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STATE OF FLORIDA,

Plaintiff,

v.

EVAN JAMES LEONARD,

Defendant.

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

Case No. 2018-MM-12776

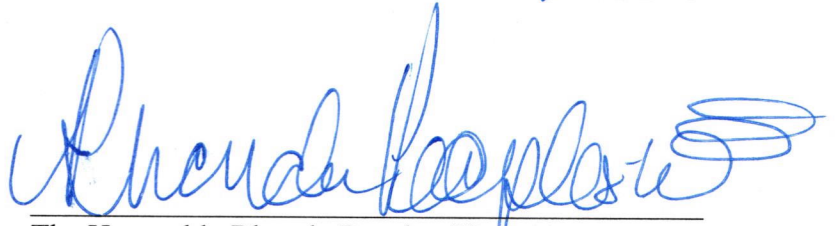
**ORDER RESOLVING THE  
DEFENDANT'S MOTION FOR POSTCONVICTION RELIEF**

THIS CAUSE is before the Court pursuant to the Defendant's Florida Rule of Criminal Procedure 3.850 motion. The matter was set for an evidentiary hearing on October 7, 2022. However, at the beginning of the hearing, the parties announced that they had reached the following proposed resolution: (1) the May 7, 2019, judgment will be vacated, the State will reduce the charge in this case from domestic battery to simple battery (pursuant to section 784.03(1), Florida Statutes), adjudication of guilt will be withheld, and the sentencing conditions imposed as part of the May 7, 2019, judgment are reimposed – and the amended judgment will reflect that the Defendant has already completed all of the sentencing conditions; and (2) the Defendant's rule 3.850 motion will be dismissed with prejudice. After the Court was informed of this proposed resolution, the Court inquired as to why the Court should accept the resolution, and the parties explained that: (1) the victim had been contacted and does not object to the resolution; (2) the State believes that the Defendant has a meritorious rule 3.850 claim; and (3) there are mitigating circumstances that support the proposed resolution. After giving this matter careful consideration, and after hearing the explanation provided by the parties, the Court ultimately agreed to accept the parties' proposed resolution at the October 7, 2022, hearing.

Accordingly, it is **ORDERED AND ADJUDGED** that:

- (1) The May 7, 2019, judgment is vacated;
- (2) An amended judgment will be rendered consistent with the terms of the parties' resolution (i.e., the terms set forth above); and
- (3) The Defendant's rule 3.850 motion is dismissed with prejudice.

**DONE AND ORDERED** in Chambers in Duval County, Florida, this 10<sup>th</sup> day  
of October, 2022.

  
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The Honorable Rhonda Peoples-Waters

xc: Assistant State Attorney Randolph Lee McKinnie Jr.  
Michael Ufferman, Esquire  
Don Pumphrey, Esquire