



STATE OF FLORIDA
OFFICE OF FINANCIAL REGULATION
DIVISION OF FINANCIAL INSTITUTIONS

IN RE:

KALEIGH D. DAVIS,

OFR Admin No. 0962-FI-11/12

_____ /

EMERGENCY ORDER OF SUSPENSION AND PROHIBITION
WITH NOTICE OF RIGHTS

The State of Florida, Office of Financial Regulation (hereinafter “Office”), gives notice that it, having determined that KALEIGH D. DAVIS (hereinafter “DAVIS”), a financial institution-affiliated party, has been charged with and pled guilty to a felony violation involving fraud, theft, or moral turpitude, files this Emergency Order of Suspension and Prohibition with Notice of Rights (hereinafter “Emergency Order”), pursuant to the provisions of Sections 655.012 and 655.037(6)(b), Florida Statutes (2012), against DAVIS, immediately suspending DAVIS from serving as a financial institution-affiliated party of Vystar Credit Union and any other state financial institution, subsidiary, or service corporation, and immediately prohibiting DAVIS from participation in any manner in the affairs of Vystar Credit Union and any other state financial institution, subsidiary, or service corporation.

STATEMENT OF FACTS AND CONCLUSIONS OF LAW

1. Vystar Credit Union is a Florida state-chartered credit union, charter number 670, with its principal place of business at 4949 Blanding Boulevard, Jacksonville, Florida 32210, and thus a financial institution, as that term is defined in Section 655.005(1)(i), Florida Statutes.

2. During the period of April 11, 2012 to April 25, 2012, and at all times

material hereto, DAVIS was an employee of Vystar. Thus, DAVIS is a financial institution-affiliated party, as that term is defined in Section 655.005(1)(j), Florida Statutes.

3. On or between April 11, 2012 and April 25, 2012, while employed in her official capacity as a teller with Vystar, DAVIS participated in a scheme involving the negotiation of fraudulent U.S. Treasury income tax refund checks.

4. On April 25, 2012, DAVIS was terminated from Vystar.

5. On August 2, 2012, an Information was filed against DAVIS in the Circuit Court of the Fourth Judicial Circuit, in and for Duval County, Florida, in the case styled State of Florida v. Kaleigh Dawnielle Davis, Case No. 12-CF-040610AD. The Information charged DAVIS with one felony count violation of Section 655.0322(6), Florida Statutes, for defrauding a financial institution by schemes, false or fraudulent pretenses, promises, or representations. The Information, which is attached as Exhibit 1, is hereby incorporated by reference as if set forth in its entirety.

6. A violation of Section 655.0322(6), Florida Statutes, is a second degree felony punishable by a fine of up to \$10,000, imprisonment for up to 15 years, or both.

7. A violation of Section 655.0322(6), Florida Statutes, involves fraud, theft or moral turpitude and is a prohibited act or practice per Section 655.037(1)(b), Florida Statutes.

8. On October 4, 2012, in Case No. 12-CF-040610AD, DAVIS entered a guilty plea to one felony count violation of Section 655.0322(6), Florida Statutes, for defrauding a financial institution by schemes, false or fraudulent pretenses, promises, or representations.

9. On November 9, 2012, the Court accepted DAVIS' plea and sentenced DAVIS to five days in the County Jail and placed DAVIS on probation for a period of five years. The Court also ordered DAVIS to pay restitution for the benefit of the victims in the total amount of \$8,432.66. The Court's Judgment and Restitution Order and Order of Probation, which is attached as Exhibit 2, is hereby incorporated by reference as if set forth in its entirety.

10. The Office is the agency of the State of Florida responsible for the enforcement of the laws governing financial institutions authorized or chartered by the State of Florida, including credit unions, and financial institution-affiliated parties associated with such institutions, their subsidiaries, and service corporations, including officers and employees. See Chapters 655 and 657, Florida Statutes, and Chapter 69U, Florida Administrative Code.

11. DAVIS' resignation, termination of employment or participation, or separation from Vystar, does not affect the jurisdiction and authority of the Office to issue any notice and to proceed against DAVIS as Section 655.037(8), Florida Statutes, specifically states:

The resignation, termination of employment or participation, or separation from a state financial institution, subsidiary, or service corporation of the financial institution-affiliated party does not affect the jurisdiction and authority of the office to issue any notice and proceed under this section against such financial institution-affiliated party, if such notice is served before the end of the 6-year period beginning on the date such person ceases to be such a financial institution-affiliated party with respect to such state financial institution, subsidiary, or service corporation.

12. Section 655.037(6)(b), Florida Statutes, states, in pertinent part:

Whenever any financial institution-affiliated party is charged with a felony in a state or federal court, or in the courts of any foreign country with which the United States maintains diplomatic relations, and such charge alleges violation of any law

involving fraud, currency transaction reporting, money laundering, theft, or moral turpitude and the charge under such foreign law is equivalent to a felony charge under state or federal law, the office may enter an emergency order suspending such financial institution-affiliated party or restricting or prohibiting participation by such financial institution-affiliated party in the affairs of that particular state financial institution, subsidiary, or service corporation or any other financial institution, subsidiary, or service corporation, upon service of the order upon the state financial institution, subsidiary, or service corporation and the financial institution-affiliated party so charged.

13. The possibility of DAVIS again gaining employment as a financial institution-affiliated party of a state financial institution, subsidiary or service corporation poses a threat to the interests of the state financial institution and the interests of the state financial institution's depositors, members, or stockholders. Furthermore, DAVIS again gaining employment as a financial institution-affiliated party of a state financial institution, subsidiary, or service corporation would impair public confidence in the financial institutions of this state, and the state financial institution system in general.

14. Although it is unnecessary to find or demonstrate that the reasons for concluding that the procedures employed herein are fair under the circumstances, since this action is in the context of an emergency suspension and prohibition pursuant to the provisions of Sections 655.031 and 655.037(6)(b), Florida Statutes, the Office nevertheless finds that the procedures used are fair, since the Office has merely used the procedures contained within the provisions or Sections 655.031 and 655.037(6)(b), Florida Statutes.

15. The Office concludes that this Emergency Order is appropriate and authorized pursuant to Section 655.037(6)(b), Florida Statutes, because DAVIS has pled guilty to committing a felony involving defrauding a financial institution while she was a financial institution-affiliated party.

16. The Office further concludes, pursuant to Section 655.0321, Florida Statutes, that this Emergency Order shall be a public document, and should DAVIS request a post-suspension hearing or appeal this Emergency Order, said hearing and proceedings shall be conducted as public proceedings, and that all documents related to such a hearing will be public documents unless subject to a protective order or made confidential pursuant to federal or Florida law.

AGENCY ACTION

Based on the foregoing Statement of Facts and Conclusions of Law, it is ORDERED that:

a. DAVIS is hereby IMMEDIATELY suspended from any and all positions she holds at any state financial institution, subsidiary, or service corporation.

b. DAVIS is hereby IMMEDIATELY suspended from serving in the capacity of a financial institution-affiliated party, as the term is defined in Section 655.005(1)(j), Florida Statutes, for any state financial institution, subsidiary, or service corporation.

c. DAVIS is hereby IMMEDIATELY prohibited from serving in the capacity of a financial institution-affiliated party, as the term is defined in Section 655.005(1)(j), Florida Statutes, for any state financial institution, subsidiary, or service corporation.

d. DAVIS is hereby IMMEDIATELY prohibited from participation in any manner in the affairs of any state financial institution, subsidiary, or service corporation . This prohibition includes, but is not limited to, matters of corporate governance and the following prohibitions regarding stock ownership, transfer, and voting:

(1) DAVIS shall not vote any stock she owns or controls in any state financial institution, any subsidiary, or service corporation, without the prior written permission of the Office.

(2) DAVIS shall not solicit, procure, vote, or attempt to vote any proxy, consent, or authorization with respect to any voting rights in any state financial institution, or any subsidiary, or service corporation.

(3) DAVIS shall not solicit or procure any additional stock in any other state financial institution, or any subsidiary, or service corporation.

(4) DAVIS shall not transfer or attempt to transfer: a) any stock she owns or controls in any state financial institution, or any subsidiary, or service corporation, without the prior written permission of the Office; or b) any proxy, consent, or authorization with respect to any voting rights in any state financial institution, or any subsidiary, or service corporation, without the prior written permission of the Office.

e. DAVIS is hereby IMMEDIATELY suspended from serving as a consultant or independent contractor for any state financial institution, or any subsidiary, or service corporation.

f. DAVIS is hereby IMMEDIATELY prohibited from serving as a consultant or independent contractor, or other similar position, for any state financial institution, or any subsidiary, or service corporation, unless, prior to accepting appointment with, and prior to providing any services to, any state financial institution, subsidiary or service corporation as a consultant or independent contractor, or other similar position:

(1) DAVIS provides a copy of this Emergency Order to the chief executive officer of the state financial institution, subsidiary, or service corporation, with which

DAVIS seeks to serve as a consultant or independent contractor, or other similar position;
and

(2) DAVIS, and the chief executive officer and the chairman of the board of directors of the state financial institution, or subsidiary, or service corporation, with which DAVIS seeks to serve as a consultant or independent contractor, or other similar position, provides written notification to the Office describing in detail the duties and responsibilities of the services DAVIS desires to provide to the state financial institution, or subsidiary, or service corporation; and

(3) the Office, in its sole discretion, authorizes DAVIS to accept appointment with the state financial institution, or subsidiary, or service corporation, as a consultant or independent contractor, or other similar position.

g. The Office will only rescind or otherwise modify this Emergency Order upon the issuance of an Office order finding that DAVIS has demonstrated through a post suspension hearing that her service to or participation in the affairs of any state financial institution, subsidiary, or service corporation does not pose a threat to the interests of the state financial institution's depositors, members, or stockholders, or threaten to impair public confidence in the state financial institution or the financial institution system.

h. This Emergency Order will remain in effect, unless otherwise rescinded or modified by Office order.

i. This Emergency Order will dissolve in the event of an acquittal, or the final, unappealed dismissal of all charges against DAVIS. However, such dissolution does not prohibit the Office from instituting proceedings under Section 655.037(1), Florida Statutes.

DONE AND ORDERED in Tallahassee, Florida, this 28th day of December, 2012.


DREW J. BREAKSPEAR, Commissioner
Office of Financial Regulation

NOTICE OF RIGHTS

NOTICE IS HEREBY PROVIDED THAT THE FOREGOING EMERGENCY ORDER IS ENTERED PURSUANT TO SECTION 655.037(6)(b), FLORIDA STATUTES, AND IS ACCORDINGLY EFFECTIVE IMMEDIATELY. DAVIS IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING THE ORIGINAL NOTICE OF APPEAL WITH THE AGENCY CLERK FOR THE OFFICE OF FINANCIAL REGULATION AS FOLLOWS:

By Mail or Facsimile

Agency Clerk
Office of Financial Regulation
P.O. Box 8050
Tallahassee, Florida 32314-8050
Phone: (850) 410-9880
Fax: (850) 410-9548

By Hand Delivery

Agency Clerk
Office of Financial Regulation
General Counsel's Office
The Fletcher Building, Suite 526
Tallahassee, Florida 32399-0379
Phone: (850) 410-9889

A COPY OF THE NOTICE OF APPEAL, ACCOMPANIED BY THE FILING FEES AS REQUIRED BY LAW, MUST ALSO BE FILED WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, 2000 DRAYTON DRIVE, TALLAHASSEE, FLORIDA 32399-0950, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. **THE NOTICE OF APPEAL MUST BE FILED WITH BOTH THE AGENCY CLERK FOR THE OFFICE OF FINANCIAL REGULATION AND THE DISTRICT COURT OF**

APPEAL WITHIN 30 DAYS OF THE RENDITION OF THE ORDER TO BE REVIEWED.

DAVIS MAY ALSO REQUEST A POST-SUSPENSION HEARING TO BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 120.569 and 120.57, FLORIDA STATUTES. REQUESTS FOR SUCH A POST-SUSPENSION HEARING MUST COMPLY WITH THE PROVISIONS OF RULES 28-106.104(2) AND RULE 28-106.2015(5), FLORIDA ADMINISTRATIVE CODE, AND MUST BE FILED WITH:

By Mail or Facsimile

Agency Clerk
Office of Financial Regulation
P.O. Box 8050
Tallahassee, Florida 32314-8050
Phone: (850) 410-9880
Fax: (850) 410-9548

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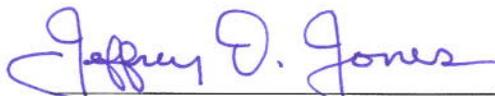
WITHIN TWENTY-ONE (21) DAYS AFTER DAVIS, OR HER AGENT OR REPRESENTATIVE, RECEIVES THIS ORDER. SHOULD DAVIS REQUEST A POST SUSPENSION HEARING, SHE WILL HAVE THE RIGHT TO BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE; TO OFFER TESTIMONY, EITHER WRITTEN OR ORAL; TO CALL AND CROSS EXAMINE WITNESSES; AND TO HAVE SUBPOENAS AND SUBPOENAS DUCES TECUM ISSUED ON HER BEHALF. FAILURE TO RESPOND WITHIN TWENTY-ONE (21) DAYS OF RECEIPT OF THIS EMERGENCY ORDER SHALL BE DEEMED A WAIVER OF ALL RIGHTS TO A POST SUSPENSION HEARING AND THIS EMERGENCY ORDER SHALL, WITHOUT FURTHER NOTICE REMAIN IN EFFECT.

NOTE THAT THE ACQUITTAL OF THE FINANCIAL INSTITUTION-AFFILIATED PARTY CHARGED, OR THE FINAL UNAPPEALED DISMISSAL OF ALL CHARGES AGAINST SUCH PERSON, WILL DISSOLVE THE EMERGENCY ORDER, BUT WILL NOT PROHIBIT THE OFFICE FROM INSTITUTING PROCEEDINGS UNDER SECTION 655.037(1). FLORIDA STATUTES.

PURSUANT TO SECTION 120.73, FLORIDA STATUTES, DAVIS IS ADVISED THAT MEDIATION IS NOT AVAILABLE.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Emergency Order of Suspension and Prohibition with Notice of Rights has been furnished via certified U.S. Mail, return receipt requested, delivery to addressee only, to Kaleigh Dawnielle Davis, 843 Alderman Road, Apartment 512, Jacksonville, Florida 32211, and by U.S. Mail to Terry West, President and Chief Executive Officer, Vystar Credit Union, 4949 Blanding Boulevard, Jacksonville, Florida 32210 on this 28th of December, 2012.



Jeffrey D. Jones, Fla. Bar No. 0622192
Assistant General Counsel
Office of Financial Regulation
The Fletcher Building
200 East Gaines Street, Suite 624
Tallahassee, Florida 32399-0371
Tel: (850) 410-9800
Fax: (850) 410-9548

cc: National Credit Union Administration

8/21

S.A. CASE NO.: 12CF040610AD

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT IN AND FOR DUVAL COUNTY, FLORIDA

STATE OF FLORIDA

Spring Term, in the year two thousand twelve

vs.

CLERK NO.: 162012CF007458AJXXMA

KALEIGH DAWNIELLE DAVIS

DIVISION: CRA

INFORMATION FOR:

- 1) DEFRAUD FINANCIAL INSTITUTION BY SCHEMES/FALSE/FRAUDULENT PRETENSES/PROMISES/REPRESENTATION

IN THE NAME OF AND BY AUTHORITY OF THE STATE OF FLORIDA, ANGELA B. COREY, State Attorney for the Fourth Judicial Circuit of the State of Florida, in and for Duval County, charges that:

COUNT 1

KALEIGH DAWNIELLE DAVIS on or between April 11, 2012 and April 25, 2012, in the County of Duval and the State of Florida, did execute or attempt to execute, a scheme or artifice to defraud a financial institution, subsidiary, or service corporation, to-wit: Vystar Credit Union, authorized by law to extend credit, or to obtain any of the monies, funds, credits, assets, securities, or other property owned by, or under the custody or control of, a financial institution, subsidiary, service corporation, or any other entity authorized by law to extend credit, by means of false or fraudulent pretenses, representations, or promises, contrary to the provisions of Section 655.0322(6), Florida Statutes.

ANGELA B. COREY, STATE ATTORNEY
FOURTH JUDICIAL CIRCUIT

By: [Signature]
Assistant State Attorney
Fourth Judicial Circuit of Florida, in and for Duval County

STATE OF FLORIDA)
COUNTY OF DUVAL)

RICHARD C. KOMANDO BAR #181356

Personally appeared before me, _____, Assistant State Attorney, for the Fourth Judicial Circuit of the State of Florida, in and for Duval County, who is personally known to me, and who being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged, and that this prosecution is instituted in good faith, and hereby certifies that testimony under oath has been received from the material witness(es) for the offense.

Sworn to and subscribed before me this 2nd day of August, 2012.



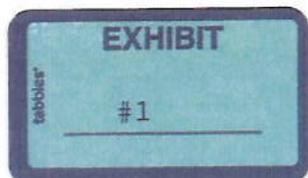
By: [Signature]

JIM FULLER, Clerk of the Circuit Court, Fourth Judicial Circuit of Florida, In and For Duval County, and Clerk of the County Court, In and For Duval County, Florida.

FILED THIS AUG 02 2012

BY DEPUTY CLERK [Signature]

JRL



S. A. CASE NO.: 12CF040610AD

IN THE CIRCUIT COURT OF THE FOURTH
JUDICIAL CIRCUIT, IN AND FOR DUVAL COUNTY,
FLORIDA

CLERK NO.: 162012CF007458AXXMA

DIVISION: CRA

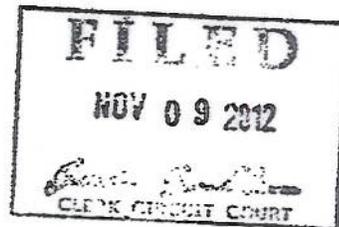
STATE OF FLORIDA

Plaintiff,

vs.

KALEIGH DAWNIELLE DAVIS,

Defendant,



RACE: Black
SEX: Female
DOB: [REDACTED]
SSN: [REDACTED]

JUDGMENT AND RESTITUTION ORDER
[F.S. 775.089]

THIS CAUSE having come on to be heard upon the State's Motion for an Order requiring that the defendant, pursuant to Section 775.089, Florida Statutes, pay restitution costs for the benefit of the victim, herein namely:

- A. IRS-RACS
Attn: Mail Stop 6261, Restitution
333W. Pershing Ave.
Kansas City, MO 64108

- B. Victim Compensation Trust Fund
Office of the Attorney General
The Capitol
Tallahassee, Florida 32399-1050

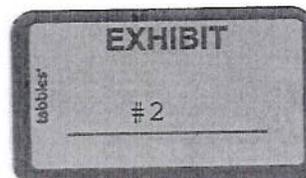
* If Victim Compensation has compensated the victim in part or in whole, then payments shall be made and distributed first to the victim, and when fully compensated, to Victim Compensation for reimbursement.

On the evidence presented it is adjudged,

1. That the State's Motion is hereby granted and the Defendant shall pay restitution for the benefit of the above-named victim in the total sum of **\$8,432.66**; that shall bear interest at the legal rate, for which let execution issue. Said amount is to be offset by any monies paid to the victim by responsible co-defendants.

2. Payment shall be made to the victim through the Clerk of Court (Felony or Misdemeanor as applicable). If the Defendant is released from prison to supervision under the Department of Corrections, payments and disbursements shall be made through the Department for the length of such supervision. Upon completion of supervision, payments and disbursements on any outstanding balance shall be made directly through the Clerk of the Court. The Clerk of Court is authorized to collect a \$3.50 fee per payment, pursuant to Section 28.24(26)(a), Florida Statutes.

PAR_Judgment & Restitution Order



FILED
IN COMPUTER
J. BAILEY

3. Payment Schedule: [Check applicable instructions(s)]
- [] Total sum shall be paid immediately.
- [] Total sum shall be paid in installment payments of \$ _____, payable on a [] weekly [] monthly basis. Payments shall be applied first to interest and the balance, if any, to principal.
- [] Other, specified schedule: _____
4. (a) The Court may require that the defendant make restitution under this section within a specified period or in specified installments.
- (b) The end of such period or the last such installment shall not be later than:
1. The end of the period of probation if probation is ordered;
 2. Five years after the end of the term of imprisonment imposed if the Court does not order probation; or
 3. Five years after the date of sentencing in any other case; or
- (c) If not otherwise provided by the Court under this subsection, restitution must be made immediately.

5. If a defendant is placed on probation or paroled, complete satisfaction of any restitution ordered under this section shall be a condition of such probation or parole. The Court may revoke probation, and the Parole Commission may revoke parole, if the defendant fails to comply with such order.

6. That the Clerk of the Court shall provide to the victim named herein a copy hereof, in order for the victim to record the judgment as a lien, pursuant to Section 55.10, Florida Statutes.

DONE AND ORDERED in Jacksonville, Duval, Florida, on this 9th day of November, 2012


 Judge of the Circuit Court

NOTICE OF CONFIDENTIAL INFORMATION WITHIN COURT FILING

Pursuant to Florida Rule of Judicial Administration 2.420(d)(2), the filer of this court record indicates that confidential information is included within the document being filed; to-wit: Social Security Number, § 119.0714.

Copies furnished by Clerk to:

Victim
 Assistant State Attorney
 Defendant and/or Defense Counsel

NOTE: The victim shall notify the Clerk of the Court, in writing, of any address changes.

-VS-

CASE NUMBER 16-2012-CF-007458-AXXX-MA

DAVIS, KALEIGH DAWNIELLE

Defendant

DC NUMBER J48563 / DIV - A

Local Jurisdiction Identification Number: _____

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
- entered a plea of nolo contendere to
- been found guilty by jury verdict of
- been found guilty by the court trying the case without a jury of

Count 1 **DEFRAUDING FINANCIAL INSTITUTION**

SECTION 1: JUDGMENT OF GUILT

- The court hereby adjudges you to be guilty of the above offense(s).

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on Probation for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.

SECTION 2: 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 **Five (5) Years** under the supervision of the Department of Corrections, subject to Florida law.

SECTION 3: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE

It is hereby ordered and adjudged that you be:

- committed to the Department of Corrections for a term of _____ prison with credit for _____ jail time, followed by Probation for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.
- or
- confined in the County Jail for a term of _____ with credit for _____ jail time. After you have served _____ of the term, you shall be placed on Probation for a period of _____ under the supervision of the Department of Corrections, subject to Florida law,
- or
- confined in the County Jail for a term of **(5) Days** with credit for **(5) Days** 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 **\$40.00** 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.
- (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 _____ County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at _____.

SPECIAL CONDITIONS

- 1. Mile Post Program.
- 2. You will successfully complete **(200)** hours of community service at a rate of **Forty (40) hours per year**, at a work site approved by your officer.
Additional instructions ordered: _____
- 3. Pay fine \$1,500.00 to victims Crimes Compensation Fund at a rate of \$42.00 per month to be paid within **Three (3)** years.
- 4. Pay Court Costs.
- 5. You will be required to pay for drug testing unless exempt by the court.

Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in addition 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.

(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: **TOTAL AMOUNT OF = \$771.00**

PAYMENT IS TO BE MADE THROUGH AND PAYABLE TO: Department of Corrections or Clerk of Court

(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.)

- Court Costs/Fines Waived
 Court Costs/Fines in the amount of _____ converted to _____ community service hours
 Court Costs/Fines in the amount of _____ reduced to civil judgment.

SPECIFIC INSTRUCTIONS FOR PAYMENT: _____

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 November 09, 2012

NUNC PRO TUNC _____


Mark Hulsey, 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