

DLMIS

STATE OF FLORIDA  
Vs

IN THE COUNTY COURT  
VOLUSIA COUNTY, FLORIDA  
JUDGMENT AND SENTENCE

07/28/2005 08:46 AM  
Recording Use  
Instrument# 2005-202596 # 1  
Book: 5611  
Page: 1804

LOUGHRAN, DEREK SEAN  
6402079674

CASE No CTC0501210MNAWS

OBTS: 00232493 P55D TRL  
SPN: W5608024 04/25/05 GG  
ATTY: ALEXANDER, WILLIAM R  
BNA: BARRY BAIL BONDS

JUDGE MARSHALL

This cause coming on to be heard this date, and the defendant having entered a plea or having been found guilty after trial, it is hereby ORDERED and ADJUDGED that the Defendant be and is hereby ADJUDICATED and SENTENCED as follows:

01

COUNT	CHARGE
01	A/C/131381X 2 DRIV U/INFLUE
Amended To: _____	
PLEA / VERDICT	ADJUDICATION
<input checked="" type="checkbox"/> Guilty Plea	<input checked="" type="checkbox"/> Guilty
<input type="checkbox"/> No Contest Plea	<input type="checkbox"/>
<input type="checkbox"/> Found Guilty by Jury	<input type="checkbox"/>
<input type="checkbox"/> Found Guilty by Court	<input type="checkbox"/> Withheld

COUNT	CHARGE
Amended To: _____	
PLEA / VERDICT	ADJUDICATION
<input type="checkbox"/> Guilty Plea	<input type="checkbox"/>
<input type="checkbox"/> No Contest Plea	<input type="checkbox"/> Guilty
<input type="checkbox"/> Found Guilty by Jury	<input type="checkbox"/>
<input type="checkbox"/> Found Guilty by Court	<input type="checkbox"/> Withheld

COUNT	CHARGE
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<input type="checkbox"/> No Contest Plea	<input type="checkbox"/> Guilty
<input type="checkbox"/> Found Guilty by Jury	<input type="checkbox"/>
<input type="checkbox"/> Found Guilty by Court	<input type="checkbox"/> Withheld

COMPANION CHARGE (S)
CHARGE: I/0395CWF 4 FAIL EXHIBIT DL
ACTION: <i>DisM</i>
CHARGE: I/0394CWF 3 OPEN CONTAINER
ACTION: <i>DisM</i>
CHARGE: 0393CWF parked imp.
ACTION: <i>DisM</i>

CTS	SPECIAL CONDITIONS OF SENTENCE AND/OR PROBATION
<input checked="" type="checkbox"/>	1. Placed on <u>6</u> days/months probation, to be supervised by Maximus Inc. Comply with all standard conditions of probation outlined on the back, and further with all special conditions as indicated below.
	2. Report to probation: _____ weekly for the first month then, _____ twice a month; _____ monthly.
	3. Electronic monitoring for _____ days, to begin _____.
	4. Probation may be terminated early.
<input checked="" type="checkbox"/>	5. Pay fines and costs as outlined on page 2 of this Judgment and Sentence.
	6. Serve _____ days in the Volusia County Branch Jail. Credit is given for _____ days.
	7. Jail is suspended pending compliance with this Judgment and Sentence.
<input checked="" type="checkbox"/>	8. Perform <u>50</u> hours of community service work, starting w/in 30 days; completing w/in _____ days.
<input checked="" type="checkbox"/>	9. Do not drink alcoholic beverages. <i>ILL Drug</i>
	10. Obtain a substance/alcohol abuse evaluation w/in 30 days and complete treatment, if recommended.
<input checked="" type="checkbox"/>	11. Submit to random urinalysis at the direction of your probation officer.
<input checked="" type="checkbox"/>	12. Enroll in the appropriate Alcohol Safety Education Court w/in 75 days, and complete the program, and treatment, if recommended.
<input checked="" type="checkbox"/>	13. Complete a Victim Awareness Program w/in 90 days.
<input checked="" type="checkbox"/>	14. Drivers license is revoked/suspended for <u>180</u> days/months.
	15. Comply with separate Order for Impoundment or Immobilization of a Vehicle and/or Order for Ignition Interlock Device on your vehicle(s).
	16. Enroll in _____ program w/in _____ days and complete its requirements.
	17. Enroll in a Certified Batterers' Intervention Program w/in _____ days and complete its requirements.
	18. Enroll in Moral Reconciliation Therapy (MRT) class w/in _____ days and complete required classes w/in _____ months.
	19. Have _____ no contact _____ no violent contact with the victim.
	20. Do not possess any firearm or weapon.
	21. Obtain HIV/STD testing w/in 30 days.
	22. Stay out of areas as indicated on the attached map _____.
	23. Pay all outstanding tickets and obtain a valid drivers license.
	24. Sentence is concurrent/consecutive to _____.
	25. Submit blood or other biological specimen testing for DNA analysis.
	26. Pay restitution as ordered in separate Restitution Order. If no Restitution Order is entered simultaneously with this sentence, the court reserves jurisdiction to determine the amount owing and/or the method of payment.

OTHER: *may buy out c/s @ \$10/hr*

*msd/traf  
DL*

**Important: It is your right to appeal this Judgment and Sentence within thirty (30) days from the date of this order.**  
 If you are indigent, the Court will appoint a lawyer to assist you. At any time, the Court may cancel 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 conditions of your probation, you may be arrested and the Court may revoke your probation and impose any sentence that it might have imposed before you were placed on probation.

Standard Conditions of Probation

- A. Report in person to your probation officer each and every month during the period of your probation, unless ordered differently as a Special Condition of your sentence on the front of this order.
- B. Promptly and truthfully answer all questions asked by the Court or your probation officer, and will allow the officer to visit you in your home, at your employment site, or elsewhere. Obey all directions given to you.
- C. Immediately inform your probation officer if you change your residence or place of employment
- D. Do not violate any federal, state, or local criminal law or ordinance. A conviction in a court of law will not be necessary to constitute a violation of your probation.
- E. Do not use lawful alcoholic beverages to excess, nor visit places where intoxicants, drugs, or other dangerous substances are unlawfully sold, dispensed, or used. Do not possess or use illegal substances.
- F. Work diligently at a lawful occupation and support yourself and any dependents to the best of your ability.
- G. Pay \$45.00 per month for the cost of your supervision to the organization that is supervising your probation, unless said costs are partially or completely waived by the Court or that organization.
- H. Complete all conditions of your sentence and probation as directed, no later than 45 days prior to the end of your probation term. Complete all conditions of probation sooner if directed to do so as a special condition of probation.
- I. Pay all court costs, fines, fees, restitution and all other costs associated with your probation, in addition to any fees and costs associated with programs, courses, evaluations or treatment as required, unless otherwise specified by the court.

I hereby acknowledge that all conditions of my probation (both standard and applicable special conditions) have been explained to me in full. I have received a copy of this Judgment and Sentence, and understand that it is my responsibility to carefully read all pages (front and back) and complete all terms of my sentence. I authorize my probation officer to provide any necessary information about me, to any agencies giving assistance and/or treatment necessary for compliance with the conditions of this Judgment and Sentence.











*[Handwritten Signature]*

7/27/05

SIGNATURE PROBATION OFFICER

SIGNATURE OF DEFENDANT

DATE/TIME SIGNED

1. Right Thumb	2. Right Index	3. Right Middle	4. Right Ring	5. Right Little
				
1. Left Thumb	2. Left Index	3. Left Middle	4. Left Ring	5. Left Little
				

I HEREBY CERTIFY that the above and foregoing fingerprints on this judgment are the fingerprints of the Defendant, and that they were placed thereon by the Defendant in my presence in Open Court this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

*D/S [Signature]*  
 Deputy Sheriff / Bailiff

Case 2339

JUDGE

Defendant's Name: LOUGHRAN, DEREK SEAN

Case Number: CTC0501210MMANS

FINES/COSTS/FEE ARE ASSESSED PER CASE UNLESS SPECIFICALLY ORDERED OTHERWISE

Instrument# 2005-202596 # 3  
Book : 5611  
Page : 1806  
Diane M. Matousek  
Volusia County, Clerk of Court

MANDATORY COSTS/SURCHARGES		
X	\$ 190.00	Misdemeanor § 775.083 (2), 938.01(1), 938.03, 938.05, 938.15, 939.185 (1) (a), ORD 04-07
	\$ 40.00	Ordinance Violation - Non Prevailing §34.045 (1)(b)
X	\$ 15.00	Criminal Traffic Violation Surcharge §318.18 (13)(a), ORD 04-07
	\$ 40.00	Indigency Application Fee § 27.52 (2)(a)
X	\$ 20.00	Crime Stopper's Trust Fund Ct(s) _____ (Applies only when a fine is assessed.) § 938.06
	\$ 201.00	DV Surcharge for Assault/Battery/DV Crimes/Viol of Injunctions § 938.08
	\$ 151.00	Rape Crisis Surcharge for Assault/Battery/Stalking § 938.085
	\$ 101.00	Child Advocacy Trust Fund § 938.10 (1)
X	\$ 135.00	Additional Cost - DUI/BUI Charge § 938.07
	\$ 60.00	Additional Cost - BUI only § 327.35 (9)
X	\$ 15.00	Involved Drugs or Alcohol § 938.13
MANDATORY FINES		
X	\$ 26250	Fine & 5% surcharge as to Ct(s) _____ § 316.193, 327.35, 775.083(1), 938.04
	\$ 5.00	Reckless Driving (Emergency Medical Service Trust Fund (EMT) Ct(s) _____ § 316.192
	\$ 5.00	Fail to stop - accident involving damage to property/vehicle (EMT) Ct(s) _____ § 316.061
DISCRETIONARY COSTS/FEEES		
	\$ 100.00	Drug Related Offense § 938.25
	\$	Alcohol and Drug Abuse (up to amount of fine) § 938.21, 938.23
	\$	Public Defender Additional Costs/Fees § 938.29
X	\$ 50 =	Costs of Prosecution (See back for instructions.) § 938.27
X	\$ 50 =	Costs of Investigation to: <u>VCSO</u> (See back for instructions.) § 938.27
	\$	Other (explain)

INFORMATION REGARDING PAYMENT OF FINES/COSTS/FEEES ARE DESCRIBED ON THE BACK

**\*\*IMPORTANT NOTICE\*\***

Fine/Costs/Fees may be automatically converted to a civil judgment against you, if not paid as ordered WITHOUT FURTHER HEARING OR NOTICE. Fines/Costs/Fees which remain unpaid for 90 days or more, may be turned over to a collection agency for further action, including but not limited to, garnishment of wages and a lien placed on a non-homestead property owned by you.

- Payable as outlined on back: within \_\_\_\_\_ days/months of release from custody on this case.  
within \_\_\_\_\_ days/months from today's date.
- Fine/Costs/Fees to be taken from Cash Bond. Any remaining balance owing is due within \_\_\_\_\_ days/months as outlined on back. Excess Cash Bond (if any) to be refunded to depositor. \_\_\_\_\_ Refund Cash Bond
- Fines/Costs converted to \_\_\_\_\_ hours of community service.  
Proof of community service must be filed with the Clerk of Court within \_\_\_\_\_ days/months.

I acknowledge receiving a copy of this order and understand that I must read thoroughly the front and back of this entire order. I further agree to successfully meet all terms of my sentence. I will review the information outlined on the back sides of the pages of this Judgment regarding my right to appeal, standard conditions of probation, payment information and clerk's office locations.

Defendant's Signature [Signature] Date 7/27/05

Diane M. Matousek, Clerk Of The Circuit Court  
Filed in Open Court  
27 day of July, 2005  
[Signature]  
Deputy Clerk in Attendance

DONE and ORDERED in Volusia County, Florida  
this 27 day of July, 2005  
[Signature]  
Presiding Judge

Copy Distribution: Court File (original) - Defendant (blue) - Defense Attorney - (green) - Probation Agency/Jail (yellow) - State Attorney (pink)

DL  
MSD/Traf