

*** FILED: BROWARD COUNTY, FL Brenda D. Forman, CLERK 8/15/2019 8:57:49 AM.***
IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR,
BROWARD COUNTY, FLORIDA

STATE OF FLORIDA,

VS.

John Apt
Defendant.

Case No: 19000460 CF10A

Judge: LYNCH

Filed in Open Court
CLERK OF THE CIRCUIT COURT
N 8/15/19
JW

PLEA OF GUILTY OR NO CONTEST TO CRIMINAL CHARGE(S) IN CIRCUIT COURT

(The Defendant should initial each paragraph reading and understanding each provision)

☒ I am pleading to the charge(s) of: I) Resisting Officer w/ Violence II) Assault on Law Enforc Officer
III) Disorderly Conduct

☒ I understand the maximum penalty provided by law is: 5 years FSP

☒ The minimum penalty I face upon a plea to, or conviction at trial of, the charge(s) is: n/a

☒ My guideline range is: discretionary

☒ I understand that if the Court accepts my plea to the charge(s) listed above, my sentence will be:

☒ Other than the proposed sentence set forth above, no one has made any promises or guarantees to me, nor has anyone threatened me in any way, forced me to enter this plea; I am doing this freely and voluntarily.

1. ☒ I understand that a plea of Guilty means that I committed the offense. A plea of Not Guilty means, I did not commit the offense and want a trial. I know that a plea of No Contest or Nolo Contendere is a plea of convenience. If I plead No Contest I know that I am not admitting that I did anything. I am saying that I consider it to be in my best interest to resolve the matter and this time by giving up the rights listed on this form.

2. ☒ I understand I have the right to a jury trial. Trial by Jury means citizens will listen to the facts of this case and decide whether I have been proven guilty of the offense.

3. ☒ I understand I have the right to be represented by a lawyer and the right to have a lawyer appointed if I cannot afford one, and I am satisfied with the advice and representation I have received from my attorney and I entering this plea with his or her advice.

4. ☒ I understand I have the right to plead not guilty, the right to persist in my not guilty plea, and the right to presumed innocent and to require the State to prove my guilt beyond a reasonable doubt.

5. ☒ I understand I have the right to confront and cross-examine witnesses at trial.

6. ☒ I understand I have the right to call witnesses of my own at trial and have those witnesses subpoenaed by the Court. I understand I have the right to compel the presences of witnesses on my behalf.

7. ☒ I understand I have the right to remain silent and not have that fact considered by the Judge or Jury at trial. I understand I have the right not to be compelled to incriminate myself.

8. ☒ I understand I have the right to testify at trial, if I wish, and have my testimony considered by the same standards as the other witnesses.

9. ☒ I understand that by entering this plea I give up my rights to challenge the manner in which evidence against me was obtained and I do not want my attorney to file any motions to suppress evidence.

10. ☒ I acknowledge that my attorney and I have reviewed any discovery disclosed by the State. My attorney and I are unaware of any physical evidence for which DNA may exonerate me.

11. ☒ By pleading Guilty or No Contest, I acknowledge that I wish to give up the above listed rights and have the Judge impose the sentence the Judge deems appropriate if this is an open plea, or the sentence above if negotiated.
12. ☒ If I cannot afford a lawyer, I have the right to have a lawyer appointed to present me.
13. ☒ I am not under the influence of any alcohol or drugs at this time, and I fully understand the Judge's instructions, and what my rights are. I am not physically or mentally ill or impaired at this time.
14. ☒ I understand that I have any felony convictions in the future, what happens today will be a factor in determining my punishment for that felony.
15. ☒ If the charge to which I am pleading is a sexually violent offense or a sexually motivated offense, or if I have been previously convicted of such an offense, I understand that this plea may subject me to involuntary civil commitment as a sexually violent predator upon my completion of my sentence. Further, I understand this plea may require me to register as a sex offender.
16. ☒ I understand that if I am not a US Citizen my plea will subject me to deportation pursuant to the laws and regulations governing the US Department of Homeland Security. I understand that entering this plea could lead to my being removed from the United States.
17. ☒ I understand that I have the right to speak to the Judge concerning the sentence before sentencing, and to appeal the judgment and sentence imposed, and I have the right to have an attorney appointed to such an appeal if I cannot afford one. I understand a notice of appeal must be filed with the Clerk within 30 days of the date the sentence is imposed.
18. ☒ I understand my driver's license, as well as any other state-issued license, may be suspended as a result of the plea I am now entering if the charges against me are drug-related.
19. ☒ I understand this plea may violate any probation, community control or parole I was serving on the date of the offense to which I am now pleading.
20. ☒ If am found guilty of violating any conditions of probation or community control I understand that I may get sentenced to more severe penalties under the sentencing guidelines.
21. ☒ I have not been threatened or coerced into this plea, and have not been promised any reward or favor for giving up my rights by anyone.
22. ☒ I have read everything in this plea agreement or had someone read it to me, and I understand it.
23. ☒ Having read and understood both sides of this paper, I am hereby enter my plea of:
- Guilty No Contest to the above charges.

Defense Attorney's Signature
Bar Number: 10103917

Defendant's Signature
Date of Birth: 5/23/80

Sworn to by the above named Defendant before me this 8/15/19 day of August, 2017.
I find the plea to be by a Defendant who appears to be alert and intelligent, who understands the nature of the charge(s) and the consequences of the plea. Further, the plea is freely and voluntarily made with a knowing and intelligent waiver of rights. I also find that the facts which the prosecution is prepared to prove are sufficient to sustain the plea.

Filed in Open Court
Brenda D. Forman, Clerk

THOMAS M. LYNCH, V, Circuit Court Judge