

RON DESANTIS

GOVERNOR

May 9, 2023

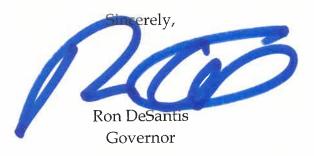
Warden Donald Davis Florida State Prison 7819 N.W. 228th Street Raiford, Florida 32036-1000

Re: Execution Date for Duane Owen, DC #101660

Dear Warden Davis:

Enclosed is the death warrant that I signed to carry out the sentence for Duane Owen, as well as certified copies of his judgment and sentence. I have designated the week beginning at 12:00 noon on Thursday, June 8, 2023, through 12:00 noon on Thursday, June 15, 2023, for the execution. I have been advised that you have set the date and time of execution for Thursday, June 15, at 6:00 p.m.

This letter is incorporated into and made a part of the death warrant identified above.



Enclosures

2023 HAY -9 PH 2: 16

Warden Donald Davis May 9, 2023 Page 2

CC:

Honorable Carlos G. Muñiz Chief Justice Supreme Court of Florida 500 S. Duval Street Tallahassee, Florida 32399

Honorable Glenn Kelley Chief Judge, 15th Judicial Circuit 205 North Dixie Highway West Palm Beach, FL 33401

Secretary Ricky Dixon
Department of Corrections
501 South Calhoun Street
Tallahassee, Florida 32399-2500

C. Suzanne Bechard Associate Deputy Attorney General Office of the Attorney General The Capitol, FL-01 Tallahassee, Florida 32300-0001

Eric Calvin Pinkard Capital Collateral Regional Counsel 12973 N. Telecom Pkwy Temple Terrace, FL 33637 Michelle Whitworth Coordinator Office of Executive Clemency 4070 Esplanade Way Building C, Rm. 229 Tallahassee, Florida 32399-2450

Duane Owen, DC #101660 Union Correctional Institution 7819 N.W. 228th Street Raiford, Florida 32026-4000

ZUZSTAY -9 PH 2: I





ASHLEY MOODY

ATTORNEY GENERAL

May 9, 2023

The Honorable Ron DeSantis Governor The Capitol Tallahassee, Florida 32399—0001

RE: Duane Eugene Owen

Dear Governor DeSantis:

Duane Eugene Owen was found guilty of first-degree murder on February 18, 1986, for the May 29, 1984, murder of Georgianna Worden in Palm Beach County, Florida. Owen was also found guilty of sexual battery with a deadly weapon and burglary. Owen was sentenced to death for the Worden murder on March 13, 1986, by the trial court, following the jury's 10-2 death recommendation.

The Florida Supreme Court, on direct appeal, affirmed Owen's convictions and sentences of death on January 23, 1992, in *Owen v. State*, 596 So.2d 985 (Fla. 1992). On August 14, 1992, Owen filed a petition for writ of certiorari in the United States Supreme Court. On October 13, 1992, the United States Supreme Court denied Owen's petition. *Owen v. Florida*, 506 U.S. 921 (1992).

On October 13, 1994, Owen filed his initial motion for post-conviction relief. That motion was summarily denied by the state trial court on December 8, 1997. On September 21, 2000, the Florida Supreme Court affirmed the trial court's denial of relief in *Owen v. State*, 773 So.2d 510 (Fla. 2000). Owen filed a petition for writ of certiorari in the United States Supreme Court, which was denied on April 2, 2001. *Owen v. Florida*, 532 U.S. 964 (2001).

Owen filed a successive post-conviction motion on July 6, 2001, which was denied by the trial court on September 21, 2001. Owen appealed the trial court's denial of relief, and filed a petition for writ of habeas corpus, in the Florida Supreme Court. The court denied the habeas

petition and affirmed the trial court's denial of relief on July 11, 2003. Owen v. State, 854 So.2d 182 (Fla 2003).

Owen filed his initial federal petition for writ of habeas corpus in the U.S. District Court for the Southern District of Florida on December 15, 2003. The federal district court denied the petition on September 6, 2007, and Owen appealed the district court's denial of his habeas petition to the United States Court of Appeals for the Eleventh Circuit. The Eleventh Circuit affirmed the denial of the petition on May 18, 2009. *Owen v. Secretary, Fla. Dep't of Corrections*, 568 F.3d 894 (11th Cir. 2009). On January 19, 2010, the United States Supreme Court denied certiorari review. *Owen v. McNeil*, 558 U.S. 1151 (2010).

Owen filed a second successive post-conviction motion in the trial court on January 6, 2017, and that motion was denied on January 5, 2018. On appeal, the Florida Supreme Court affirmed the trial court's denial of relief on June 26, 2018. *Owen v. State*, 247 So.3d 394, *cert. denied*, *Owen v. Florida*, 139 S.Ct. 1171 (Mem), 2019 WL 659914 (Feb. 19, 2019).

The record has been reviewed and there are no stays of execution issued by any court of competent jurisdiction in this cause. Based upon the above-referenced summary of litigation affirming the judgments and sentences of death imposed for first-degree murder, the record is legally sufficient to support the issuance of a death warrant.

Sincerely,

Ashley Moody
Attorney General

DEATH WARRANT STATE OF FLORIDA

WHEREAS, DUANE OWEN, on or about the 29th day of May, 1984, murdered Georgianna Worden; and

WHEREAS, DUANE OWEN, on the 18th day of February, 1986, was found guilty of first degree murder, sexual battery, and armed burglary, and on the 13th day of March, 1986, was sentenced to death for the murder of Georgianna Worden; and

WHEREAS, on the 23rd day of January, 1992, the Supreme Court of Florida affirmed the convictions and death sentence of DUANE OWEN; and

WHEREAS, on the 21st day of September, 2000, the Supreme Court of Florida affirmed the trial court order denying DUANE OWEN's initial Motion for Postconviction Relief, and on the 11th day of July, 2003, denied his Petition for Writ of Habeas Corpus; and

WHEREAS, on the 6th day of September, 2007, the United States District Court for the Southern District of Florida denied DUANE OWEN's federal Petition for Writ of Habeas Corpus, and

WHEREAS, on the 3rd day of July, 2008, the United States Court of Appeals for the Eleventh Circuit granted in part and denied in part his Application for Certificate of Appealability, and on the 18th day of May, 2009, affirmed the district court's denial of his habeas petition; and

WHEREAS, further postconviction motions and petitions filed by DUANE OWEN have been denied and the denial affirmed on appeal; and

WHEREAS, executive clemency for DUANE OWEN, as authorized by Article IV, Section 8(a), of the Florida Constitution, was considered pursuant to the Rules of Executive Clemency, and it has been determined that executive clemency 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, RON DESANTIS, 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 DUANE OWEN, in accordance with the provisions of the Laws of the State of Florida.



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 Capital, this 9th day of May, 2023

ATTEST:

SECRETARY OF STATE

GOVERNOR

2023 MAY -9 PM 2: 16

1	STATE OF FLOR	RIDA	IN THE CIRCUIT	COURT, FIFTEENTH	IUDICIAL CIRCUIT,	
	* VS			LM BEACH COUNTY, F	LORIDA	
				84-4000CFF DIV.	HFI	
	Dure Ow	er ake	☐ PROBATION \			
m	DEFENDAN	owe		1	18 1986	
2 J 3		JI	UDGMENT	CIRCUIT &	DUNKLE, Blank COUNTY COURTS MINAL DIV.)	
0 4	The Defendant,		BOVE	, being p	personally before this	
ے مے	ourt represented by	roig Bouce	rear, Exqu		if record, and having:	
DO X	Been tried and found guilty of the f	ollowing crime(s) 🗆 Entered a ple	ea of guilty to the following crime(s) 🗆 Entered a plea of noto conter	dere to the following crime(s)	
,	COUNT	CRIME	OFFENS	SE STATUTE MBER(S)	DEGREE OF CRIME	
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g∵ a h	nd no cause having been s ereby ADJUDICATED GUI	LTY of the above crime(s).		• •	
			sum of fifteen dollars	mursuant to F.S. 960.20	(Crimes Compensation	
	Trust Fund). The Defendant	t is further ordered to pay	the sum of two dollars (4	2.00) as a 11111		
	The Defendant is orde	ered to pay an additional	sum of two dollars (\$2.00)	pursuant to F.S. 943.25(8	3).	
	☐ The Defendant is furt	her ordered to pay a fine	in the sum of \$	purs	uant to F.S. 775.0835.	
		poses additional court co	sts in the sum of \$stays and withholds the im	nosition of sentence as 10	count(s)	7
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	Until Later Date (Check if Applicable)				•	ALM The representation of the state of the s
	The Defendant in Clerk of Court within thirty	Open Court was advised	of his right to appeal from	this Judgment by illing nation is ordered pursuant t	office of appear with the to this adjudication. The	. E 3
	Clerk of Court within thirty Defendant was also advised	d of his right to the assista	nce of counsel in taking sai	id appeal at the expense of	the State upon showing	FLORIDA y, certify in of the road. Day of the SH R
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	at West Palm E	Beach, Palm Beach County,	Florida.	03130	LO2	
			Judge, Circ	uit Court		STATE THE THE STATE
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PO 15 BHJ97 RECORD VERIFIED
PALM BEACH COUNTY, FLA
JOHN B. DUNKLE
CLERK CIRCUIT COIRT

DONE AND ORDERED in Open Court at
PALM BEACH
County, Florida, this date,
I HEREBY CERTIFY the above and foregoing fingerprints are the fingerprints of the Defendant
and they were placed thereon by said Defendant in my presence in Open Court this mate.

	STATE OF FLO	RIDA	IN THE CIRCUIT COURT, <u>FIFTEENTH</u> JUDICIAL CIRCUIT, IN AND FOR <u>PALM BEACH</u> COUNTY, FLORIDA										
	· · · vs			84-4000FA DIV									
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و	The Defendant,	1	ABOVE		NEYSOHANIStefore this DIV.)								
D O ,	Court represented by	eig Douase	en, Esq.		of record, and having:								
	Been tried and found guilty of the	following crime(s) 🗆 Entered a pl	ea of guilty to the following crime	(s) Entered a plea of noto conti	endere to the following crime(s)								
87	COUNT	CRIME	NU	SE STATUTE MBER(S)	DEGREE OF CRIME								
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986	and no cause having been s hereby ADJUDICATED GU	shown why the Defendan ILTY of the above crime(s	should not be adjudicate	ed guilty, IT IS ORDERED	THAT the Defendant is								
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	Trust Fund). The Defendan	it is further ordered to par	y the sum of two dollars (.	\$2.00) 23 2 00011 0001 post	,								
	The Defendant is ordered to pay an additional sum of two dollars (\$2.00) pursuant to F.S. 943.25(8).												
	The Defendant is further ordered to pay a fine in the sum of \$												
	Imposition of Sentence												
	Stayed and Withheld (Check if Applicable)	ng is a fice with fice with by law.											
	Sentence Deferred	separate order.) The Court hereby	defers imposition of sente	ence until	(date)	foregoing my office my office mired by 1 330 12 12 13 13 13 14 15 15 15 15 15 15 15 15 15 15 15 15 15							
	Until Later Date (Check if Applicable)		of his right to appeal from	n this Judament by filing	notice of appeal with the	the for the form of the form o							
	The Defendant in Clerk of Court within thirty Defendant was also advised	days following the dates	entence is imposed or prot	pation is ordered pursuant	to this adjudication. The of the State upon showing								
	Defendant was also advised	d of his right to the assista	nced course in taxing so	of Library	C	FLORIDA y certify y of the pas, an SHIM SHIM SHIM DEF							
	DONE A	AND ORDERED in Open Co Beach, Palm Beach County,		033	Jr.	5 2 5 E.) '							
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•	Name and Title	JD#2196	CLM BEACH County	IOHN B. DUNKLE .	18. 20 &								
	DONE AND ORDERED I HEREBY CERTIFY the	above and foregoing finger	prints are the fingerprints of	Title Derendant,	e Aribea								

and they were placed thereon by said Defendant in my presence in Open Court his date.

JUDGE

	Defendant _D	uane Owen	_
Case Number 84-4000-CF A02	Case Number	84-4000-CF A02	

MAR 14 1988

		SENTENCE						
circuit 8 (CRI	LCOU Manté	Craig Bourreau & Agaba Olv.)						
	and h	aving been adjudicated guilty herein, and the Court having given the Defendant an opportunity						
and no cause being shown.		n mitigation of sentence, and to show cause why he should not be sefitenced as provided by law,						
	0	and the Court having on						
		and the Court having placed the Defendant on probation and/or community control and having subsequently revoked the Defendant's probation and/or community control by separate order entered herein,						
IT IS THE SENT	ENCE	OF THE LAW that;						
☐ The Defendant pay a	fine o	of \$, plus \$as the 5% surcharge required by F.S. 960.25.						
☐ The Defendant is here	by c	ommitted to the custody of the Department of Corrections ommitted to the custody of the Sheriff* of PALM BEACH authority to be inserted at printing, if other than Sheriff)						
To be imprisoned (check or	ne; un	imarked sections are inapplicable) A Death Penalty Imposed.						
For a term of Natural Life		For a term of						
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 these two paragraphs	0	However, after serving a period ofimprisonment in the balance of such sentence shall be suspended and the Defendant shall be placed o probation for a period of under supervision of the Department of Correction according to the terms and conditions of probation set forth in a separate order entered herei						
		SPECIAL PROVISIONS						
By appropriate notation, th	e foli	owing provisions apply to the sentence imposed in this section:						
Firearm — 3 year mandatory minimum		It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby imposed for 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 Jurisdiction		The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any 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 Ollender	0	The Defendant is adjudged a habitual oftender 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 further ordered that the Defendant shall be allowed a total of further ordered. Yellowed 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 shall run consecutive to concurrent with (check one) the sentence set forth in count						
Consecutive/Concurrent (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: _

Palm Beach In the event the above sentence is to the Department of Corrections, the Sheriff of County, Florida is hereby ordered and directed to deliver the Defendant to the Department of Corrections together with a copy of this Judgment and Sentence.

The Defendant in Open Court was advised of his right to appeal from this Sentence by filing notice of appeal within thirty days from this date with the Clerk of this Court, and the Defendant's right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

reimposing the above sentence, the Court further recommends RED in Open Court at Palm Beach County, Florida, this

65 PALE

STATE OF FLORIDA . PALM BEACH COUNTY foregoing

						Duane Owen
		6			Defendant :	84-4000-CF A02
		. U			Case Numbe	er
MAR		2		NTENC	E	
JOHN B. E ACHMUNT K.C The Defendant, be	DUNKI PRING D RIS	LE, Clerk (A	to Count	2 accompanied	by his attorney	Craig Boudreau & 20 Donald Kohl & 20
110	and n	aving been a	djudicated gu	ilty herein, and i	the Court having	given the Defendant an opportunity
to be heard and to offer ma and no cause being shown	tiers i	n mitigation o	f sentence, a	nd to show caus	e why he should n	ot be sentenced as provided by law,
		and the Cou until this da	ert having on te.		date)	deferred imposition of sentence
		HEALING 2002	rt having pl equently rev der entered	oked the Deten	dant on probatio dant's probation	n and/or community control and and/or community control by
IT IS THE SENT	ENCE			,		
The Defendant pay a	fine o	1\$, plus	\$	as the 5% sure	charge required by F.S. 960.25.
The Defendant is here The Defendant is here (Name of local correct	eby co	mmitted to 11	ne custody of	the Sheriff* of	PALM BEAC	H County, Florida
To be imprisoned (check or						
For a term of Natural Life		For a term of		DFo	r an indeterminate	period of 6 months toyears.
If "split" sentence	D	Followed by ment of Coronder enters	rrections acci	ording to the ter	on probation a	under the supervision of the Departs of probation set forth in a separate
complete <u>eithe</u> r of these two paragraphs	0	the balance probation for	of such ser or a period of	ntence shall be	suspended and under supervision	isonment in the Defendant shall be placed on on of the Department of Corrections
		according				th in a separate order entered herein.
				AL PROVISION	_	
By appropriate notation, th	e 10110					
mandatory minimum		for the sente	ence specified	in this count, a	s the Defendant	F.S. 775.087(2) are hereby imposed possessed a firearm.
Drug Trafficking — mandatory minimum	_	are hereby in	mposed for th	ne sentence spe	cified in this cour	
Retention of Jurisdiction		Parole Com	mission relea:	se order for the	period of	ver the defendant for review of any
Habitual Offender		this sentence	in accordan	ce with the prov	isions of F.S. 775.	n sentenced to an extended term in 084(4)(a). The requisite findings by
Jail Credit	M				or stated on the	record in open court.
,	$\overline{}$	credit for suc	h time as he h	as been incarce	erated prior to imp ation (optional):	osition of this sentence. Such credit
Consecutive/Concurrent						_
Conseconve/Concurrent					imposed for thi ntence set forth is	s count shall run 🔲 consecutive
Consecutive/Concurrent (As to other convictions)		It is further or this order sh	rdered that the all run 🙀 cor	composite term	n of all sentences in concurrent with (e	mposed for the counts specified in check one) the following:
		☐ Any activ	ve sentence b	eing served.		_
	7	Specific	sentences: _	Ct3i	U 84-4	014CF
		-				
In the event the above County, Florida is hereby ord this Judgment and Sentence	lered a	iterice is to the	ne Departmen to deliver the	t of Corrections Defendant to the	, the Sheriff of Department of Co	Palm Beach prrections together with a copy of
The Defendant in Op	en Co Serk o	of this Court,	and the Defen	t to appeal from dant's right to th	this Sentence by f	iling notice of appeal within thirty punsel in taking said appeal at the
expense of the State upon shapesing the above	owing	of indigenc	у.			
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3./					Table States	
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AND CROPER D in Open Court at Palm Beach County, Florida, this.

STATE OF FLORIDA . PALM BEACH COUNTY I hereby certify that the foregoing is a

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			Court	_	on		(da	ale)			_ de	ferred i	mpositio	on of sente	nce
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To be imprisoned (check o							Ше						onthe to	Magri	
For a term of Natural Life														year	
If "split" sentence	0	ment order	of Corre	ections I herein	accord	ling to	the terr	ms at	nd cor	dition	s of p	probatio	n set fo	n of the D rth in a seg	arate
these two paragraphs		the b	However, after serving a period ofimprisonment 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.												
				SP	ECIAL	PRO	/ISIONS	s							
By appropriate notation, t	he fol	owing p	rovisio	ns apply	y to the	sente	nce imp	pose	d in th	is sec	tion:				
Firearm — 3 year mandatory minimum		for the	senter	nce spe	citied in	n this	count, a	es the	e Defe	ndant	poss	essed a	firearm		
Drug Trafficking — mandatory minimum	0	are he	reby in	posed	f 'he	sente	nce spe	cifie	d in th	is cou	nt.			3.135(1)(
Retention of Jurisdiction		Parole the C	Commount are	set for	release th in a s	order separa	for the ite orde	perior:	od of _ stated	on the	e tec	ord in o	beu cor Lue tedr		igs by
Habitual Offender	0	this se	ntence	in acco	ordance	with t	he prov	vision	ns of F.	.S. 775	.084	(4)(a). T	d to an e The requ pen cou	extended to disite findir rt.	rm in gs by
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The Defendant in days from this date with the expense of the State upon	Open ne Clei n shov	k of this	Court,	and the y.	e Defen	dant's	right to	the	assista	ince of	cou	nsel in t	aking sa	eal within t iid appeal t	hirty It the
In imposing the a	bove	sentenc	e, the C	ourt fur	rther re	comm	ends _			_					
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	Open	Court at	Palpy B C	Cor Cor	unty, Fl	orida,	this1 D))	da		6	B	L	

I hereby certify that the foregoing is a true copy of the record in my office with the copy of the record in my office with the copy of the record in my office with the copy of the record in the copy of the record in the copy of the record in the copy of the

STATE OF FLORIDA • PALM BEACH COUNTY I Hereby certify that the foregoing is a

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