

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA**

STATE OF FLORIDA,
Plaintiff,

v.

Division F9

Case No. 53-2015-CF-009491-A0XX-XX

VICTORIA C. COLLINS,
Respondent.

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**STIPULATED FINAL ORDER PARTIALLY GRANTING AND PARTIALLY
DENYING DEFENDANT'S MOTION FOR POSTCONVICTION RELIEF**

THIS CAUSE came on for hearing before this Court on December 3, 2025, on Defendant's *Amended Motion for Postconviction Relief* filed on March 24, 2022, and this Court's order granting an evidentiary hearing as to ten of the thirteen claims enunciated therein, by order rendered September 27, 2024. The State is represented by Assistant State Attorney Victoria Avalon, and Defendant was present at the hearing and represented by retained counsel Michael Ufferman, Esq. At Hearing, the Court learned that the State and defense have reached a negotiated agreement to dispose of the postconviction motion.

Pursuant to the agreement of the parties as memorialized in the *Felony Plea Form* entered this date, the State stipulates to postconviction relief as to Defendant's eighth claim only, specifically as to count 1 of the indictment, for first degree murder. In return for this concession, Defendant

voluntarily dismisses her remaining pending claims as to count 1, and all pending claims as to counts 2-5 of the indictment, as provided in Fla. R. Civ. P. 1.420(a). The State stipulated to vacatur of judgment and sentence as to count 1 without agreeing to ineffective assistance on the part of either trial counsel, and in return Defendant agreed to enter, and has entered, her plea of no contest as to the reduced charge in count 1 of second degree murder, a first degree felony punishable by life imprisonment. The Court will enter sentence consistent with the terms as set forth in the *Felony Plea Agreement* filed in open court on December 3, 2025 as to the lesser-included charge in count 1, and leave counts 2-5 undisturbed.

Based upon the above and foregoing, **IT IS**, therefore, **CONSIDERED** and **ADJUDGED**:

1. Defendant's *Amended Motion for Postconviction Relief* filed on March 24, 2022 should be, and the same hereby is, **GRANTED** as to Claim 8 only, relating to count 1 of the indictment, First Degree Murder, only. Judgment and Sentence in Count 1, First Degree Murder, should be and the same hereby is, **VACATED**.

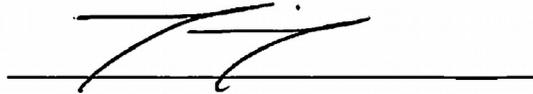
2. As to all remaining claims, Defendant's *Amended Motion for Postconviction Relief* filed on March 24, 2022 should be, and the same hereby is **DENIED** on stipulation of the parties.

3. Upon Defendant's plea of no contest to the lesser charge of Second Degree Murder on the parties' agreement, Defendant will be adjudicated guilty and resentenced as to Count 1 consistent with the *Felony Plea Form* filed in open court on December 3, 2025 and a new written judgment and sentence will be entered as to Count 1 only.

4. Defendant has thirty days to appeal this order to the district court of appeal, should she wish.

DONE and **ORDERED** at Bartow, Polk County, Florida on Wednesday, December 3, 2025.

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A handwritten signature in black ink, appearing to be 'Kevin Abdoney', written over a horizontal line.

Kevin Abdoney, Circuit Judge
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cc: Assistant State Attorney Victoria Avalon
Mr. Michael Ufferman, Esq., Counsel for Defendant
Florida Department of Corrections