

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

STATE OF FLORIDA

DIVISION: F9

VS

CASE NO: 53-2015-CF-009491-A000-XX

VICTORIA CATHERINE COLLINS

RECEIVED AND FILED

DEC 03 2025

STACY M. BUTTERFIELD, CLERK

FELONY PLEA FORM

I, the above-named defendant, understand that I have been charged with the following crimes:

53-2015-CF-009491-A000-XX

First Degree Murder

Tampering with Physical Evidence

Petit Theft (3 counts)

Capital Felony, Life in state prison

3d Deg. Felony, CPC Lv. 3, \$5000 fine

First Deg. MM, CPC Lv. M, \$1000 fine

I understand that I could be subject to the following SPECIAL DESIGNATIONS or ENHANCEMENTS.

10/20/L

HVFO

Repeat Sex Batt.

PRR

3X

AM Elig.

HO

VCC

VFOSC

I understand fully the charge(s) to which I am pleading guilty/no contest as set out below:

Counts 2-5 will not change as Defendant has expired sentences in them.

State to nolle prosequi counts: _____

I will plea to a lesser/stipulated lesser **included offense of SECOND DEGREE MURDER, a first degree felony punishable by life imprisonment, CPC IV. 10, \$10,000 fine, of count 1, First Degree Murder.**

Check appropriate line:

1. (a) I am pleading guilty.

(b) I am pleading nolo contendere, and by so doing acknowledge that I feel it is in my best interest to do so.

2. (a) I am pleading to the above identified charges above pursuant to a plea agreement and the terms of that agreement are set forth below:

(b) I admit violation(s) of probation/community control in the above identified cases with the terms of disposition set forth below.

3. Defendant is eligible for the SAO Drug Diversion Program

FSP **20.5 years**

-Followed By-

PROBATION **9.5 years**

COUNTY JAIL _____ days

COMMUNITY CONTROL _____ months

DRUG OFFENDER PROBATION (DOP) _____ months. (I agree that I meet the requirements for DOP as set out in 948.20)

MENTAL HEALTH PROBATION _____ months

If my plea calls for me to be sentenced to community control or any form of probation, I must perform all conditions as directed by my supervising officer or the court. I understand that in addition to all the standard conditions of supervision set out in 948.03, FS, and in the standard order of probation or order of community control (948.01(1)(b), FS), I shall have the following special conditions to be performed as set out below:

- I shall be confined to the County Jail for a term of _____ days. Weekend Work Release;
- I shall have no contact with **Michelle Kalen or Elaine Cemonuk**. No contact means either directly or indirectly, including through any third person;
- Within 60 days I shall show proof to my supervising officer that I have a high school diploma. If I do not have a diploma, I shall enroll in and attend a GED program, full-time school or a special educational or training program. I shall follow all program rules and complete such program to the best of my ability and in any case no later than 4 months prior to the termination of my supervision. I agree that there is a nexus for this condition.
- I shall perform **100** hours of community service at a minimum rate of **8** hours per month. However, all hours must be completed within 4 months of the end of my supervision. **Community Service will be performed consistent with my medical condition;**
- I shall abide by a curfew of 10 PM to 6 AM daily unless directed otherwise by the Court. I understand that my officer is authorized by the Court to modify my curfew to accommodate my work schedule. It is my responsibility to provide proof of employment hours as directed.
- If my sentence includes a violation of probation/ community control, any prior special conditions of my existing supervision shall carry forward to any new supervision I may receive and I waive a re-reading of those special conditions.
- I shall pay for and attend the _____ within four months;
- I shall be required to pay for any drug/alcohol testing that may be ordered during this supervision.
- I shall submit my person, property, place of residence, vehicle or personal effects to a warrantless search at any time, by any probation or community control officer or any law enforcement officer when the law enforcement officer has reasonable suspicion to search;
- I shall consume no alcohol, nor be in possession of alcohol, nor associate with persons who use alcohol, nor frequent places where the service or sale of alcohol is the main source of business;

The following special DRUG/ALCOHOL conditions of Probation/Community Control shall apply as follows:

- I shall not use any illegal drugs, be in possession of illegal drugs, associate with persons who use drugs or frequent places where illegal drugs are used;
- I must undergo a Drug and Alcohol evaluation within 60 days and, if treatment is deemed necessary, I must successfully complete the treatment within nine months but in no case less than four months prior to termination of my supervision. I further understand that I am responsible for the payment of any costs incurred while receiving said evaluation and treatment;
- I shall submit to urinalysis, breathalyzer, or blood tests at any time as ordered by the court or as requested by my officer or the professional staff of any treatment center where I am receiving treatment to determine the possible use of alcohol, drugs or controlled substances. These will be at my expense unless my officer waives payment;

Special Terms or Conditions of Disposition: The State of Florida stipulates to postconviction relief requested in Defendant's currently-active motion for postconviction relief filed under Fla. R. Crim. P. 3.850 as to the 8th claim only, relating to Count 1, First Degree Murder, only. The State does not stipulate to a finding of ineffective assistance as to Trial Counsel, Ms. McCabe and Mr. Uccello. In

return, Defendant voluntarily dismisses her other postconviction claims as to Court 1, and all claims as to counts 2-5 of the indictment. The State stipulates to vacatur of sentence in Court 1, First Degree Murder. In return, Defendant agrees to enter her plea of no contest to Second Degree Murder. Defendant will receive credit for all time actually served in jail and in prison to date of sentence. As to Court 1, the Court will impose sentence of TWENTY POINT FIVE (20.5) YEARS of incarceration in the custody of the Florida Department of Corrections, to be followed by NINE POINT FIVE (9.5) YEARS OF PROBATION under the supervision of the Florida Department of Corrections. While on probation, Defendant will perform 100 hours of community service, consistent with any medical limitations she may have, and may buy out hours at a rate established by the presiding judge; she will submit to and pay for a mental health evaluation and comply with any treatment recommended by the evaluator, and she will have no contact with Elaine Cemonuk or Michelle Kalen. All monetary obligations from Defendant's original sentencing will carry over. The State does not object to the Department of Corrections performing mammography for Defendant on a yearly basis during her remaining incarceration.

4. Guidelines Rule/Statute: 10/1/98 applies. This plea anticipates that defendant will score less than 360 total Sentence Points. If not, the scoresheet may be corrected and any plea entered will stand.

This is a disposition slightly below the Criminal Punishment Code lowest permissible sentence and represents a departure via negotiated plea agreement.

Guidelines do not apply _____.

I agree to pay all mandatory and discretionary fines and other costs and restitution as a condition of probation/community control or otherwise, as set forth beginning on page four (4) of this agreement. Any additional conditions of Probation/Community Control are up to the Court.

STATEMENT OF ASSISTANT STATE ATTORNEY

I hereby state that any discovery available at this stage in the proceedings has been made available to the defendant or the defendant's attorney. I am not personally aware of any physical evidence the DNA testing of which may exonerate the defendant.

September 19, 2025

DATE



ASSISTANT STATE ATTORNEY

STATEMENT OF RIGHTS

5. I understand that I have a right to plead not guilty and the right to be tried by a jury to determine whether I am guilty or not guilty. I understand what a jury trial is and that I can help select my jurors and have a right to require all jurors to agree on a verdict.
6. I understand that I have the right to be represented by an attorney at the trial and that if I cannot afford one, the Court will appoint an attorney to represent me.
7. I understand that I have the right to compel the attendance of witnesses on my own behalf, the right to confront and cross examine all witnesses testifying against me, and the right to testify, or to remain silent and have the jury instructed that my silence cannot be used against me.
8. I understand that if I plead guilty or nolo contendere, there will be no trial and I waive all rights that go along with a trial.
9. I understand that if I plead guilty or nolo contendere without reserving the right to appeal, I am waiving my right to appeal all matters relating to the judgment including the issue of my guilt or innocence.
10. I understand that if I plead guilty or nolo contendere and that if I am not a United States citizen I will be subject to deportation.
11. I understand that after entering a plea the judge may ask me questions and if my answers are not true, it could lead to a perjury prosecution.
12. I understand that if the charge to which I am pleading is a drug related offense or other enumerated offense, my driver's license could be suspended or revoked.

13. I understand that if I am pleading to or have ever been convicted of a qualifying sexual offense, or if I have been designated a sexual predator, I will be subject to mandatory electronic monitoring pursuant to Section 948.30(3), Florida Statutes, if conditions therein are met.
14. I understand that if I am pleading to or have ever been convicted of a sexually motivated crime, I could be subject to civil commitment as a sexually violent predator pursuant to Chapter 394, Florida Statutes, upon release from any prison or jail sentence now or hereafter imposed in this or any future cases.
15. I understand that if I plead guilty or nolo contendere to a DUI/BUI offense, certain mandatory sentence requirements may apply, including but not limited to additional costs and fines, driver's license suspension or revocation, DUI school, and the use of an ignition-interlock device, at my expense.
16. I am not under the influence of drugs, or alcoholic beverages or medication to the extent that it impairs my understanding of this plea.
17. I understand that if I am sentenced to probation or community control for a qualifying offense committed on or after March 12, 2007, or have previously been convicted of a qualifying offense, or have previously been designated as a Habitual Violent Felony Offender, a Three Times Violent Felony Offender, or a Sexual Predator, and then violate my probation or community control, I may be held without bond and be subject to sentencing as a Violent Felony Offender of Special Concern. FS 948.06
18. I am not suffering from any mental illness which would impair my understanding of this plea.
19. I certify that no one has promised me anything or threatened or coerced me in any way in order to get me to enter this plea, and I am pleading freely and voluntarily.
20. I certify that I have discussed the charges with my attorney including the maximum and minimum penalties and possible defenses and am satisfied with the representation of my attorney.
21. I understand that any representation by my attorney or anyone else as to the amount of gain time I may earn on my sentence or as to how much of my sentence I will actually serve is only as estimate and is not a promise or guarantee. I understand that this plea agreement is not contingent upon any such representation and that I will not be able to withdraw from this agreement or otherwise challenge my conviction or sentence, if the representation is in fact inaccurate or incorrect.
22. I understand that if I plead guilty or nolo contendere and I was under the age of 18 at the time of the offense, I may be eligible for juvenile sentencing sanctions and by entering into this agreement I specifically waive my right to be considered for such juvenile sanctions and I further waive the statutory findings required by Chapters 39 or 985, Florida Statutes.
23. I understand that if I fail to timely appear for my Pre-Sentence Investigation interview or Sentencing or if I commit a new crime supported by probable cause prior to sentencing, my plea will stand but the sentencing agreement is void and I may then receive the maximum sentence authorized by law.
24. I understand that I may be required to submit blood or other biological specimens to the Florida Department of Law Enforcement DNA Database per FS 943.325.
25. I understand that pursuant to FS 775.089 I will be required to pay RESTITUTION as part of my sentence or as a condition of probation or community control to each victim who suffered damage or loss payable to these individuals or companies: \$n/a
Based on my ability to pay, I agree that I can pay restitution at a minimum rate of \$n/a per month with the full amount due no later than four months before termination of my supervision.
26. In addition to restitution, I understand that some or all of the costs and fines indicated in paragraphs (1) through (26) below will be assessed against me on each case to which I have plead guilty or no contest, as part of my sentence or as a condition of probation or community control, and I agree to pay them as directed by the Court. I understand that some of the costs or fines indicated below are mandated by statute and must be imposed, and that I may not contest the assessment or amount of these mandatory costs and fines nor any statutory changes in these amounts that may be enacted by the time I enter my plea. I further understand that some of the costs and fines are discretionary and may be imposed against me by the Court. I understand that I have a right to a hearing with regard to the assessment or amount of discretionary costs or fines. By this agreement I do expressly agree to the imposition of all discretionary costs or fines imposed upon me by the Court and waive my right to contest the assessment or amount of all discretionary costs or fines.

Fines and costs are set forth below (additional cost or fines will apply to DUI/BUI charges):

- (1) ~~\$n/a~~ MANDATORY FINE(S) FS 316.193(2)(b) (DUI); FS 327.35(BUI); FS 893.135 (Drug Trafficking); FS 828.12 (Animal Cruelty); FS 775.0835 (Death or Injury) DISCRETIONARY FINE(S) UP TO COURT in amount(s) per count not exceeding \$15,000 (LF), \$10,000 (F1 or F2), \$5,000 (F3), \$1,000 (M1) and \$500 (M2) FS 775.083
- (2) 5% surcharge on FINE(S) FS 938.04, FS 960.21
- (3) \$3 FS 938.19 (Teen Court) and \$15.00 FS 943.325 for DNA collection
- (4) \$50 FS 938.03 (Crimes Compensation Trust Fund)
- (5) \$225 FS 938.05 (Criminal Justice Trust Fund) (FELONY), OR \$60 FS 938.05 (Criminal Justice Trust Fund) (MISDEMEANOR OR CRIMINAL TRAFFIC)
- (6) \$65 FS 939.185 (1)(a) (Law Library, Teen Court, Legal Aid, Court and Local Funding)
- (7) \$50 (Felony) or \$20 (Misdemeanor) FS 775.083(2) (Crime Prevention Programs)
- (8) ADDITIONAL \$0 per case payable to SAO (Cost of Prosecution) FS 938.27(8). (In addition to the minimum \$100 per case). I understand this amount may be increased in response to requests I or my attorney may make in negotiating this agreement. Additionally, \$100 per case payable to SAO (Cost of Prosecution) for a violation of probation. Further, I may be required to pay all or part of these costs in advance. I understand this amount is a part of the final plea agreement and I hereby agree to this stipulated amount without further hearing. I understand that any amounts paid to the State Attorney before or after entry of this plea are not refundable.

FELONY SUB-TOTAL w/o FINE: \$513 MISD. SUB-TOTAL w/o FINE: \$318 (MINIMUMS)

- (9) \$5 FS 938.01 (Clearing Trust Fund) (if adjudicated guilty)
- (10) \$2 FS 938.15 (Criminal Justice Education Fund)(Polk County Code 2.203)(if adjudicated guilty)
- (11) \$20 Crime Stoppers Trust Fund surcharge on FINE(S) FS 938.06
- (12) \$15 County Alcohol/Drug Abuse Trust Fund FS938.13, Polk County Ord 90-05, 98-64
- (13) ~~\$n/a~~ INVESTIGATIVE COSTS payable to PCSO FS 938.27 _____
- (14) ~~\$n/a~~ EXTRADITION COSTS payable to PCSO FS 938.27 (file affidavit)
- (15) \$151 Child Advocacy Trust Fund FS 938.10(1) on a per count basis.
- (16) \$151 Rape Crisis Program Trust Fund. FS938.085 (eff Crimes committed after 7/1/03) for violations of FS 784.011, 784.021, 784.03, 784.041, 784.045, 784.48, 784.07, 784.08, 784.081, 784.082, 784.083, 784.085, 787.01(3), 787.02(3), 787.025, 787.06, 787.07, 794.05, 794.08, 794.011, 796.03, 796.035, 796.04, 796.045, 796.05, 796.06, 796.07(2) (a)-(d) and (i), 800.03, 800.04, 810.14, 810.145, 812.135, 817.025, 825.102, 825.1025, 827.071, 836.10, 847.0133, 847.0135(2), 847.0137, 847.0145, 943.0435(4) (c), (7), (8), (9) (a), (13), and (14) (c), 985.701(1) and any DV defined in 741.28 on a per count basis.
- (17) \$201 Domestic Violence Trust Fund Surcharge FS 938.08 applies to same crimes as para (15) on a per count basis.
- (18) \$250 Wildlife Violation Surcharge FS 372.7015
- (19) If court determines Defendant is presently able to pay and payment will not prevent rehabilitation or restitution, an amount up to the amount of fine(s) Alcohol & Drug Abuse Program FS 938.21
- (20) \$100 FDLE Operating Trust Fund FS 938.055 for non-trafficking drug violations of FS 893.13
- (21) \$5000 FS 796.07(6) Mandatory Civil Penalty for violation of FS 796.07(2f)
- (22) \$15 FS 938.18(13)(a)(Surcharge on Traffic Fines) plus \$3 FS 318.18(17) for ch. 316 violations
- (23) \$100(Felony) or \$50(Misd/Traff) for PD or CrtApptAtty Fee if applicable FS938.29(Minimum)
- (24) \$50 Application Fee for Public Defender or Court Appointed Attorneys, if applicable FS27.52
- (25) The Court may reserve the Jurisdiction to impose a Civil Restitution Lien pursuant to FS960.291, et seq for damages or losses to victims or to the State of Florida or its local subdivisions
- (26) If placed on any form of community supervision, costs of supervision and rehabilitation of \$30 per month payable to the Department of Corrections will be assessed in addition to \$30 or \$50 for electronic monitoring, if ordered, \$1 (First Step) if ordered, and \$2 (FDOC) Training Costs) FS 948.09 and FS 948.03 and Admin Order 2-64-0

STATEMENT OF DEFENDANT AND ATTORNEY

I, the above-named defendant, acknowledge that I have had the opportunity to review this agreement with my attorney. I understand its terms and that I have had the opportunity to discuss with my attorney the possibilities of DNA testing. I understand I have a right to have counsel investigate my case prior to trial including an opportunity to obtain more detailed discovery from the State. Considering my desire to accept this early disposition offer, I hereby waive any objection I may have to more detailed discovery and a more thorough investigation of my case and as to the possible existence of any DNA evidence. I waive my right to require the state to produce DNA evidence, and I waive my right to have any such DNA evidence tested and/or I am personally unaware of any physical evidence the DNA testing of which may exonerate me. I agree with all representations made by my attorney below.

9/19/25
DATE

Victoria C Collins
DEFENDANT

STATEMENT OF ATTORNEY

I, as the attorney for the above-named Defendant, state that I have reviewed this plea form with my client and, to the best of my knowledge and belief, the Defendant fully understands its contents. I further acknowledge that I have reviewed with my client, the discovery made available by the state, including any items of physical evidence contained therein or the lack thereof, and that I am personally unaware of items of physical evidence the DNA testing of which may exonerate my client. I have explained the effect of this plea agreement and of the waiver signed above including the effect of waiving the right to have more detailed discovery and the right to have any physical evidence tested for DNA evidence.

12/3/25
DATE

[Signature]
ATTORNEY FOR DEFENDANT
Michael Offerman