

STATE OF FLORIDA

## Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com 850-488-7146 850-487-0801 fax

April 20, 2009

Warden Bryant Florida State Prison 7819 N.W. 228<sup>th</sup> Street Raiford, FL 32026-1000

Re: Execution Date for John Richard Marek

Dear Warden Bryant:

Enclosed is the death warrant that I signed to carry out the sentence for John Richard Marek, as well as certified copies of his judgment and sentence. I have designated the week beginning at 12:00 noon on May 8, 2009 through 12:00 noon on May 15, 2009, for the execution. I have been advised that you have set the date and time of execution for Wednesday, May 13, 2009 at 6:00 p.m.

Charlie Crist

CC:

Honorable Peggy A. Quince Supreme Court Chief Justice The Supreme Court of Florida 507 S. Duval Street Tallahassee, FL 32399

Chief Judge Victor Tobin, 17<sup>th</sup> Judicial Circuit 201 S.E. 6<sup>th</sup> Street Fort Lauderdale, FL 33301

Secretary Walter A. McNeil Department of Corrections 2601 Blair Stone Road Tallahassee, FL 32399-2500 The Honorable Michael J. Satz State Attorney, 17<sup>th</sup> Judicial Circuit 201 S.E. 6<sup>th</sup> Street Suite 665 Fort Lauderdale, FL 33301

Ms. Carolyn Snurkowski
Assistant Deputy Attorney General
Office of the Attorney General
The Capitol, PL-01
Tallahassee, FL 32399-0001

Mr. Neal Dupree, Capital Collateral Regional Counsel – Southern Region Attorney for Inmate 101 North East 3<sup>rd</sup> Avenue, 4<sup>th</sup> Floor Fort Lauderdale, FL 33301

Ms. Janet Keels Office of Executive Clemency 2601 Blair Stone Road Building C, Rm. 229 Tallahassee, FL 32399-2450

Mr. John Marek Union Correctional Institution 7819 N.W. 228<sup>th</sup> Street Raiford, FL 32026-4000

# DEATH WARRANT STATE OF FLORIDA

WHEREAS, JOHN RICHARD MAREK, did on the 17<sup>th</sup> day of June, 1983, murder Adella Marie Simmons; and

WHEREAS, JOHN RICHARD MAREK, on the 1<sup>st</sup> day of June, 1984, was found guilty of murder in the first degree of Adella Marie Simmons; and

WHEREAS, JOHN RICHARD MAREK, on the 3<sup>rd</sup> day of July, 1984, was sentenced to death; and

WHEREAS, on the 26<sup>th</sup> day of June, 1986, the Florida Supreme Court affirmed the conviction and sentence; and

WHEREAS, on the 11<sup>th</sup> day of May, 1989, the Florida Supreme Court affirmed the trial court's denial of a Motion for Post-Conviction Relief and also denied a Petition for Writ of Habeas Corpus; and

WHEREAS, on the 10<sup>th</sup> day of October, 1989, JOHN RICHARD MAREK filed a Petition for Writ of Habeas Corpus with the United States District Court, Southern District of Florida; and

WHEREAS, on the 1<sup>st</sup> day of October, 1990, the United States District Court, Southern District of Florida, denied the Petition for Writ of Habeas Corpus; and

WHEREAS, on the 28<sup>th</sup> day of December, 1990, JOHN RICHARD MAREK filed an appeal of the District Court's denial of the Petition for Writ of Habeas Corpus, and

WHEREAS, on the 14<sup>th</sup> day of August, 1995, the United States Court of Appeals,

Eleventh Circuit, affirmed the denial of the Petition for Writ of Habeas Corpus; and

WHEREAS, on the 8<sup>th</sup> day of August, 1992, JOHN RICHARD MAREK filed a Petition for Writ of Habeas Corpus in the Florida Supreme Court;

WHEREAS, on the 2<sup>nd</sup> day of September, 1993, the Florida Supreme Court denied the Petition for Writ of Habeas Corpus;

WHEREAS, on the 15<sup>th</sup> day of February, 1994, JOHN RICHARD MAREK, filed a Petition for Writ of Certiorari in the United States Supreme Court; and

WHEREAS, on the 16<sup>th</sup> day of May, 1994, the United States Supreme Court denied the Petition for Writ of Certiorari; and

WHEREAS, on the 28<sup>th</sup> day of May, 1996, JOHN RICHARD MAREK, filed a Petition for Writ of Certiorari in the United States Supreme Court; and

WHEREAS, on the 7<sup>th</sup> day of October, 1996, the United States Supreme Court denied the Petition for Writ of Certiorari; and

WHEREAS, on the 16<sup>th</sup> day of June, 2006, the Florida Supreme Court affirmed the trial court's denial of a Motion for Post-Conviction Relief; and

WHEREAS, it has been determined that Executive Clemency, as authorized by Article IV, Section 8(a), Florida Constitution, is not appropriate; and

WHEREAS, attached hereto is a certified copy of the record of the conviction and sentence pursuant to Section 922.052, Florida Statutes;

NOW, THEREFORE, I, CHARLIE CRIST, as Governor of the State of Florida and pursuant to the authority and responsibility vested in me by the Constitution and Laws of Florida, do hereby issue this warrant, directing the Warden of the Florida State Prison to cause the sentence of death to be executed upon JOHN RICHARD MAREK, in accord with the provisions of the laws of the State of Florida.

ATTEST:

TARY OF STATE

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 20th day of April, 2009.

GOVERNOR

209 APR 20 PH 12: 59

|  | ·····  |   | Andici, Chren  | IT, IN AND FOR BROWARD   |  |
|--|--|---|--|--|--|
|  |  |   | COUNT : 310  | ANTON S. KAPLAN  |  |
| STATE  | OF FLORIDA   |   | CASE NUMBER _  |  |  |
|  | -vs-   |   |  | CARNEY   |  |
| JOHN RICHARD   | MAREK  |   |  | E HENRY  |  |
|  | efendant   | <del></del>   | BOOK 450   | PAGE 269   |  |
|  |  | JUDGMEN'  |  | TAGE TEST  |  |
| The Defendant,   | JOH:   | N RICHARD MAREK   |  | being passenable to a second                                   |  |
| Court represented by   | HIL  | LIARD MOLDOF, E   | SQ. his a  | , being personally before this attorney of record, and having: |  |
| (Check Applicable  | 🛎 Been tried and four  | d guilty of the following co  | ime(s)   | attorney or record, and naving:                                |  |
| Provision)   | <ul> <li>Entered a plea of out</li> </ul>  | rilty to the following crime<br>plo contendere to the follow                              | (s)<br>ving crime(s)   |  |  |
| COUNT  | CRIME  |   | FENSE STATUTE NUMBER(S)  | DEGREE CASE OF CRIME NUMBER                                    |  |
| I MURDER<br>KIDNAPP  |  |   | NUMBER(S)<br>7.01 & 777.011  |  |  |
|  | L ATTEMPT - BURG   |   | 0.02 & 777.011<br>0.02(2)b§77.04   |  |  |
| IV BATTERY   | HILDHEI - BUK  | 78.   | 4.03 (1)   | 2ND 83-7088CF-   |  |
|  | n shows why the Defend   |   |  | ERED THAT the Defendant is                                     |  |
| hereby ADJUDICATED   | GUILTY of the above crime  | ers supplier not be adjudic   | ated gunty, TT IS ORDI   | ERED THAT the Defendant is                                     |  |
| The Defendant in Trust Fund). The Defendant in Trust Fund      | s hereby ordered to pay the<br>ant is further ordered to pa                            | ne sum of fifteen dollars (S  | \$15.00) pursuant to F.S.  | 960.20 (Crimes Compensation                                    |  |
| ·  | The Defendant is or  | dered to pay an additional  | sum of two dollars (\$2.0  | 00) pursuant to F.S.943.25(8).                                 |  |
| (Check if Applicable)  |  | ctional; not applicable unlear<br>arther ordered to pay a fin                             |  | •  |  |
|  | pursuant to F.S. 77  | 5.0835.   |  |  |  |
|  | applicable unless c  | ers to the optional fine f<br>hecked and completed. F                                     | or the Crimes Compens  | fation Trust Fund, and is not fate a sentence pursuant to F.S. |  |
|  | 775.083 are to be re   | corded on the Sentence pa   | ge(s)).  |  |  |
|  | ☐ The Court hereby is  | mposes additional court co  | sts in the sum of \$   |  |  |
| Imposition of Sentence<br>Stayed and Withheld                  | ☐ The Court hereby s   | tays and withholds the imp<br>ndant on probation for a p                                  | osition of sentence as to  | count(s)   |  |
| (Check if Applicable)  | under the supervision order.)  | on of the Department of Co  | rrections (conditions of   | probation set forth in separate                                |  |
| Sentence Deferred<br>Until Later Date<br>(Check if Applicable) | The Court hereby defers imposition of sentence until                                   |   |  |  |  |
| fendant was also advised                                       | n Open Court was advised<br>ays following the date sen<br>of his right to the assistan | of his right to appeal from<br>itence is imposed or proba<br>ce of counsel in taking sail | this Judgment by filing r<br>tion is ordered pursuant<br>d appear at the expense | notice of appeal with the Clerk to this adjudication. The De-  |  |
| indigence.   |  |   | ana 1  | audlan   |  |
|  | FIN  | GERPRINTS OF DEFEND   | JUDG   | E  |  |
| 1. R. Thumb  | 2. R. Index  | 3. R. Middle  | 4. R. Ring   | 5. R. Little   |  |
|  |  |   |  |  |  |
| 6. L. Thumb  | 7. L. Index  | 8. L. Middle  | 9. L. Ring   | 10. L. Little  |  |
|  |  |   | **************************************   | - Sellie   |  |
|  |  | 737   |  |  |  |
|  |  | 18 35   |  |  |  |
| 14,  |  |   | 426  |  |  |
| Fingerprints taken by:   |  |   |  |  |  |
| · Same   | di san   | 67  | (D) = >  | •  |  |
| Name and Title   | - James  | - COUL  | There .  |  |  |
| DONE AND OR  | ERBO in Open Court at B  | roward County Florida th  | IST day of   | JUNE   |  |
| AD 19 RICHARD M  |  |   |  | ingerprints of the Defendant,                                  |  |
| OOR KICHARD MA   | TABK   |   |  | ereon by said Defendant in                                     |  |
| my presence in Open Cour                                       | t this date.   |   |  |  |  |

BROWARD COUNTY, FLORIDA

This instrument filed for record on 6.13.84.

and recorded in MINUTES CIRCUIT COURT, BOOK
PAGE ( ,,nunc pro

tunc \_\_\_\_\_\_ Record verified.

ROBERT E LOCKWOOD, Clerk
By

\_ D.C,

HIDGE

### STATE OF FLORIDA

-vs-

| MHOT. | RICHARD | MADEV |
|-------|---------|-------|
|       | KICHARD | TIME  |

\_ - - - - - -

JUDICI RCUIT, IN AND FOR BROWARD COUNT JRIDA
DIVISION FF-STANTON S. KAPLAN
CASE NUMBER 83-7088CF-B
ST. ATTY ROB CARNEY
CT. RPTR. ROSE HENRY
BOOK 50 PAGE 27()

| De   | fendant   |  | BOOK _ 900                            | PAGE _ <i>O/()</i> _   |
|--|---|--|---------------------------------------|--|
|  |   | <b>JUDGMENT</b>  |                                       | ,  |
| The Defendant,                                   |   | IN RICHARD MAREI   |                                       | , being personally before this                               |
| Court represented by                             | HII   | LLIARD MOLDOF, I   | ESQ. his                              | attorney of record, and having:                              |
| (Check Applicable<br>Provision)                  | Been tried and found  Entered a plea of gu        | d guilty of the following cr<br>ilty to the following crime<br>lo contendere to the follov | ime(s)<br>(s)                         | g.   |
| TNUOD BA   | CRIME   |  | FENSE STATUTE<br>NUMBER(S)<br>.03 (1) | DEGREE CASE OF CRIME NUMBER MISD 83-7088CF-1                 |
|  |   |  |                                       |  |
|  |   |  |                                       |  |
| and no cause having beer<br>hereby ADJUDICATED G | shown why the Defenda<br>UILTY of the above crime | nt should not be adjudica  |                                       | ERED THAT the Defendant is                                   |
| The Defendant is                                 | hereby ordered to pay th                          | e sum of fifteen dollars (S  | (15.00) pursuant to F.S               | . 960.20 (Crimes Compensation                                |
| Trust Fund). The Defenda                         | nt is further ordered to pay                      | the sum of two dollars (S)   | 2.00) as a court cost pu              | rsuant to F.S. 943.25(4).<br>00) pursuant to F.S.943.25(8).  |
|  | (This provision is op                             | tional; not applicable unles   | is checked).                          |  |
| (Check if Applicable)                            | The Defendant is fu<br>pursuant to F.S. 775       | rther ordered to pay a find  | e in the sum of \$                    | <del></del>  |
|  | (This provision refe<br>applicable unless ch      | rs to the optional fine for  | ines imposed as part of               | sation Trust Fund, and is not of a sentence pursuant to F.S. |
|  |   | nposes additional court co   |                                       |  |
| Imposition of Sentence<br>Stayed and Withheld    | ☐ The Court hereby st                             | ays and withholds the imp  | osition of sentence as t              | o count(s)   |
| (Check if Applicable)                            | under the supervisio                              | ndant on probation for a p<br>n of the Department of Co                                    | eriad of<br>rrections (conditions of  | f probation set forth in separate                            |
| Sentence Deferred<br>Until Later Date            | order.)   |  |                                       | 18, 1984 @ 2:30 P. N   |
| (Check if Applicable)                            |   |  |                                       | (date)   |
| indigence.                                       |   | GERPRINTS OF DEFEND  | Juny.                                 | of the State upon strowing of                                |
| 1, Fl, Thumb                                     | 2. R. Index                                       | 3. R. Middle   | 4. R. Ring                            | A. R. Little   |
|  | a. II. IIIdax                                     | J. M. Milburg  | 4. n. ning                            | a. n. Little   |
|  |   |  |                                       |  |
| 6. L. Thumb                                      | 7. L. Index                                       | 8. L. Middle   | 9. L. Ring                            | 10. L. Little  |
|  |   | , jv.  |                                       |  |
| Fingerprints taken by:                           |   |  | 3 報                                   |  |
| , mga pinna diagray.                             |   | /D   |                                       |  |
| Name and Title                                   | - Can-  | ~ Count  | Elps /                                |  |
| DONE AND ORD                                     | ERED in Open Court at B                           | roward County Florida thi  | is day o                              | JUNE   |
| AD 19 RICHARD MA                                 |   |  |                                       | fingerprints of the Defendant,                               |
| JOHN RICHARD MA                                  | REK   |  |                                       | hereon by said Defendant in                                  |
| my presence in Open Court                        | this date.  |  | ,                                     |  |
| BROWARD COUNTY, FLO                              | ORIDA 6.12.9.                                     | /  | 1 1                                   | 1 /  |
| This instrument filed for read recorded in MINUT | ES CIRCUIT COURT, E                               | DOOK   | Ta Sil                                | La Ala   |
| tune   | Record verified.                                  |  | VOL12                                 | Cello Well   |
| ROBERT E. LOCKWOOD,                              | Ølerk   |  | JUD                                   | GE /   |

| BOOK PAGE                      |
|--------------------------------|
| OelendantJOHN RICHARD MAREK    |
| Case Number <u>83-7088CF-B</u> |
|                                |

|  | SENTENCE   |
|--|--|
|  | (as to Count)  |
| The Defendar   | nt, being personally before this Court, accompanied by his attorney.  HILLIARD MOLDOF  |
| be heard and to offer recause being shown.                               | nt, being personally before this Court, accompanied by his attorney HILLIARD MOLDOF  ON JUNE 1, 1984  and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no |
|  | and the Court having on  |
| (Check <u>either</u> provision if applicable)                            | and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.   |
| IT IS THE SE   | NTENCE OF THE LAW that;  |
|  | y a fine of \$, plus \$ as the 5% surcharge required by F.S. 960.25.   |
| C The Defendant is h   | ereby committed to the custody of the Department of Corrections  |
| ☐ The Defendant is h   | nereby committed to the custody of the Sheriff of Broward County, Florida.  rections authority to be inserted at printing, if other than Sheriff)  |
|  | ck one; unmarked sections are inapplicable)<br>n of Natural Life   |
| ☐ Foræxæca   | DEATH BY ELECTROCUTION   |
| ☐ For an inc   | determinate period of 6 months to  |
|  | Followed by a period of on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order.  |
| If "split" sentence<br>complete <u>either</u> of<br>these two paragraphs | However, after serving a period of imprisonment in   |
| tive paragraphic   | balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.   |
|  | SPECIAL PROVISIONS   |
| By appropriate notation  | the following provisions apply to the sentence imposed in this section:  |
| Firearm - 3 year   | It is further ordered that the 3 year minimum provisons of F.S. 775.087(2) are hereby imposed  |
| mandatory minimum  | for the sentence specified in this count, as the Defendant possessed a firearm.  |
| Drug Trafficking —<br>mandatory minimum                                  | It is further ordered that the   |
| Retention of jurisdiction  | The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any<br>Parole Commission release order for the period of The requisite findings by<br>the Court are set forth in a separate order or stated on the record in open court.  |
| Habitual Offender  | The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court   |
| Jail Credit  | It is further ordered that the Defendant shall be allowed a total of 380 DAYS credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):   |
| Consecutive/Concurrent   |  |
| Consecutive/Concurrent<br>(As to other convictions                       | It is further ordered that the composite term of all sentences imposed for the county specified in   |
|  | ☐ Any active sentence being served. ☐ Specific sentences:  |
|  |  |
|  |  |
| In the event the Ordered and directed to                                 | ne above sentence is to the Department of Corrections, the Sheriff of Broward County, Florida is hereby  |
| The Defendant days from this date with                                   | in Open Court was advised of his right to appeal from this Sentence by filing notice of appeal within thirty   |
| parist or the state ape  | on showing of indigency.  e above sentence, the Court further recommends   |
|  |  |
|  |  |
|  |  |
| A.D., 1984   | ROERED in Open Court at Broward County, Florida, this 3RD day of JULY  |
| BROWARD COUNTY, F  |  |
| PAG  | E nunc dro   |
| ROBERT E. LOCKWOO  | Recard verified.  D. Clerk  JUDGE  |
| Ву   | D.C.   |

| воок     |     | PAGE     |   |
|----------|-----|----------|---|
|          |     | RICHARD  |   |
| Coso Num | 83- | 7088CF-1 | 3 |

|   | SENTENCE   |             |
|---|--|-------------|
|   | (as to Count)  |             |
| The Defendant,  | being personally before this Court, accompanied by his attorney, HILLIARD MOLDOF   |             |
| be heard and to offer ma                                | being personally before this Court, accompanied by his attorney, HILLIARD MOLDOF  ON JUNE 1, 1984  and having been adjudicated guilty herein, and the Court having given the Defendant an opportunities in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and  | ty to       |
| (Check either provision)                                | and the Court having on JUNE 1, 1984 deferred imposition of sentence this date.  | until       |
| if applicable)  | <ul> <li>and the Court having placed the Defendant on probation and having subsequently revoked<br/>Defendant's probation by separate order entered herein.</li> </ul>   | l the       |
|   | ENCE OF THE LAW that;  |             |
| ☐ The Defendant pay a                                   | fine of \$, plus \$ as the 5% surcharge required by F.S. 960.25.   |             |
| The Defendant is here                                   | eby committed to the custody of the Department of Corrections  eby committed to the custody of the Sheriff of Broward County, Florida.  tions authority to be inserted at printing, if other than Sheriff)   |             |
|   |  |             |
| □ For a term o  | one; unmarked sections are inapplicable)<br>if Natural Life  |             |
|   | f THIRTY ( 30 ) YEARS  |             |
| ☐ For an indet  | erminate period of 6 months to   |             |
|   | ☐ Followed by a period of on probation under the supervision of the Occasion   |             |
| If "split" sentence<br>complete either of               | entered herein.  | rder        |
| these two paragraphs                                    | However, after serving a period of imprisonment in balance of such sentence shall be suspended and the Defendant shall be placed on probation for period of  | 06.2        |
|   | period of under supervision of the Department of Corrections according the terms and conditions of probation set forth in a separate order entered herein.   | g to        |
|   | SPECIAL PROVISIONS   |             |
| By appropriate notation, t                              | he following provisions apply to the sentence imposed in this section:   |             |
| Firearm — 3 year<br>mandatory minimum                   | It is further ordered that the 3 year minimum provisons of F.S. 775.087(2) are hereby imposfor the sentence specified in this count, as the Defendant possessed a firearm.   | sed         |
| Drug Trafficking —<br>mandatory minimum                 | It is further ordered that the year minimum provisions of F.S. 893.135(1)( )( are hereby imposed for the sentence specified in this count.   | )           |
| Retention of  | The Court pursuant to F.S. 947,16(3) retains jurisdiction over the defendant for socious at  | anv.        |
| jurisdiction  | the Court are set forth in a separate order or stated on the record in open court.   | by          |
| Habitual Offender                                       | The Defendant is adjudged a habitual offender and has been sentenced to an extended term in t sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by court are set forth in a separate order or stated on the record in open court.   | this<br>the |
| Jail Credit   | It is further ordered that the Defendant shall be allowed a total of   |             |
| Consecutive/Concurrent                                  | It is further ordered that the sentence imposed for this count shall run above.  | on-         |
| Consecutive/Concurrent<br>(As to other convictions)     | It is further ordered that the composite term of all sentences imposed for the counts specified this order shall run consecutive to concurrent with (check one) the following:   | in          |
|   | ☐ Any active sentence being served.  |             |
|   | ☐ Specific sentences:  |             |
|   |  | _           |
| In the event the  | above sentence is to the Department of Corrections, the Sheriff of Broward County, Florida is here   | <br>eby     |
| days from this date with ti                             | or corrections, the Sheriff of Broward County, Florida is here iver the Defendant to the Department of Corrections together with a copy of this Judgment and Sentence Open Court was advised of his right to appeal from this Sentence by filing notice of appeal within this Court, and the Defendant's right to the assistance of counsel in taking said appeal at those in the county of indigence. |             |
| · · · · · · · · · · · · · · · · · · ·                   | showing of Indigency. Dove sentence, the Court further recommends  |             |
|   |  |             |
|   |  | _           |
| DONE AND ORD  | ERED in Open Court at Broward County, Florida, this 3 RD day of JULY   |             |
| BROWARD COUNTY, FLO                                     | DRIDA  |             |
| This instrument filed for reand recorded in MINUTE PAGE | ES CIRCUIT COURT; BOOK   | ÎL.         |
| ROBERT E. LOCKWOOD,                                     | Record verified.   | _           |
|   | D.C.   |             |

| ВООК           | PAGE .    |       |
|----------------|-----------|-------|
| Defendant JOHN | RICHARD   | MAREK |
| Case Number    | 33-7088CI | ?-B   |

|  |                        | SENTENCE   |
|--|------------------------|--|
|  |                        | (as to Count)  |
| The Defendant,   | being                  | personally before this Court, accompanied by his attorney, HILLIARD MOLDOF   |
| be heard and to offer ma   | , an                   | (as to Count) personally before this Court, accompanied by his attorney, ON JUNE 1  d having been adjudicated guilty herein, and the Court having given the Defendant an opportunity of mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and   |
|  | Ø                      | and the Court having on JUNE 1, 1984 deferred imposition of sentence unthis date.  |
| (Check either provision)<br>if applicable)                               |                        | and the Court having placed the Defendant on probation and having subsequently revoked Defendant's probation by separate order entered herein.   |
| IT IS THE SENT   | TENC                   | OF THE LAW that;   |
| ☐ The Defendant pay a  | fine o                 | f \$, plus \$ as the 5% surcharge required by F.S. 960.25.   |
| The Defendant is her   | ера со                 | mmitted to the custody of the Department of Corrections  |
|  |                        | ommitted to the custody of the Sheriff of Broward County, Florida.  authority to be inserted at printing, if other than Sheriff)   |
| ☐ For a term of  | of Nati                | nmarked sections are inapplicable)  ural Life  |
| 🖰 For a term of  | of                     | NINE ( 9 ) YEARS   |
| ☐ For an inde  | termin                 | ate period of 6 months to years.   |
|  |                        | Followed by a period of on probation under the supervision of the Departm of Corrections according to the terms and conditions of probation set forth in a separate or   |
| If "split" sentence  | _                      | entered herein,  |
| complete <u>either</u> of<br>these two paragraphs                        | U                      | However, after serving a period of imprisonment in balance of such sentence shall be suspended and the Defendant shall be placed on probation fo period of under supervision of the Department of Corrections according  |
|  |                        | the terms and conditions of probation set forth in a separate order entered herain.  |
|  |                        | SPECIAL PROVISIONS   |
|  |                        | lowing provisions apply to the sentence imposed in this section:   |
| Firearm — 3 year<br>mandatory minimum                                    |                        | It is further ordered that the 3 year minimum provisons of F.S. 775.087(2) are hereby impostor the sentence specified in this count, as the Defendant possessed a firearm.   |
| Drug Trafficking — mandatory minimum                                     |                        | It is further ordered that the year minimum provisions of F.S. 893.135(1)( )( are hereby imposed for the sentence specified in this count.   |
| Retention of<br>jurisdiction   | П                      | The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of a Parole Commission release order for the period of The requisite findings the Court are set forth in a separate order or stated on the record in open court.   |
| Habitual Offender  |                        | The Defendant is adjudged a habitual offender and has been sentenced to an extended term in t sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by a court are set forth in a separate order or stated on the record in open court.   |
| Jail Credit  | <b>₽</b> X             | It is further ordered that the Defendant shall be allowed a total of <u>380 DAYS</u> credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit the following periods of incarceration (periods):  |
| Consecutive/Concurrent   | CON                    | It is further ordered that the sentence imposed for this count shall run consecutive to Executive to Executiv |
| Consecutive/Concurrent<br>(As to other convictions)                      |                        | It is further ordered that the composite term of all sentences imposed for the counts specified this order shall run consecutive to concurrent with (check one) the following:   |
|  |                        | ☐ Any active sentence being served.  |
|  |                        | □ Specific sentences:  |
|  |                        |  |
|  |                        |  |
| The Defendant i<br>days from this date with<br>expense of the State upon | n Ope<br>the C<br>show | e sentence is to the Department of Corrections, the Sheriff of Broward County, Florida is here the Defendant to the Department of Corrections together with a copy of this Judgment and Sentence in Court was advised of his right to appeal from this Sentence by filing notice of appeal within this lerk of this Court, and the Defendant's right to the assistance of counsel in taking said appeal at thing of indigency.   |
|  |                        |  |
|  |                        |  |
|  |                        | 255 77777  |
| DONE AND OR  | DERE                   | D in Open Court at Broward County, Florida, this day of  |
| A.D., 19 _84 BROWARD COUNTY, FI  | LORIC                  | A N. C.  |
|  |                        |  |
| This instrument filed for a  |                        |  |
| This instrument filed for and recorded in MINU                           | TES (                  | CIRCUIT COURT, BOOK  |

| воок           | PAGE _    |       |
|----------------|-----------|-------|
| Defendant JOHN | RICHARD   | MAREK |
|                | 3-7088CF- |       |

## SENTENCE

|   |                   | (as to Count   |
|---|-------------------|--|
| The Defendant, I  | oeing             | personally before this Court, accompanied by his attorney, HILLIARD MOLDOF   |
|   | _ , an<br>ters in | personally before this Court, accompanied by his attorney, HILLIARD MOLDOF ON JUNE 1, 1984 and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no |
| cause being shown,  | Πk                | and the Court having onJUNE_1, 1984 deferred imposition of sentence until  |
| (Check either provision)                                    |                   | this date. (data)  |
| if applicable)  |                   | and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.   |
|   |                   | E OF THE LAW that;   |
|   |                   | of \$, plus \$ as the 5% surcharge required by F.S. 960.25.  |
|   |                   | ommitted to the custody of the Department of Corrections   |
| (Name of local correct                                      | ions              | ommitted to the custody of the Sheriff of Broward County, Florida.  authority to be inserted at printing, if other than Sheriff)   |
|   |                   | nmarked sections are inapplicable)   |
| ☐ For a term of   |                   |  |
| □ For an index  |                   |  |
| □ For an indete   |                   | ate period of 6 months to years.   |
| If "split" sentence   | П                 | Followed by a period of on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.   |
| complete <u>either</u> of<br>th <b>ese two</b> paragraphs   |                   | However, after serving a period of imprisonment in the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a  |
|   |                   | period of under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.  |
| _   |                   | SPECIAL PROVISIONS   |
|   |                   | llowing provisions apply to the sentence imposed in this section:  |
| Firearm — 3 year<br>mandatory minimum<br>Drug Trafficking — |                   | It is further ordered that the 3 year minimum provisons of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.  |
| mandatory minimum   |                   | It is further ordered that the year minimum provisions of F.S. 893.135(1)( )( ) are hereby imposed for the sentence specified in this count.   |
| Retention of  |                   | The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any   |
| iurisdiction  |                   | Parole Commission release order for the period of The requisite findings by the Court are set forth in a separate order or stated on the record in open court.   |
| Habitual Offender   | Ц                 | The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775,084(4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.                      |
| Jail Credit   |                   | It is further ordered that the Defendant shall be allowed a total of   |
| Consecutive/Concurrent                                      |                   | It is further ordered that the sentence imposed for this count shall run oconsecutive to ocon-current with (check one) the sentence set forth in count above.  |
| Consecutive/Concurrent                                      |                   | It is further ordered that the composite term of all sentences imposed for the counts specified in   |
| (As to other convictions)                                   |                   | this order shall run $\square$ consecutive to $\square$ concurrent with (check one) the following:   |
|   |                   | □ Any active sentence being served. □ Specific sentences:  |
|   |                   | □ Specific sentences:  |
|   |                   |  |
|   |                   |  |
| In the event the ordered and directed to de                 | abov<br>liver 1   | e sentence is to the Department of Corrections, the Sheriff of Broward County, Florida is hereby the Defendant to the Department of Corrections together with a copy of this Judgment and Sentence.  |
| The Defendant in  | Ope               | n Court was advised of his right to appeal from this Sentence by filing notice of appeal within thirty lerk of this Court, and the Defendant's right to the assistance of coursel in taking said appeal as the   |
|   |                   | sentence, the Court further recommends   |
|   |                   |  |
|   |                   |  |
| DONE AND ORD  | ERE               | D in Open Court at Broward County, Florida, this <u>: 3 RD</u> day of <u>JULY</u>  |
| A.D., 19 <u>.84</u>   | ORIC              | AA   |
| This instrument filed for re                                |                   |  |
| and recorded in MINUT                                       | ES (              | CIRCUIT COURT, BOOK  |
| unc   |                   | . Record verified.   |
| ROBERT E. LOCKWOOD,   |                   | JUDGE V  |
| By  |                   | D.C  |

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|-----------|------------------|----------|----|
|           |                  | RICHARD  |    |
| Case Numb | <sub>Mr</sub> 83 | -7088CF- | -В |

## SENTENCE

|  | SENTENCE   |
|--|--|
|  | (as to Count)  |
| The Defendant, I   | being personally before this Court, accompanied by his attorney, HILLIARD MOLDOF   |
| be heard and to offer mat<br>cause being shown.                      | , and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity tters in mitigation of sentence, and to show cause why the should not be sentenced as provided by law, and a JUNE 1, 1984   |
| (Check <u>either provision)</u><br>if <u>applicable</u> )            | and the Court having on  |
|  | and the Court having placed the Defendant on probation and having subsequently revoked to Defendant's probation by separate order entered herein.  |
|  | TENCE OF THE LAW that;   |
| The Defendant pay a  | fine of \$, plus \$ as the 5% surcharge required by F.S. 960.25.   |
| ☑ The Defendant is here  | eby committed to the custody of the Department of Corrections  |
| ☐ The Defendant is here (Name of local correct                       | eby committed to the custody of the Sheriff of Broward County, Florida.  tions authority to be inserted at printing, if other than Sheriff)  |
| To be imprisoned (check o  | one; unmarked sections are inapplicable) of Natural Life   |
| S FRESHERO   |  |
| ☐ For an indete  | erminate period of 6 months to   |
| If "split" sentence  | Followed by a period of on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.   |
| complete <u>either</u> of<br>these two paragraphs                    | However, after serving a period of imprisonment in the balance of such sentence shall be suspended and the Defendant shall be placed on probation for  |
|  | period of under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.  |
| n  | SPECIAL PROVISIONS   |
| by appropriate notation, ti<br>Firearm — 3 year<br>mandatory minimum | he following provisions apply to the sentence imposed in this section:  It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby impose for the sentence specified in this count, as the Defendant possessed a firearm.  |
| Drug Trafficking —<br>mandatory minimum                              | It is further ordered that the   |
| Retention of<br>urisdiction  | The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of an Parole Commission release order for the period of The requisite findings be the Court are set forth in a separate order or stated on the record in open court.   |
| Habitual Offender  | The Defendant is adjudged a habitual offender and has been sentenced to an extended term in thi sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by th court are set forth in a separate order or stated on the record in open court.  |
| lail Credit  | It is further ordered that the Defendant shall be allowed a total of credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):  |
| Consecutive/Concurrent   | It is further ordered that the sentence imposed for this count shell run   consecutive to   concurrent with (check one) the sentence set forth in count  |
| Consecutive/Concurrent<br>(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 consecutive to concurrent with (check one) the following:  |
|  | ☐ Any active sentence being served. ☐ Specific sentences:  |
|  |  |
| In the event the   | above sentence is to she December 4.0  |
| The Defendant in   | above sentence is to the Department of Corrections, the Sheriff of Broward County, Florida is hereby<br>liver the Defendant to the Department of Corrections together with a copy of this Judgment and Sentence.<br>Open Court was advised of his right to appeal from this Sentence by filling notice of appeal within thirty<br>the Clark of this Court, and the Defendant in the sentence by filling notice of appeal within thirty |
| expense of the State upon a  | showing of indigency.  |
| in imposing the ab   | bove sentence, the Court further recommends  |
|  |  |
|  |  |
| N.D., 19 84  | ERED in Open Court at Broward County, Florida, this day of   |
| ROWARD COUNTY, FLO   |  |
| his instrument filed for rec   |  |
| recorded in MINUTE   | ES CIRCUIT COURT, BOOK   |
| PAGE .   |  |
| OBERT E. LOCKWOOD, (   |  |
| Y  | DC Vit   |