

State v. Jonathan Bleiweiss: (09-14422CF10A; 09-15777CF10A; 09-16345CF10A; 09-16755CF10A; 09-17147CF10A; 09-18120CF10A; 09-19917CF10A; 09-20250CF10A)

Agreed Order Re: Motion to Modify Defendant's Sentence, Agreement Not to Seek Involuntary Civil Commitment Under the Jimmy Ryce Act and Clarify Sentence as to Factual Basis of Defendant's Plea, State's Position Regarding State's Intent to Not Seek Involuntary Hospitalization Under Jimmy Ryce Act and Not Seek Sex Offender Registration

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY FLORIDA

STATE OF FLORIDA,

Plaintiff,

v.

JONATHAN BLEIWEISS

Defendant.

CASE NO.: 09-14422CF10A  
09-15777CF10A  
09-16345CF10A  
09-16755CF10A  
09-17147CF10A  
09-18120CF10A  
09-19917CF10A  
09-20250CF10A✓

JUDGE: HAURY

**STIPULATED ORDER RE: MOTION TO MODIFY DEFENDANT'S SENTENCE,  
AGREEMENT NOT TO SEEK INVOLUNTARY CIVIL COMMITMENT UNDER THE  
JIMMY RYCE ACT AND CLARIFY SENTENCE AS TO FACTUAL BASIS OF  
DEFENDANT'S PLEA, STATE'S POSITION REGARDING STATE'S INTENT TO NOT  
SEEK INVOLUNTARY HOSPITALIZATION UNDER JIMMY RYCE ACT AND NOT  
SEEK SEX OFFENDER REGISTRATION**

THIS CAUSE having come to be considered on the Stipulated Motion to Modify Defendant's Sentence, Agreement Not to Seek Involuntarily Civil Commitment Under the Jimmy Ryce Act and Clarify Sentence as to Factual Basis of Defendant's Plea, State's Position Regarding State's Intent to Not Seek Involuntary Hospitalization Under Jimmy Ryce Act and Not Seek Sex Offender Registration in the above styled matter. The Office of the State Attorney in and for the Seventeenth Judicial Circuit ("State") and Defendant hereby agree that upon the Defendant's voluntarily withdrawal of his Motion to Vacate Plea, dated February 10, 2017, the State and Defendant jointly request:

(A) That the State, by and through the Chief of the Sexual Battery Unit, Assistant

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State Attorney Neva Rainford Smith, and the Chief of the Jimmy Ryce Litigation Unit, Assistant State Attorney Tara Sullivan, hereby agree that the State will not seek commitment or involuntary hospitalization of the Defendant, Jonathan Bleiweiss, in any of the listed cases: 09-14422-CF-10-A, 09-15777-CF-10-A, 09-16345-CF-10-A, 09-16755-CF-10-A, 09-17147-CF-10-A, 09-18120-CF-10-A, 09-19917-CF-10-A, and 09-20250-CF-10-A, despite whatever the Florida Department of Corrections or Florida Department of Children and Families recommends regarding Jimmy Ryce Act prosecution and placement.

(B) Similarly, the State, by and through the Chief of the Sexual Battery Unit, Assistant State Attorney Neva Rainford Smith, hereby stipulates that upon the Defendant's change of plea in all related case numbers mentioned above, it was never the State's intention that the Defendant ever be subject to the requirements of sexual offender registration requirements based upon the totality of the circumstances and the negotiated resolution of all related aforementioned cases listed above. Both parties agree that the resolution of the aforementioned cases include factual predicates devoid of a sexual component. *See Raines v. State*, 805 So.2d 999, 1003 (Fla. 4<sup>th</sup> DCA 2001).

(C) The Defendant and State stipulate and agree that all fines imposed at sentencing as outlined in the aforementioned dispositions are hereby waived. The Defendant is no longer legally responsible for paying any of the fines and

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should not be prejudiced by any previous failures to pay them. The requirement of payment of court costs in each case referenced hereinabove remains intact.

**DONE AND ORDERED** in Chambers/Open Court, Fort Lauderdale, Broward County, Florida this 22 day of May, 2018.

  
**THE HONORABLE WILLIAM W. HAURY, JR.**  
CIRCUIT COURT JUDGE

cc: Richard A. Merlino, Esquire  
Joel Silvershein, ASA  
Neva Rainford Smith, ASA