

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

CASE NO.: 16-2017-CF-00539-AXXX
DIVISION: CR-H

STATE OF FLORIDA

v.

GLORIA B. WILLIAMS,
Defendant.

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SENTENCING ORDER

This cause came before the Court for Defendant's sentencing on May 3 and 4, 2018.

I. Background and Procedural History

On July 10, 1998, at University Medical Center in Jacksonville, Florida, Ms. Shanara Mobley (hereinafter "Ms. Shanara Mobley" or "Ms. Mobley") gave birth to a girl, whom she named Kamiyah (hereinafter "Kamiyah," "Miss Kamiyah Mobley," or "Miss Mobley"). The same day, Defendant, wearing medical scrubs, entered Ms. Mobley's hospital room, assisted her in such a manner as to make Ms. Mobley believe she was a nurse, eventually told Ms. Mobley she needed to take the baby for a temperature check, and walked out of the hospital with the baby in a bag. Defendant drove the baby to Ruffin, South Carolina, where Defendant introduced the baby to her family as Alexis Kelli Manigo. As Defendant had been pregnant and recently miscarried without her family's knowledge, Defendant's family did not think the baby's arrival unusual. Defendant raised Miss Mobley as her own child. When Miss Mobley was sixteen-years old, she needed her identifying documents for a new job. Defendant then confessed her crime to Miss Mobley and to her husband. Approximately a year and a half later, in January of

2017, Defendant was arrested.

On February 1, 2017, Defendant was charged by information with Kidnapping (Count One) and Interference with Custody (Count Two) of Miss Kamiyah Mobley. On February 10, 2018, Defendant pleaded guilty to both counts. Pursuant to the negotiated plea agreement, Defendant's sentence of zero to twenty-two years on Count One, and zero to five years on Count Two, to run concurrently, would be determined by the Court following a sentencing hearing.

The sentencing hearing took place on May 3 and 4, 2018. On May 3, 2018, the State presented the following witnesses: Mr. Charles Manigo, Defendant's former boyfriend; Mr. Rodney McKean, investigator with the Jacksonville Sheriff's Office ("JSO"); Ms. Shanara Mobley and Mr. Craig Aiken, Kamiyah's parents; and Ms. Velma Aiken, Kamiyah's paternal grandmother. Defendant presented the following witnesses in mitigation: Mr. and Mrs. Wilbert Brown, Defendant's parents; Reverend Sheri White, Defendant's pastor; Mr. Wernoskie Williams, Defendant's husband; and Mr. Antoine Bolden and Mr. Andre Bolden, Defendant's sons. Counsel also read a letter from Defendant's aunt, Ms. Susan Aus, and submitted published interviews given by Miss Kamiyah Mobley in lieu of her live testimony. Counsel recognized additional family and friends were present in the courtroom to support Defendant. Defendant testified on May 4, 2018.

II. Nature and Circumstances of the Offense

At the time of the kidnapping, Defendant had been in a romantic relationship with Mr. Charles Manigo for approximately two years. Defendant testified Mr. Manigo was verbally, mentally, and physically abusive, which was confirmed by Defendant's parents and sons. Due to this abusive relationship, she lost the partial custody she had of her sons at that time. When Defendant became pregnant in early 1998, she was hopeful that a baby would improve her

relationship with Mr. Manigo. However, Defendant miscarried, though she did not learn this until approximately June because, despite the miscarriage, her body had continued to develop as if the pregnancy were viable. On July 10, 1998, Defendant was extremely depressed and felt like her life was “out of control.” She left work in Charleston and headed south on I-95 without any plans. Defendant exited in Jacksonville, drove to University Medical Center, looked at the babies on the maternity ward, and eventually entered Ms. Shanara Mobley’s room. After spending several hours with Ms. Mobley, helping her to get cleaned up and conversing about her family, a nurse brought her baby into the room. Defendant thought perhaps this baby would make Mr. Manigo happy and bring peace to their home. She felt Ms. Mobley was young and unsure of herself and taking the baby “just seemed right.”

Ms. Mobley testified she was happy to be pregnant and that it gave her a reason to “straighten up.” On the day she gave birth to Kamiyah, Ms. Mobley recalled Defendant coming into her room and saying she was her assigned nurse. After some time, Ms. Mobley felt weak, and Defendant placed the baby into the bassinet. Shortly thereafter, Ms. Velma Aiken arrived, and Defendant explained she needed to take the baby for a temperature check. Both Ms. Mobley and Ms. Aiken noticed Defendant carried a bag. Ms. Aiken joked that the nurse might be kidnapping the baby. This comment prompted Ms. Mobley to call the nursery to check on her baby. The authorities were notified when the baby could not be located.

Mr. Rodney McKean, JSO investigator, described the overwhelming nature of the initial investigation, relating that for the “first couple of months, everybody in the office worked on that case. . . . it required every single detective to abandon whatever they were doing and essentially track down each one of [the] leads.” Mr. McKean confirmed both local and federal authorities, including JSO, the Florida Department of Law Enforcement (FDLE), and the Federal Bureau of

Investigation (FBI), undertook extensive investigation into the kidnapping, although he could not quantify a monetary expenditure related to same. When the kidnapping occurred, Mr. McKean worked the case as a homicide detective. Subsequently, he worked for twelve years as the lead detective on the case as part of JSO's cold case unit. He explained that after he left the unit, this case was passed on to other detectives, who continued to work on it until Miss Mobley was recently found.

III. Sentencing Considerations

“The primary purpose of sentencing is to punish the offender” and “[t]he penalty imposed should be commensurate with the severity of the convicted offense and the circumstances surrounding the offense.” Fla. R. Crim. P. Rule 3.701(b)(2)-(3) (1998). Under section 787.01(2), Florida Statutes (1998), kidnapping is a first degree felony, punishable by life. Pursuant to the sentencing guidelines in place at the time of this crime, Defendant scored 50.7-84.5 months' incarceration. In exchange for Defendant waiving the upper end of the guideline score, the State agreed to allow Defendant to enter a plea of guilty to the Court for a sentencing range of zero to twenty-two years on Count One and zero to five years on Count Two. This negotiated plea bargain provides the basis for a sentence which departs from the guideline score. See § 921.0016, Fla. Stat. (1997). In determining Defendant's specific sentence within the negotiated range, the Court weighed the totality of the circumstances in this case, and also found instructive the pertinent, though non-exhaustive, aggravating and mitigating factors set forth in section 921.0016, Florida Statutes (1997). See Banks v. State, 732 So. 2d 1065, 1068 (Fla. 1999).

a. Aggravating Factors

At the sentencing hearing, the State argued that Defendant's crimes were heinous,

atrocious, and cruel. Although section 921.0016(3)(b) includes this language, the factor instructs that the offense is “one of violence *and* [] committed in a manner that was *especially* heinous, atrocious, or cruel.” (emphasis added). Here, no violence was associated with Miss Mobley’s kidnapping and, although the Court is sympathetic that to a victim’s family any kidnapping is especially cruel, the manner in which Defendant executed this kidnapping was not accomplished through the use of violence. See Bellamy v. State, 677 So. 2d 390, 391-92 (Fla. 2d DCA 1996).

However, Ms. Shanara Mobley suffered unusual psychological trauma due to Defendant’s kidnapping her newborn baby, which resulted in discernible physical expressions. See § 921.0016(3)(l); Harris v. State, 531 So. 2d 1349, 1349 (Fla. 1988). Ms. Mobley testified that she experienced nightmares, depression, crying spells, and thoughts of suicide, and self-medicated to deal with those symptoms. She became an angry person and had trouble having relationships. Ms. Mobley also felt the compulsion to keep having more babies in order to try to reach the “high” she felt when she gave birth to Kamiyah and to replace what she had lost.

Both Miss Kamiyah Mobley and Ms. Shanara Mobley were especially vulnerable victims. See § 921.0016(3)(j). This is obvious as it relates to newborn Kamiyah. As to Ms. Mobley, she was sixteen-years old and had just given birth; she was physically weakened by the experience and under the effects of medication. Defendant’s testimony indicates she recognized and took advantage of these vulnerabilities. She testified that Ms. Mobley’s youth was part of the reason she felt taking the baby was the right thing to do.

At the time of Kamiyah’s birth, Mr. Craig Aiken was incarcerated. Jail officials notified him that Ms. Mobley had given birth, but that the baby had been kidnapped. Mr. Aiken always felt that he and his family were suspects. His mother, Ms. Aiken, echoed this sentiment. He thought about his missing child every day and would make efforts to celebrate her birthday with

Ms. Mobley every year. Each day of the eighteen years that Defendant kept her secret, Ms. Shanara Mobley and Mr. Craig Aiken continued to suffer the loss of their child.

Although not planned in advance, Defendant took calculated, deliberate steps on July 10, 1998, and for the next eighteen years, to execute and conceal her crime. Prior to taking the baby, Defendant spent several hours with Ms. Mobley, determined she was young and unsure of herself, and made the decision that taking the baby was the right thing to do. To execute her crime, Defendant lied to Ms. Mobley about having to take the baby for a temperature check and then concealed the baby in her bag. In pleading guilty, Defendant acknowledged this crime continued from July 10, 1998 to July 9, 2016. For those eighteen years, Defendant sustained the daily deception that Miss Mobley was her daughter, Alexis Manigo. To this end, Defendant created false documentation, including a birth certificate, a hospital card, and a social security card, to conceal Miss Mobley's true identity.

Until recently, Mr. Charles Manigo believed Miss Mobley was his biological daughter. Although his relationship with Defendant ended when Miss Mobley was about three months old, he provided financial support¹ for her and helped to raise her. Having learned that Miss Mobley was kidnapped, Mr. Manigo feels like he has lost a daughter.

b. Mitigating Factors

Although Defendant did not initiate contact with the authorities, prior to her arrest, she did encourage Miss Mobley to provide a DNA sample. Defendant testified that Miss Mobley wanted her to run away to avoid arrest; however, Defendant chose to face the truth. She has confessed to this crime and has pleaded guilty as charged in the information. See § 921.0016(4)(i). Defendant accepted responsibility for her actions, which eliminated the need for

¹ The Court does not consider any uncharged crimes alleged by Mr. Manigo in sentencing Defendant. See Williams v. State, 193 So. 3d 1017, 1019 (Fla. 1st DCA 2016).

a trial.

No testimony or evidence was presented that this kidnapping was anything but an isolated and aberrant incident in Defendant's history. Since the time of the instant offense in 1998, Defendant has spent considerable time working and volunteering in her church and her community at large. Reverend Sheri White testified that, in addition to other roles at Buckhead United Methodist Church, Defendant had served as its youth coordinator for three years, with very positive results. Defendant also volunteered with various veterans' associations and organized fundraising events to support college scholarships. Defendant is thought of as a caretaker by her family and has been helpful to her aging parents, her grandchildren, and others in need. Mr. Antoine Bolden and Mr. Andre Bolden describe her as a hard-working, loving, and fair parent, and both sons still have a very close relationship with her.

Defendant's parents and sons each testified to Miss Mobley's upbringing. All agreed that Defendant provided a positive and stable home for her and that Defendant and Miss Mobley have always had a strong, loving relationship. Miss Mobley was a happy, healthy child; she was well cared for, was never abused or excessively punished, was always enrolled in school, and never wanted for anything. Defendant's husband, Mr. Wernoskie Williams, who has known Miss Mobley since she was about eight or nine years old, testified similarly.

Miss Kamiyah Mobley recognizes that Defendant committed a crime and some punishment will be imposed. However, she maintains no ill will toward Defendant; rather, Miss Mobley has sympathy and forgiveness for her. Miss Mobley feels Defendant was a "great mother" and although "what she did was wrong," she was given "the best life." Def. Ex. 4.²

Defendant is remorseful for the suffering she has caused the Mobley and Aiken families,

² Defense Exhibit 4 includes five news articles containing statements made by Miss Kamiyah Mobley, which were tendered in lieu of her live testimony.

and acknowledges the selfish nature of her actions. She thought many times over the years about returning Miss Mobley; however, she had grown to love her, and the fear of returning her was crippling. Defendant recognizes her actions deprived Miss Mobley's biological family of eighteen years of love and memories, and that punishment is warranted for her crime.

IV. Conclusion

This crime does appear to be an aberration in Defendant's character, as the vast majority of testimony presented indicates Defendant is a good person, hard worker, loving mother, and active and beneficial member of her community. However, Defendant's actions vastly impacted the lives of the Mobley and Aiken families every day for eighteen years, and will continue to have negative ramifications for her own family and for Miss Kamiyah Mobley for years to come. The Court has carefully assessed the totality of circumstances in this case, and has considered the testimony of witnesses presented on behalf of the State and Defense, Defendant's testimony, the arguments of counsel, and the pre-sentence investigation report in determining Defendant's sentence.

Accordingly, it is:

ORDERED AND ADJUDGED that Defendant, Gloria B. Williams, is hereby sentenced as follows:

1. Defendant is adjudicated guilty of Kidnapping (Count One), a first-degree felony punishable by life, and is sentenced to a term of eighteen (18) years in Florida State Prison;
2. Defendant is adjudicated guilty of Interference with Custody (Count Two), a third-degree felony, and sentenced to a term of five (5) years in Florida State Prison;
3. The sentence in Count Two is to run concurrently to the sentence in Count One; and
4. Defendant shall receive 511 days credit toward her sentences on each Count.

DONE at Jacksonville, Duval County, Florida this 8th day of June, 2018.


MARIANNE L. AHO
Circuit Judge

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