

Rule 3.992(a) Criminal Punishment Code Scoresheet

1. Date of Sentence 9-25-24	2. Preparer's Name Wallsh, Richard	3. County Orange	4. Sentencing Judge Diego Madrigal, III
5. Name (Last, First, M.I.) LYNCH, KELLI R	6. DOB 05/20/1979	8. Race <input type="checkbox"/> B <input checked="" type="checkbox"/> W <input type="checkbox"/> Other	10. Primary Off. Date 01/18/2022
	7. DC#	9. Gender <input type="checkbox"/> M <input checked="" type="checkbox"/> F	11. Primary Docket # 48-2022-CF-000688-O
			12. Plea <input type="checkbox"/> Trial <input type="checkbox"/>

I. PRIMARY OFFENSE: If Qualifier, please check ☐ A ☐ S ☐ C ☐ R (A=Attempt S=Solicitation C=Conspiracy R=Reclassification)

FEL DEGREE	F.S.#	DESCRIPTION	OFFENSE LEVEL	POINTS
2	812.014(2)(B)-12	GRAND THEFT 2ND DEGREE \$20,000 OR MORE LESS THAN \$100,000 / I.		36.0

(Level = Pts: 1=4, 2=10, 3=16, 4=22, 5=28, 6=36, 7=56, 8=74, 9=92, 10=116)

Prior capital felony triples Primary Offense points ☐

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

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
48-2022-CF-000688-O	3	817.568(2)(A)	4	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1 X	3.6	= 3.6

Description: **FRAUD. USE OF PERSONAL IDENT. INFORMATION**

48-2022-CF-000688-O	3	322.212(1)-8	1	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1 X	0.7	= 0.7
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Description: **POSSESSION OF UNAUTHORIZED DRIVER LICENSE**

				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		X	=
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Description: _____

(Level = Pts: 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) Supplemental page points **0.0**

Prior capital felony triples Additional Offense points ☐

II. 4.3

III. VICTIM INJURY:

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

III. 0.0

IV. PRIOR RECORD: Supplemental page attached: ☐

DOCKET #	FEL/MM DEGREE	F.S.#	OFFENSE LEVEL	QUALIFY A S C R	COUNTS	POINTS	TOTAL
48-2015-MM-012006-O	2	812.014(3)(A)	M	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1 X	0.2	= 0.2

Description: **PETIT THEFT**

48-2014-MM-000288-E	2	812.014(3)(A)	M	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1 X	0.2	= 0.2
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Description: **PETIT THEFT**

48-2014-MM-000288-E	1	893.147(1)	M	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1 X	0.2	= 0.2
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Description: **POSSESSION OF DRUG PARAPHERNALIA**

				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		X	=
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Description: _____

				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		X	=
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Description: _____

(Level = Pts: M=0.2, 1=0.5, 2=0.8, 3=1.6, 4=2.4, 5=3.6, 6=9, 7=14, 8=19, 9=23, 10=29) Supplemental page points **0.0**

IV. 0.6

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LYNCH, KELLI R

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V. LEGAL STATUS VIOLATION = ☐ 4 Points

V. 0.0

- ☐ Escape ☐ Fleeing ☐ Failure to Appear ☐ Supersedeas Bond ☐ Incarceration ☐ Pretrial Intervention or Diversion Program
☐ Court Imposed or Post Prison Release Community supervision resulting in Conviction

VI. Community Sanction Violation before the court for sentencing

of violations

sub-total

VI. 0.0

- ☐ 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 pts x each successive violation if new offense results in conviction before or at same time as sentence for violation of probation OR
☐ 12 Pts X each such successive violation for a violent felony offender of special concern when the violation is not based on failure to pay costs, fines or restitution OR
☐ New Felony Conviction = 24 Pts X each such 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

0	=	0
0	=	0
0	=	0
0	=	0

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

☐ 25 Points

VII. 0.0

VIII. Prior Serious Felony = ☐ 30 Points

VIII. 0.0

Subtotal Sentence Points 40.9

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

- Law Enforcement Protection ☐ x 1.5 ☐ x 2.0 ☐ x 2.5 Drug Trafficker ☐ x 1.5 Motor Vehicle Theft ☐ x 1.5 Criminal Gang Offense ☐ x 1.5 Domestic Violence in the Presence of Related Child (Offenses committed on or after 03/12/07) ☐ x 1.5 Adult On Minor Sex Offense ☐ x 2.0

Enhanced Subtotal Sentence Points IX. 0.0
TOTAL SENTENCE POINTS 40.9

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:

total sentence points minus 28 = x .75 =
lowest permissible prison sentence in months

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

The maximum sentence for each individual felony offense is the statutory maximum as provided in s. 775.082, F.S. unless the lowest permissible sentence listed above exceeds the statutory maximum for that offense. If the lowest permissible sentence exceeds the statutory maximum for an individual felony offense, the lowest permissible sentence replaces the statutory maximum and must be imposed for that offense. See State v. Gabriel, 314 So. 3d 1243 (Fla. 2021). Such Sentences for multiple felony offenses may be imposed concurrently or consecutively. If the total sentence points are greater than or equal to 363, a life sentence may be imposed.

Primary offense: <u>GRAND THEFT 2ND DEGREE \$20,000 OR MORE LESS THAN \$100,000</u>	15.0
Description	Maximum sentence in years
Additional offense: <u>FRAUD. USE OF PERSONAL IDENT. INFORMATION</u>	5.0
Description	Maximum sentence in years
Additional offense: <u>UNAUTHORIZED POSS. OF, AND OTHER UNLAWFUL ACTS IN RELATION TO, DRIVER LICENSE</u>	5.0
Description	Maximum sentence in years

Total maximum sentence in years for all counts above if consecutive sentences imposed: **25.0**

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 criminal, ☐ Prison Release Reoffender,
☐ or a mandatory minimum applies.

☐ Mitigated Departure ☐ Plea Bargain ☐ Prison Diversion Program

Other Reason: Supervised 7 yr.

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.

Name (Last, First, M.I.)

LYNCH, KELLI R

Docket #

48-2022-CF-000688-O

Date of Sentence

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 the 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 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.

Pursuant to 921.0026(3) the defendant's substance abuse or addiction does not justify a downward departure from the lowest possible sentence, except for provisions of s.921.0026(2)(m).

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FILED IN OPEN COURT
THIS 25 Sept 2024
A. Bruce