

5047

STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS
2nd AMENDED AFFIDAVIT VIOLATION OF PROBATION

Docket #: F13-29726
DC#: M94499
NAME: BARBARA STONE
Judge/Division: COLODNY/21

Before me this day personally appeared NAKESHA L. TUCKER who, being first duly sworn says that **BARBARA STONE**, hereinafter referred to as the offender was sentenced in accordance with the provisions of Chapter 948, Florida Statutes, as follows:

Offense Date	Offense	Sentence Date	County	Case Number	Supervision Length
12/19/2013	CUSTODY/INTERFER W	09/11/2015	MIAMI-DADE	F13-29726	003Y 00M 00D

Affiant states that the offender was instructed on the conditions of Probation on October 20, 2016 by Officer Nakesha Tucker

Affiant further states that the offender has not properly conducted herself, but has violated the conditions of her Probation in a material respect by:

~~Violation of Special Condition (23) of the Order of Probation, by failing to comply with the plea agreement condition 4-b. the defendant shall not file any documents in the pending guardianship case, or any other court of competent jurisdiction, concerning her mother, or any parties /participants unless said documents are filed by and through an attorney licensed to practice in the State of Florida, and as grounds for belief that the offender violated her probation, Officer Nakesha Tucker states that the offender submitted a letter to Linda Kearon, General Counsel on August 27, 2016.~~

~~Violation of Special Condition (23) of the Order of Probation, by failing to comply with the plea agreement condition 4-b. the defendant shall not file any documents in the pending guardianship case, or any other court of competent jurisdiction, concerning her mother, or any parties /participants unless said documents are filed by and through an attorney licensed to practice in the State of Florida, and as grounds for belief that the offender violated her probation, Officer Nakesha Tucker states that the offender submitted an email to Liz Consuegra Messianu, attorney ad litem on August 30, 2016.~~

~~Violation of Special Condition (23) of the Order of Probation, by failing to comply with the plea agreement condition 4-c. the defendant shall not either directly or indirectly, write (or contribute) on any blog, internet source, and/or other social media, and/or communicate to any third parties, about her mother, or any parties/participants (including Judge Michael Genden, Probate Judge)/ counsel [who have appeared] in Case No. 2012-4330-GD-02, and as grounds for belief that the offender violated her probation, Officer Nakesha Tucker states that the offender submitted a blog/review on September 9, 2016.~~

Docket #: F13-29726

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Additional allegations:

Violation of Condition (1) of the Order of Probation, by failing to report to the probation officer as directed, in that, on October 20, 2015, the offender was instructed by Officer Nakesha Tucker to report to the probation office no later than the 5th day of each of every month, and as grounds for belief that the offender violated his probation, Officer Nakesha Tucker states that the offender failed to report as directed, since August 2, 2016.

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.



Officer, NAKESHA L. TUCKER

THIS AFFIDAVIT MUST BE NOTARIZED OR ATTESTED TO UNDER S. 117.10 OR 92.50, Florida Statutes


Sworn to and subscribed before me this 14th (day) of October (month), A.D. 2016 (year) by

Nakesha Tucker, who is **personally known to me** or has produced identification

Signature of Attesting Officer Under S. 117.10, Florida Statutes _____

Title: _____

OR

Notary Public 

State of Florida at Large for Broward County

Approved by supervisor:  Date: 10/19/16

954-924-3800 / tucker.nakesha@mail.dc.state.fl.us

Officer Telephone/E-Mail Address



DEBORAH A. MILLER
MY COMMISSION # EE 844182
EXPIRES: November 11, 2016
Bonded Thru Budget Notary Services

STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS
ADDENDUM TO VIOLATION REPORT DATED September 12, 2016

****Report Contains Confidential Information****

Date: 10/10/2016
To: Honorable Judge YVONNE COLODNY
NAME: BARBARA STONE
Circuit: HOLLYWOOD
Case No: 1329726
Scheduled Termination Date: 09/10/2018

Mandatory Retaking From: _____
From: TUCKER, NAKESHA L
DC NO: M94499
UC No:

REQUESTING

Warrant for Arrest Requested

TYPE OF REPORT

Non-Compliance with Conditions

LOCATION

At Large	Current Address	101 N. OCEAN DRIVE
		ROOM 752
		HOLLYWOOD , FL 33019-1728

1) HOW VIOLATION OCCURRED:

Violation of Special Condition (23) of the Order of Probation, by failing to comply with the plea agreement condition 4-b. the defendant shall not file any documents in the pending guardianship case, or any other court of competent jurisdiction, concerning her mother, or any parties /participants unless said documents are filed by and through an attorney licensed to practice in the State of Florida, and as grounds for belief that the offender violated her probation, Officer Nakesha Tucker states that the offender submitted a letter to Linda Kearon, General Counsel on August 27, 2016.

Violation of Special Condition (23) of the Order of Probation, by failing to comply with the plea agreement condition 4-b. the defendant shall not file any documents in the pending guardianship case, or any other court of competent jurisdiction, concerning her mother, or any parties /participants unless said documents are filed by and through an attorney licensed to practice in the State of Florida, and as grounds for belief that the offender violated her probation, Officer Nakesha Tucker states that the offender submitted an email to Liz Consuegra Messianu, attorney ad litem on August 30, 2016.

Violation of Special Condition (23) of the Order of Probation, by failing to comply with the plea agreement condition 4-c. the defendant shall not either directly or indirectly, write (or contribute) on any blog, internet source, and/or other social media, and/or communicate to any third parties, about her mother, or any parties/participants (including Judge Michael Genden, Probate Judge)/ counsel [who have appeared] in Case No. 2012-4330-GD-02, and as grounds for belief that the offender violated her probation, Officer Nakesha Tucker states that the offender submitted a blog/review on September 9, 2016.

Circumstances: On August 27, 2016, the offender submitted the attached letter to Linda Kearon, General Counsel regarding her mother H [REDACTED] S [REDACTED] which is direct violation of her plea agreement signed on September 11, 2016.

On August 30, 2016, the offender submitted the attached email to Attorney Ad Litem Liz Messianu.

On September 9, 2016 the offender submitted the attached blog/review.

Barbara Stone
Case # F13-19726
Violation report continued

Additional allegations:

Violation of Condition (1) of the Order of Probation, by failing to report to the probation officer as directed, in that, on October 20, 2015, the offender was instructed by Officer Nakesha Tucker to report to the probation office no later than the 5th day of each of every month, and as grounds for belief that the offender violated his probation, Officer Nakesha Tucker states that the offender failed to report as directed, since August 2, 2016.

Circumstances: On October 20, 2016, the offender was instructed to report to the probation office no later than the 5th day of each and every month. As of October 10, 2016, the offender has failed to report to probation since August 2, 2016.

2) OFFENDER STATEMENT:

No statement has been obtained from the offender.

3) HISTORY OF SUPERVISION:

Current Community Supervision History

Offense Date	Offense	Sentence Date	County	Case Number	Supervision Length
12/19/2013	INTERFERS W/CUSTODY CHILD UN	09/11/2015	MIAMI-DADE	1329726	003Y 00M 00D

Prior Community Supervision History

Offense Date	Offense	Sentence Date	County	Case Number	Supervision Length
NO PRIOR HISTORY OF SUPERVISION					

PRIOR VIOLATION OF SUPERVISION:

Date of Violation	Type of Violation	Date of Disposition	Disposition of Violation
NO PRIOR VIOLATION OF SUPERVISION			

RESIDENCE: XX STABLE UNSTABLE ABSCONDED

101 N. OCEAN DRIVE
ROOM 752
HOLLYWOOD , FL 33019-1728

Resides with: ALONE

EMPLOYMENT: RETIRED/DISABLED

NO EMPLOYMENT HISTORY

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Case # F13-19726
Violation report continued

RESTITUTION:

Case Number	Payee Name	Original Obligation	Current Balance	Last Payment Amount	Date

NO RESTITUTION ORDERED					

COURT COSTS/FINES:

Case Number	Payee Name	Original Obligation	Current Balance	Last Payment Amount	Date

NO COURT COSTS/FINES ORDERED					

OTHER:

Payee Name	Original Obligation	Current Balance	Last Payment Amount	Date

DC DRUG TESTING	\$30.00	\$.00	\$1.09	02/11/2016
COST OF SUPERVISION	\$3733.92	\$2655.31	\$41.41	06/22/2016
SURCHARGE	\$149.36	\$106.21	\$1.66	06/22/2016

PUBLIC SERVICE WORK:

Monthly minimum
Hours Required Hours Ordered Hours Worked Hours Remaining

NO PUBLIC SERVICE HOURS ORDERED

TREATMENT STATUS:

(Summary of offender's current and prior participation in treatment, educational, and vocational programs):

Treatment Date	Program Description	Termination Date	Status	Termination Reason

11/16/2015	[REDACTED]	05/29/2016	COMPLETED	SUCCESSFUL

STATUS OF OTHER SPECIAL CONDITIONS:

Case Number	Special Condition	Begin Date	Due Date	End Date	Status

1329726	[REDACTED]	09/11/2015	09/10/2018	10/31/2015	COMPLETED
1329726	MAY APPLY FOR EARLY TERM	09/11/2015	09/10/2018		NOT COMPLETED
1329726	ABIDE BY CONIDITIONS OF PLEA	09/11/2015	09/10/2018		NOT COMPLETED

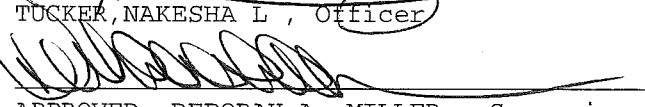
4) RECOMMENDATION:

This officer respectfully request Your Honor issue a warrant for the offender's arrest. On September 11, 2016, the offender was sentenced to three (3) years probation with the special condition she would comply with the plea agreement. On August 27, 2016, the offender allegedly violated the plea agreement. If the offender should plea to or if she is found to be in violation by the court this officer respectfully recommends her probation is reinstated and modified to 180 days Miami-Dade County Jail followed by community control with all the same terms and conditions.

The foregoing is true and correct to the best of my knowledge and belief.



TUCKER, NAKESHA L , Officer



APPROVED: DEBORAH A. MILLER , Supervisor