840 (Fla. 4th DCA 2015) (holding the imposed costs violated due process "because the court did not provide him an opportunity to be heard and the state did not prove the amount of the costs.").

Thus, the cost of prosecution should be struck because the trial court had no statutory authority to impose $200.

C. Bulk amount should be stricken or statutory authority provided

"It is well established that a court lacks the power to impose costs in a criminal case unless specifically authorized by statute."

Chapman v. State, 974 So. 2d 625, 626 (Fl. 4th DCA 2008) (original quotations omitted). Even for mandatory costs, "it is improper for a trial court to impose costs in a sentencing order without providing an explanation in the record as to what the costs represent, so as to permit a reviewing court to determine the statutory authority for the costs." *Anderson v. State*, 229 So. 3d 383, 386 (Fla. 4th DCA 2017). Although, each statutory authority for every fee is not required, a breakdown of costs is otherwise the appellate court has no way to "determine the statutory authority for each assessment." *Id.* at 387; *see also Chapman*, 974 So. 2d at 626 (requiring statutory authorization for all costs).

The cost order has one line item for felony costs and mandatory fines with a total of $262,915. The mandatory fine plus the five percent surcharge is $262,500, leaving a bulk amount of $415. Without statutory authority, it is unclear if the $415 is statutorily mandated and it is in violation of *Anderson*. Further, the trial court orally pronounced $610 court costs yet written order imposes $660 (415 + (65*3) + 50) in court costs. This Court should at a minimum strike the additional $50 that was not oral pronounced. *See Tory v. State*, 686 So. 2d 689 (Fla. 4th DCA 1996) (where written order does

not conform to oral pronouncement of sentence, latter prevails). And it should require the trial court to provide statutory authority for the $415 bulk amount so each assessment can be readily reviewed.

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR MARTIN COUNTY FLORIDA

STATE OF FLORIDA
vs.

MIGUEL JAIMES-LUVIANO
Defendant.

UCN: 432020CF000951CFAXMX
Case Number: 20000951CFAXMX
OBTS#: 4302100884

Judgment

☐ PROBATION VIOLATOR
☐ COMMUNITY CONTROL VIOLATOR
☐ MODIFICATION

☐ RESENTENCE
☐ RETRIAL
☐ AMENDED

The defendant, MIGUEL JAIMES-LUVIANO, being personally before the court represented by EDWARD LOPEZ, the attorney of record and the state represented by KRISTEN CHASE and having

entered a plea of nolo contendere to the following crime(s):

CNT#	Statute	Statute Description	Level/Degree
1	316.061	LSOA-CAUSING PROPERTY DAMAGE	Misdemeanor/SECOND DEGREE
2	843.02	RESISTING OFFICER WITHOUT VIOLENCE	Misdemeanor/FIRST DEGREE
3	322.03(1)	DRIVING WITHOUT VALID DRIVERS LICENSE	Misdemeanor/SECOND DEGREE

been tried and found guilty by jury/by court of the following crime(s):

CNT#	Statute	Statute Description	Level/Degree
4	893.135(1fl)	TRAFFICKING IN METHAM PHETAMINES - 200 GRAMS OR MORE	Felony/FIRST DEGREE

☐ The __ PROBATION __ COMMUNITY CONTROL previously ordered in this case is revoked.
☐ PRIOR ADJUDICATION on _____.
☑ It is ordered that the defendant is hereby Guilty of the above crime(s).
☐ It is ordered that the defendant is hereby Adjudication Withheld of the above crime(s).
☑ and being a qualified offender pursuant to s. 943.325, the defendant shall be required to submit DNA samples as required by law.

DONE and ORDERED at Martin County, Florida this Thursday, April 28, 2022.

CIRCUIT JUDGE ROBERT L PEGG

FILED FOR RECORD
MARTIN CO., FL
2022 APR 29 PM 2:39

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR MARTIN COUNTY FLORIDA

STATE OF FLORIDA,

UCN: 432020CF000951CFAXMX
Case Number: 20000951CFAXMX

vs.

MIGUEL JAIMES-LUVIANO
Defendant.

Charges/Costs/Fees

The defendant is hereby ordered to pay the following sums:

FEL CIVIL LIEN PD APPL 40	$	50.00	10/09/2020
Felony Costs plus 5% and Mandatory Fine	$	262,915.00	04/28/2022
BOCC ORD 642 $65	$	65.00	04/28/2022
BOCC ORD 642 $65	$	65.00	04/28/2022
BOCC ORD 642 $65	$	65.00	04/28/2022
STATE ATTY PROSECUTION CS	$	200.00	04/28/2022

_____ OTHER _____ _____

Total Assessed at Judgment: $263,360.00
Total Assessment balance: $263,360.00

DONE and ORDERED at Martin County, Florida this 28th day of April, 2022.

CIRCUIT JUDGE ROBERT L PEGG

STATE OF FLORIDA
IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR MARTIN COUNTY FLORIDA

STATE OF FLORIDA
vs.
MIGUEL JAIMES-LUVIANO
Defendant.

UCN: 432020CF000951CFAXMX
Case Number: 20000951CFAXMX

Sentence

(As to Count 1, 2, 3)

The defendant, being personally before this court, accompanied by the defendants' attorney of record, EDWARD LOPEZ, 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 applicable provision)

☐ and the court having on deferred imposition of sentence until this date 04/28/2022.

☐ and the court having previously entered a judgment in this case on _____ now resentences the defendant

☐ 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 is hereby committed to the custody of the COUNTY JAIL.

☐ The defendant pay a fine pursuant to section 775.083, Florida Statutes, plus a 5% surcharge pursuant to section 950.25 Florida Statutes, as indicated on the Fine/Costs/Fee Page.

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

TO BE IMPRISONED:

☑ For a term of 591.00 days

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

STATE OF FLORIDA
IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR MARTIN COUNTY FLORIDA

STATE OF FLORIDA
vs.
MIGUEL JAIMES-LUVIANO
Defendant.

UCN: 432020CF000951CFAXMX
Case Number: 20000951CFAXMX

Sentence

(As to Count 4)

The defendant, being personally before this court, accompanied by the defendants' attorney of record, EDWARD LOPEZ, 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 applicable provision)

☐ and the court having on deferred imposition of sentence until this date 04/28/2022.

☐ and the court having previously entered a judgment in this case on _____ now resentences the defendant

☐ 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 is hereby committed to the custody of the PRISON.

☐ The defendant pay a fine pursuant to section 775.083, Florida Statutes, plus a 5% surcharge pursuant to section 950.25 Florida Statutes, as indicated on the Fine/Costs/Fee Page.

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

TO BE IMPRISONED:

☑ For a term of 15.00 years

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

STATE OF FLORIDA

vs.

UCN: 432020CF000951CFAXMX
Case Number: 20000951CFAXMX

MIGUEL JAIMES-LUVIANO
Defendant.

Special Provisions

(As to Count 4)

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

Mandatory/Minimum Provisions:

Firearm/Weapon

_____ It is further ordered that the _____-year minimum imprisonment provisions of section 775.087, Florida Statutes, is hereby imposed for the sentence specified in this court.

Drug Trafficking

V It is further ordered that the 15 -year mandatory minimum imprisonment provisions of section 893.135(1), Florida Statutes, is hereby imposed for the sentence specified in this court.

Controlled Substance Within 1,000 Feet of School/Park/Community Center

_____ It is further ordered that the 3-year minimum imprisonment provisions of section 893.13, 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 the 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 775.0923, Florida Statutes.

Capital Offense

_____ It is further ordered that the defendant shall serve no less than 24 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 court.

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 court.

Taking a Law Enforcement Officer's Firearm

_____ It is further ordered that the 3-year minimum provisions of section 775.0875(1), Florida Statutes, are hereby imposed for the sentence specified in this court.

STATE OF FLORIDA

UCN: 432020CF000951CFAXMX
Case Number: 20000951CFAXMX

vs.

MIGUEL JAIMES-LUVIANO
Defendant.

Other Provisions:

Retention of 947.16(3), Florida Jurisdiction

____ The court retains jurisdiction over the defendant pursuant to section Statutes (1983).

Jail Credit

✓ It is further ordered that the defendant shall be allowed a total of 591 /days credit for time incarcerated before imposition of this sentence.

Credit for Time Served in Resentencing after Violation of Probation or Community Control

____ It is further ordered that the defendant be allowed _____ days time served between date of arrest as a violator following release from prison to the date of resentencing. The Department of Corrections shall apply original jail time credit and shall compute and apply original jail time credit and shall compute and apply original jail time credit and shall compute and apply credit for time served and unforfeited gain time previously awarded on case/count _____.

(Offenses committed before October 1, 1989)

____ It is further ordered that the defendant be allowed _____ days time served between date of arrest as a violator following release from prison to the date of resentencing. The Department of Corrections shall apply original jail time credit and shall compute and apply credit for time served on case/count _____.

(Offenses committed between October 1, 1989, and December 31, 1993)

____ The Court deems the unforfeited gain time previously awarded on the above case/count forfeited under section 948.06(6).

____ The Court allows unforfeited gain time previously awarded on the above case/count. (Gain time may be subject to forfeiture by the Department of Corrections under section 944.28(1).

____ It is further ordered that the defendant shall be allowed _____ days time served between date of arrest as a violator following release from prison to the date of resentencing. The Department of Corrections shall apply original jail time credit and shall compute and apply credit for time served only pursuant to section 921.0017, Florida Statutes, on case/count _____. (Offenses committed on or after January 1, 1994)

Consecutive/Concurrent

____ It is further ordered that the sentence imposed for this count ____ shall run (CHECK ONE) ____ Consecutive to ____ Concurrent with the sentence set for in count _____ of this case.

As to Other Counts

✓ All Counts concurrent with each other.

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 sentence

_____ any active sentence being served.

_____ specific sentences: _____

_____

_____

STATE OF FLORIDA

vs.

MIGUEL JAIMES-LUVIANO
Defendant.

UCN: 432020CF000951CFAXMX
Case Number: 20000951CFAXMX

Other Provisions (continued)

In the Event the above sentence is to the Department of Corrections, the Sheriff of Martin 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 defendants right to be 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/orders:

DRIVERS LICENSE IS SUSPENDED FOR 1 YEAR
ALL COSTS TO A CIVIL LIEN EXCEPT COST OF PROSECUTION

DONE and ORDERED at Martin County, Florida this 28th day of April, 2022.

CIRCUIT JUDGE ROBERT L PEGG

CERTIFICATE OF CLERK

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by US Mail/Courthouse Box/Email to the Defense Counsel this 29th day of April, 2022

Carolyn Timmann, Clerk of the Court

By: Carol Wagner DC
Deputy Clerk

CLERK OF THE CIRCUIT COURT • MARTIN COUNTY, FLORIDA • CAROLYN TIMMANN

STATE OF FLORIDA
IN THE Circuit COURT OF THE Nineteenth JUDICIAL CIRCUIT
IN AND FOR MARTIN COUNTY FLORIDA

STATE OF FLORIDA,
-vs-
Case Number: 20-951CRA

MIGUEL JAIMES LOVIANO
Defendant.

Fingerprint Form

FINGERPRINTS OF DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
1. L. Thumb	2. L. Index	3. L. Middle	4. L. Ring	5. L. Little
				

Fingerprints taken by D/S J. GUIN 1459 (Name) DEPUTY SHERIFF (Title)

I HEREBY CERTIFY that the above and foregoing are the fingerprints of the Defendant, Miguel Jaimes-Loviano,

and that they were placed thereon by said Defendant in my presence in Open Court this 28 day of APRIL 2022

By: _____
Circuit Judge

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	2. PREPARER'S NAME	3. COUNTY	4. SENTENCING JUDGE	
4/28/22	K. CHASE	MARTIN	BAUER	
5. NAME (LAST, FIRST, MI.I.)	6. DOB	8. RACE	10. PRIMARY OFF. DATE	12.
JAIMES-LUVIANO, MIGUEL	6/28/1986	HISPANIC	9/15/2020	PLEA ☐
	7. DC #	9. GENDER	11. PRIMARY DOCKET #	TRIAL ☑
		MALE	4320CF000951A	

I. PRIMARY OFFENSE: Qualifier:

FELONY DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
1	893.135(1)(F)1(C)	TRAFF METHAMPHETAMINE200 GR OR MORE	9	92

(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 doubles Primary Offense points ☐

I. 92.0000

II. ADDITIONAL OFFENSE(S): Supplemental page attached ☐

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
4320CF000951A	5/MM	316.061(1)	M		1	0.2	0.2
DESCRIPTION	LSOA-CAUSING PROPERTY DAMAGE						
4320CF000951A	5/MM	843.02	M		1	0.2	0.2
DESCRIPTION	RESIST.LEO/NO VIOL.-MISD.						
4320CF000951A	5/MM	322.03	M		1	0.2	0.2
DESCRIPTION	DRIVING WITHOUT VALID DRIVERS LICENSE						
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)

Prior capital felony doubles Additional Offense points ☐

Supplemental page points

II. 0.6000

III. VICTIM INJURY:

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

III.

IV. PRIOR RECORD: Supplemental page attached ☐

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER	POINTS	TOTAL
						X	=
						X	=
						X	=
						X	=
						X	=
						X	=
						X	=
						X	=
						X	=

(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

IV.

Page 1 Subtotal: 92.6000

2022 APR 28 PM 12:51

FILED FOR RECORD
MARTIN CO., FL

10 of 13

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

NAME (LAST, FIRST, MI. I.)	DOCKET #
JAIMES-LUVIANO, MIGUEL	4320CF000951A

Page 1 Subtotal: 92.6000

V. Legal Status Violation = 4 Points
☐ Escape ☐ Fleeing ☐ Failure to Appear ☐ Supersedeas bond ☐ Incarceration ☐ Pretrial intervention or diversion program
☐ Court imposed post prison release community supervision resulting in a conviction V. _____

VI. Community Sanction Violation before the court for sentencing VI. _____
☐ 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 same time for violation of probation

VII. Firearm/Semi-Automatic or Machine Gun = 18 or 25 points VII. _____
VIII. Prior Serious Felony = 30 points VIII. _____

Subtotal Sentence Points 92.6000

IX. Enhancements (only if 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 03-12-07)	Adult-on-Minor Sex Offense (offenses committed on or after 10-1-14)
☐ x 1.5 ☐ x 2.0 ☐ x 2.5	☐ x 1.5	☐ x 1.5	☐ x 1.5	☐ x 1.5	☐ x 2.0

Enhanced Subtotal Sentence Points IX. _____

TOTAL SENTENCE POINTS 92.6000

SENTENCE COMPUTATION

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:

92.6000 (total sentence points) minus 28 = 64.6000 x .75 = 48.450000 (Lowest permissible prison sentence in months)

If total sentence points are 60 points or less than 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 s.775.082, F.S., unless the lowest permissible sentence under the code, exceeds the statutory maximum. Such sentences may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

30 (maximum sentence in years)

TOTAL SENTENCE IMPOSED

		Years	Months	Days
☐ State Prison	☐ Life			
☐ County Jail	☐ Time Served			
☐ Community Control				
☐ Probation	☐ Modified			

Please check if sentenced as ☐ habitual offender, ☐ habitual violent offender, ☐ violent career offender, ☐ prison release reoffender, or a ☑ mandatory minimum applies.
☐ Mitigated Departure ☐ Plea Bargain ☐ Prison Diversion Program
Other Reason _____

JUDGE'S 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) Supplemental Criminal Punishment Code Scoresheet

NAME (LAST, FIRST, MI. I.)	DOCKET #	DATE OF SENTENCE
JAIMES-LUVIANO, MIGUEL	4320CF000951A	04/28/2022

X. ADDITIONAL OFFENSE(S):

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	COUNTS	POINTS	TOTAL
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
DESCRIPTION							
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. _____

IV. PRIOR RECORD:

FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY: A/S/C/R	DESCRIPTION	NUMBER		POINTS		TOTAL
						X		=	
						X		=	
						X		=	
						X		=	
						X		=	
						X		=	

(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. _____

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, except for the provisions of s. 921.0026(2)(m).

STATE OF FLORIDA

UNIFORM COMMITMENT TO CUSTODY OF DEPARTMENT OF CORRECTIONS

The Circuit Court of the 19th Judicial Circuit, in and for Martin County, Florida, in the case of

STATE OF FLORIDA

vs.

MIGUEL JAIMES-LUVIANO
Defendant

Case No. 20000951CFAXMX

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA, TO THE SHERIFF OF THE ABOVE-REFERENCED COUNTY AND THE DEPARTMENT OF CORRECTIONS, GREETINGS:

The above named defendant has been duly charged, convicted, adjudicated guilty, and sentenced for the offense(s) set forth in the attached certified copies of Indictment(s)/Information(s), Original Judgment(s) Adjudicating Guilty and Sentencing Order(s). In addition to the Original Judgment, if judicial supervision has been revoked subsequent to the entry of the judgment adjudicating guilt, a certified copy of the order revoking supervision (rather than a duplicative judgment adjudicating guilt) is also attached in support of this commitment.

Now therefore, this is to command you, the Sheriff, to take and keep and, within a reasonable time after receiving this commitment, deliver the defendant into the custody of the Department of Corrections; and this is to command you, the Secretary of the Department of Corrections, to keep and imprison the defendant for the term of the sentence. Herein fail not.

WITNESS the Clerk, and the Seal thereof, this 28th day of April, 2022.

Carolyn Timmann, Clerk of the Court

By: Carol Harper DC
Deputy Clerk

CLERK OF THE CIRCUIT COURT MARTIN COUNTY, FLORIDA CAROLYN TIMMANN