

STATE OF FLORIDA

vs.

LONNA BARTON,
Defendant

IN THE CIRCUIT COURT,
FOURTH JUDICIAL CIRCUIT,
IN AND FOR DUVAL COUNTY,
FLORIDA

CASE#162015CF7314AXXXMA
DIVISION: CR-B

PLEA OF GUILTY

I hereby enter my plea of guilty because I am guilty. Before entering such plea of guilty, I was advised of the nature of all the charges against me, the statutory offenses included within such charges, the range of maximum allowable punishments for each charge, all the possible defenses to each charge, and all circumstances in mitigation of such charges. I have been advised of all other facts essential to a full and complete understanding of all offenses with which I have been charged, and of all offenses to which I am entering this plea. I have been advised of all direct consequences of the sentence to be imposed, including the possibility that other courts or governmental agencies both State and Federal may impose administrative sanctions and that the Florida Department of Highway Safety and Motor Vehicles may impose additional sanctions upon my driving privileges as a result of my plea and conviction. I can read, write, and understand the language in which this form is written, and agree that there are sufficient facts before the Court (recorded in police reports) to support my plea and conviction. I further understand that in the event of future criminal acts I may be subject to enhanced charges and penalties as a result of my plea and conviction in this case.

Specific Terms: My sentence has *not* been negotiated in this case, and I understand that it could be as follows:

I will plead Guilty to Count 2 (Child Neglect, F3) and Count 3 (Giving False Information, M1), with my sentences to be determined by the Court following a sentencing hearing; the sentences shall be imposed to run concurrently with one another.

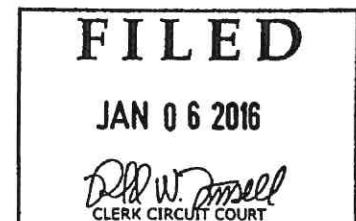
As a condition of my plea, I agree to give truthful testimony regarding State v. William Ruben Ebron Jr., at any lawful proceeding, including any hearing, statement, deposition and/or trial(s). I agree that all sworn statements given by me may be used against me in Court.

I further understand that I may be sentenced up to 5 years FSP should I fail to give truthful testimony if called by either the State or Defense. I understand that if I fail to appear for any required court date and/or if I am arrested for any new crime that is supported by a finding of probable cause, my plea stands but the negotiated sentence does not and I may be sentenced to any lawful sentence, as described above.

I admit that there is a factual basis for the charges to which I am pleading, and I agree that the Court may rely on the statements contained in the probable cause affidavit and police reports in determining this factual basis.

The Court shall impose the sum of \$ 516 in court costs/statutory charges and \$ 150 as appointed counsel lien. I will agree to the entry of a Restitution Order to the Office of the Attorney General, Division of Victim Services, in the amount of \$150.00, and to _____ in the amount of \$ _____.

I will submit two specimens of my blood or other bodily material to the DNA Data Bank as indicated by §943.325, Florida Statutes.



I consider this negotiated sentence to be to my advantage, and I have freely and voluntarily entered my plea of guilty. I have not been offered any hope of reward, better treatment, or certain type of sentence as an inducement to enter this plea, other than the sentence set forth above. I have not been promised by anyone, including my attorney, that I would actually serve any less time than that set forth above, and I understand that **any early release of any sort is not a part of this plea agreement and is entirely within the discretion of governmental agencies other than this Court.** I have not been threatened, coerced, or intimidated by any person, including my attorney, in any way in order to get me to enter this plea.

Advice of Rights:

I understand that by pleading guilty I give up the following constitutional rights: the right to trial by judge or jury (including my right to testify or not testify as I may choose), the right to be represented by counsel at trial, the right to have counsel appointed to represent me if I cannot afford to retain counsel, the right to present witnesses in my own behalf and to compel the attendance of those witnesses, the right to confront the witnesses against me, the right to require the State to prove its case against me beyond a reasonable doubt and, for purposes of this plea hearing, my right against self-incrimination. I further understand that if I am not a citizen of the United States that this plea may subject me to deportation. I also understand that by entering this plea I give up the right to appeal all matters relating to the judgment, including the issue of guilt or innocence. **I also am aware that if there is physical evidence in this case, it may or may not contain "DNA" evidence, which might be tested. I understand that I have a right to such testing, and that such tests might show or help to establish that I did not commit the crime(s) with which I am charged.**

Consultation with Attorney:

I have had ample time to discuss this agreement with my attorney. My attorney and I have read this agreement regarding my guilty plea together in private, and my attorney has explained all portions of this agreement to my complete understanding and satisfaction. We have fully discussed all aspects of this case, including all possible defenses to all charges, including alibi, self-defense and any defense based upon any disability, disease, insanity, or intoxication. My attorney has given me the opportunity to ask questions and has answered all of my questions fully and completely. **My attorney has taken all actions and spoken to all persons requested by me, or has explained to my satisfaction and agreement why such things were not done, and I concur with my attorney's decisions in that regard. This includes any further investigation regarding possible DNA evidence.**

I am completely satisfied with the services rendered by my attorney on my behalf in this case. **My attorney has not instructed me to make any false, misleading, or incomplete statement to the Court, or prohibited me from addressing the Court in any way, and I understand that if I make statements regarding this offense to the court in the presence of counsel they may be used against me in any future proceedings.**

Time for Consideration and Reflection:


I have had sufficient time to consider all charges against me, all possible defenses and circumstances in mitigation, the advice of my attorney, the constitutional rights forfeited by entering into this plea agreement, and the potential consequences that the entry of a plea of guilty may have upon me. I have been provided with the opportunity for additional time to consider and reflect upon these matters, and I specifically state that I do not require any additional time to do so. I wish to proceed with the entry of my guilty plea. **I understand that if I have any questions I should direct them to the Court at this time. All of my statements to the Court have been the complete truth.**

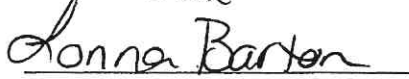
Acknowledged in Open Court:

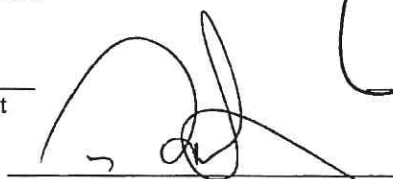
In open Court under oath I acknowledge to the Judge of this Court that:

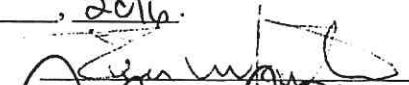
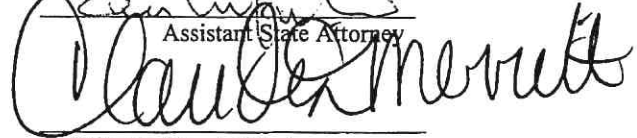
- A. I have read and understood this entire plea agreement, including the rights I am giving up by entering into it;
- B. I am not under the influence of any substance, drug, or condition (physical, mental, or emotional), which interferes with my appreciation of the entire plea agreement into which I am entering and all consequences thereof;
- C. I have not been deprived of, and am properly taking, any medication which is essential to my full, complete, and unimpaired understanding of the plea agreement and these proceedings;
- D. I have entered into and signed this plea of guilty and negotiated sentence freely and voluntarily;
- E. I have been advised of the potential application of §§ 394.910--394.931, Florida Statutes, entitled "Involuntary Civil Commitment of Sexually Violent Predators," also known as the "Jimmy Ryce Act" for any felony conviction, including this one;
- F. I have been informed of the ability pursuant to §925.12, Florida Statutes, to have DNA testing performed if appropriate evidence exists, which testing may exonerate me; **no exculpatory DNA evidence is known to exist at this time.**
- G. This plea of guilty form is true and correct in all respects; and
- H. This form represents the sole and complete agreement between myself and the State. No other agreements, representations, or promises have been made by myself, my attorney, the Court, or any representative of the State.

Both my attorney and I have signed this plea agreement in open Court at Jacksonville, Duval County, Florida, this 6 day of January, 2016.


Kevin Carlisle
Attorney for Defendant


Donna Barton
Defendant


Circuit Judge


Assistant State Attorney

Witness, Deputy Clerk

My signature as Judge of this Court is certification that I have discussed this plea agreement with Defendant and Defendant's attorney in open Court on this date and have asked Defendant questions, considered Defendant's responses, and observed Defendant's demeanor. I find that Defendant has the intelligence to comprehend these constitutional rights, the terms of this plea agreement, the contents of this written agreement, and these proceedings. I further find that Defendant has entered this plea freely and voluntarily and is not under the influence of any disability, substance, drug, or condition which would interfere with Defendant's ability to understand and appreciate the terms of this plea agreement and its consequences.