IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

STATE OF FLORIDA, **CASE NO: 2022-CF-009607-A-O**

Plaintiff, **OSP No.: 2022-266-ORL**

vs.

JERRY FOSTER,

Defendant.
_____/

PETITION TO ENTER PLEA OF GUILTY / PLEA AGREEMENT

1. My name is Jerry Foster and I acknowledge that I am the Defendant charged in the above-styled criminal case.

2. I am represented by a lawyer, Alexander Pearson, Esquire.

3. I wish to withdraw my plea of not guilty and plead guilty to: Count 1: False Affirmation in Connection with Election; and Count 2: Voting by Unqualified Elector.

4. I understand that Counts 1 and 2 are each third degree felonies, and each is punishable by up to five (5) years in the Department of Corrections and a $5,000 fine.

5. I have told my lawyer all the facts and circumstances about the charges against me. I believe that my lawyer is fully informed on all such matters. My lawyer has counseled and advised me on the nature of each charge; on any and all lesser included charges; on all possible defenses that I might have in this cause; and on all the penalties that might be imposed if convicted.

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FILED IN OPEN COURT 10-23-24
Clerk, Cir. Ct., Orange Co., FL
By _____ D.C.

not under the influence of any alcoholic beverage, drug or medicine at the time I sign this plea agreement. My physical and mental health is presently satisfactory.

11. No one has made any promise, assurance or guarantee to me that I would receive any consideration in exchange for pleading guilty other than as set out in this plea agreement.

12. I declare that no one has subjected me to any force, duress, threats, intimidation or pressure to compel or induce me to enter a plea of guilty.

13. I am entering this plea with the understanding that I may serve every day of the sentence I am agreeing to in this plea agreement. Although I may have received advice or opinions as to the potential for some type of early release, I hereby acknowledge under oath that I have not relied upon those opinions or that advice as an inducement to enter this plea.

14. I believe that my lawyer has done all that a competent attorney could to counsel and assist me. He has answered all my questions about this case to my satisfaction and I AM SATISFIED WITH THE ADVICE AND HELP HE HAS GIVEN ME.

15. I understand that if I am not a United States citizen, this criminal proceeding could cause me to be deported to the country of my origin.

16. I understand that if I fail to pay any fines or costs as ordered by the Court, there will be a lien placed against me.

17. I understand that I waive my right to appeal any rulings of the Court made previously in this case except as specifically stated herein.

18. I understand I have the right to appeal the judgment and sentence of the Court within thirty (30) days from the date of sentence. I understand that any appeal must be in writing. I understand that if I wish to take an appeal and cannot afford an attorney to help in my appeal, the

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such an offense, then my plea may subject me to involuntary civil commitment as a sexually violent predator. **(Florida law requires that this warning be given to all defendants in all cases but also provides that it shall not be necessary for the trial judge to determine whether the present or prior offenses were sexually motivated in this respect.)**

CERTIFICATE OF COUNSEL

The undersigned, as attorney and counselor for the Defendant, hereby certifies as follows:

1. To the best of my knowledge and belief the statements, representations and declarations made by the Defendant in this petition are voluntary and in all respects accurate and true. He fully understands them.

2. I have read and fully explained to the Defendant the allegations contained in the Information as well as the maximum and minimum penalties.

3. I have conducted a complete and adequate investigation of the facts of this case and have researched the legal issues presented in this case.

4. Having discussed this matter fully with the Defendant, it is my opinion that he is mentally and physically competent and possesses no mental or physical condition which would affect his understanding of these proceedings. I have no reason to believe that he is operating under the influence of drugs or alcohol.

PLEA AGREEMENT

The Defendant, and the State, pursuant to the provisions of Fla.R.Crim.P. 3.171, agree

7. Should the Defendant violate his community control or probation, he affirmatively agrees that he shall be sentenced pursuant to the criminal punishment code.

8. The Defendant affirmatively agrees not to request that the Court impose a sentence lower than the sentence outlined above.

9. Both the State and the Defendant understand that the trial judge has the ultimate responsibility for the sentence the defendant actually receives and that the recommendations made above are not binding on the trial judge unless adopted thereby. The Defendant shall not be entitled to withdraw his plea of guilty in the event that the trial judge imposes a sentence different from that recommended above unless the Judge has agreed to the above sentence.

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ORDER ACCEPTING PLEA

Based upon the sworn testimony of the Defendant and other information provided in Open Court and the factual information contained in the Court file, the court finds that the Defendant's plea, as outlined above, was freely, knowingly and voluntarily entered by the Defendant, and that there exists a sufficient factual basis to support the plea. Further, the Court makes an affirmative finding that said offense occurred in two or more judicial circuits in the State of Florida as a part of a related transaction or said offense was connected with an organized criminal conspiracy affecting two or more judicial circuits in the State of Florida. It is, therefore,

ORDERED AND ADJUDGED that the Defendant's Plea is accepted.

DONE AND ORDERED at Orlando, Orange County, Florida, this 23rd day of Oct.

_____, 2024.

HON. ROBERT EGAN
Circuit Judge