

# **CERTIFICATION OF SENTENCE FOR DEPARTMENT OF CORRECTIONS**

**STATE OF FLORIDA  
COUNTY OF ST. JOHNS**

I, BRANDON J. PATTY, Clerk of Court, Seventh Judicial Circuit, in and for St. Johns County, Florida, DO HEREBY CERTIFY that above and foregoing is a true and correct copy of:

UNIFORM COMMITMENT TO DEPARTMENT OF CORRECTIONS  
JUDGMENT AND SENTENCE  
SENTENCING GUIDELINES SCORE SHEET  
INFORMATION  
PROBABLE CAUSE AFFIDAVIT  
RESTITUTION ORDER  
VICTIM NOTIFICATION SHEET

ALL IN THE CASE OF: **STATE OF FLORIDA**

**vs.**

**AIDEN SEAN FUCCI**

**CASE: 21000825CFMA  
DIVISION: 56**

as the same appears of record in the office of the Clerk of Circuit Court, St. Johns County, Florida, in the public records of St. Johns County, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this Friday, Friday, March 24th, 2023.



BRANDON J. PATTY  
Clerk of the Circuit Court and Comptroller

By:

DEPUTY CLERK

**STATE OF FLORIDA  
UNIFORM COMMITMENT TO CUSTODY  
OF DEPARTMENT OF CORRECTIONS**

The Circuit Court of St Johns County in the Fall Term, 2022, in the case of:

**STATE OF FLORIDA**

**VS**

**AIDEN SEAN FUCCI**

Defendant

**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA, TO THE SHERIFF  
OF SAID COUNTY AND THE DEPARTMENT OF CORRECTIONS OF SAID STATE,  
GREETING:**

The above named defendant having been duly charged with the offense specified herein in the above styled Court, and having been duly convicted and adjudged guilty of and sentenced for said offense by Court, as appears from the attached certified copies of Indictment/Information, Judgment and sentence, and Felony Disposition and Sentence Data form which are hereby made parts hereof:

Now therefore, this is to command you, the Sheriff, to take, keep and within a reasonable time after receiving this commitment, safely deliver the said defendant, together with any pertinent Investigation Report prepared in this case, into custody of Department of Corrections of the State of the Florida: and this is to command you, the said, Department of Corrections, by and through your Secretary, Regional Directors, Superintendents, and other officials, to keep and safely imprison the said defendant for the term of said sentence in the institution in the state correctional system to which you, the said Department of Corrections, may cause the said defendant to be conveyed or thereafter transferred. And these presents shall be your authority for the same. Herein fail not.

WITNESS the Honorable R. LEE SMITH,

Judge of Said Court, as also Brandon J. Patty, Clerk,

and the Seal thereof, this Friday, March 24th, 2023.

BRANDON J. PATTY, Clerk of the Circuit Court and Comptroller



By:  
Deputy Clerk

—

IN THE CIRCUIT COURT  
OF THE SEVENTH JUDICIAL CIRCUIT  
IN AND FOR ST. JOHNS COUNTY

State of Florida

Division: 56

**vs.**

**AIDEN SEAN FUCCI**

Defendant

SSN [REDACTED]

**JUDGMENT**

The defendant, AIDEN SEAN FUCCI, being personally before this court represented by ROSEMARIE E WRIGHT PEOPLES, the attorney of record, and the state represented by JENNIFER LYNNE DUNTON, and having entered a plea of guilty to the following crime(s):

Count	Crime	Offense Statute	Deg of Crime		Case Number	OBTS
1	FIRST DEGREE MURDER	782.04 1a & 775.087 1	C	F	21000825CFMA	

☒ and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the defendant is hereby ADJUDICATED GUILTY of the above crime(s).

☒ and being a qualified offender pursuant to s. 943.325, the defendant shall be required to submit DNA samples as required by law.

☐ and good cause being shown, IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD.

DONE AND ORDERED in open court in St. Johns County, Florida this Friday, March 24th, 2023.











  
R. LEE SMITH, Circuit Court Judge

THE STATE OF FLORIDA

VS

FUCCI, AIDEN SEAN

CASE #: 21000825CFMA

RIGHT THUMB	RIGHT INDEX	RIGHT MIDDLE	RIGHT RING	RIGHT LITTLE
				
LEFT THUMB	LEFT INDEX	LEFT MIDDLE	LEFT RING	LEFT LITTLE
				

FINGERPRINTS TAKEN BY: B. BELOIT, Badge 3531 DEPUTY SHERIFF / COURT OFFICER. I HEREBY CERTIFY that the above and foregoing are the fingerprints of the defendant, FUCCI, AIDEN SEAN, and that they are placed thereon by said defendant in my presence this 24th day of March, 2023.

  
Deputy Sheriff / Court Officer

# SENTENCE

(As to Count I )

The defendant, being personally before this court, accompanied by ROSEMARIE E WRIGHT PEOPLES, the defendant's attorney of record, and having been adjudicated guilty herein, and the court having given defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause bring shown (check one if applicable)

- ☐ and the Court having on \_\_\_\_\_ deferred imposition of sentence until this date.
- ☐ and the Court having previously entered a judgment in this case on \_\_\_\_\_ now resentsences the defendant.
- ☐ and the Court having placed defendant on probation/community control and having subsequently revoked the defendant's probation/community control. \_\_\_\_\_

## It Is the Sentence of the Court That:

- ☐ The defendant pay a fine of \$\_\_\_\_\_, pursuant to section 775.083, Florida Statutes, plus \$\_\_\_\_\_ as the 5% surcharge required by section 938.04, Florida Statutes
- ☒ The defendant is hereby committed to the custody of the Department of Corrections.
- ☐ The defendant is hereby committed to the custody of the Sheriff of St. Johns County, Florida.
- ☐ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

## To Be Imprisoned (Check one; unmarked sections are inapplicable):

- ☒ For a term of natural life.
- ☐ For a term of \_\_\_\_\_ as to each count above.
- ☐ Said SENTENCE SUSPENDED for a period of \_\_\_\_\_ subject to conditions set forth in this order.

## If "split" sentence, complete the appropriate paragraph.

- ☐ Followed by a period of \_\_\_\_\_ of Community Control under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.
- ☐ However, after serving a period of \_\_\_\_\_ imprisonment in, \_\_\_\_\_ the balance of the sentence shall be suspended and the defendant shall be place on probation/community control for a period \_\_\_\_\_ of under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

# SPECIAL PROVISIONS

(As to Count I )

By appropriate notation, the following provisions apply to the sentence imposed:

## Mandatory/Minimum Provisions:

- |  |                          |  |
|--|--------------------------|--|
| Firearm  | <input type="checkbox"/> | It is further ordered that the 3-year minimum imprisonment provisions of section 775.087(2), Florida Statutes, is hereby imposed for the sentence specified in this count.<br>_____  |
| Drug Trafficking                                 | <input type="checkbox"/> | It is further ordered that the _____ mandatory minimum imprisonment provision of section 893.135(1), Florida Statutes, is hereby imposed for the sentence specified in this count.<br>_____  |
| Controlled Substance (within 1000 ft. of school) | <input type="checkbox"/> | It is further ordered that the 3-year minimum imprisonment provision of section 893.13(1)(c)1, Florida Statutes, is hereby imposed for the sentence specified in this count. _____   |
| Habitual Felony Offender                         | <input type="checkbox"/> | The defendant is adjudicated a habitual felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084(4)(a), Florida Statutes. The requisite findings by the court are set forth in a separate order or stated on the record in open court. _____  |
| Habitual Violent Felony Offender                 | <input type="checkbox"/> | The defendant is adjudicated a habitual violent felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084(4)(b), Florida Statutes. A minimum term of _____ year(s) must be served prior to release. The requisite findings of the Court are set forth in a separate order or stated on the record in open court. _____   |
| Three-time Violent Felony Offender               | <input type="checkbox"/> | The defendant is adjudicated a three-time violent felony offender and has been sentenced to an extended term in accordance with the provisions of 775.084(4)(c), Florida Statutes. It is further ordered that the _____ year mandatory minimum imprisonment provisions of 775.084 (4)(c) is hereby imposed for the sentence specified in this count. The requisite findings of the court are set forth in a separate order or stated on the record in open court. The defendant shall be released only by expiration of sentence and shall not be eligible for parole, control release, or any form of early release.<br>_____ |
| Violent Career Criminal                          | <input type="checkbox"/> | The defendant is adjudicated a violent career criminal and has been sentenced to an extended term in accordance with the provisions of 775.084(4)(d), Florida Statutes. A minimum term of _____ years must be served prior to release. The requisite findings of the court are set forth in a separate order or stated on the record in open court. The defendant is not eligible for any form of discretionary early release, other than pardon or executive clemency, or conditional medical release pursuant to 947.149, Florida Statutes.<br>_____   |
| Law Enforcement Protection Act                   | <input type="checkbox"/> | It is further ordered that the defendant shall serve a minimum of _____ years before release in accordance with section 775.0823, Florida Statutes. _____  |
| Capital Offense                                  | <input type="checkbox"/> | First Degree Murder <b>Prior to</b> 05/25/94 and Other Capital Felonies <b>Prior to</b> 10/01/95. It is further ordered that the defendant shall serve no less than 25 years in accordance with the provisions of section 775.082(1), Florida Statutes. _____  |
|  | <input type="checkbox"/> | First Degree Murder <b>After</b> 05/25/94 and Other Capital Felonies <b>After</b> 10/01/95. It is further ordered that the defendant shall be ineligible for parole in accordance with the provisions of section 775.082(1), Florida Statutes. _____   |
| Short-Barreled Shotgun, Rifle, Machine Gun       | <input type="checkbox"/> | It is further ordered that the 5-year minimum provisions of section 790.221(2), Florida Statutes, are hereby imposed for the sentence specified in this count. _____   |
| Continuing Criminal Enterprise                   | <input type="checkbox"/> | It is further ordered that the 25-year minimum sentence provisions of section 893.20, Florida Statutes, are hereby imposed for the sentence specified in this count. _____   |

- Taking a Law Enforcement Officer's Firearm ☐ It is further ordered that the 3-year mandatory minimum imprisonment provision of section 775.0875(1), Florida Statutes, is hereby imposed for the sentence specified in this count. \_\_\_\_\_ (Offenses committed before January 1, 1994)
- Dangerous Sexual Felony Offender ☐ The Defendant is adjudicated a dangerous sexual felony offender. This finding of the court was stated in open court or set forth in a separate order. A minimum term of \_\_\_\_\_ years must be served prior to release in accordance with 794.0015(2)(e), Florida Statutes. The defendant is not eligible for gain-time or any form of discretionary early release, other than pardon, executive clemency or conditional medical release, before serving the minimum sentence. \_\_\_\_\_
- Sexual Offender ☐ It is further ordered that the defendant shall register as a sexual offender pursuant to 943.0435, Florida Statutes. \_\_\_\_\_
- Sexual Predator ☐ It is further ordered that the defendant is found to be a sexual predator pursuant to 775.21, Florida Statutes. This finding by the court is set forth in a separate order. \_\_\_\_\_

**Sexual Offender/Sexual Predator Determinations:**

- Age of Victim ☐ The victim was \_\_\_\_\_ years of age at the time of the offense.
- Age of Defendant ☐ The defendant was \_\_\_\_\_ years of age at the time of the offense.
- Relationship to Victim ☐ The defendant is not the victim's parent or guardian.
- Sexual Activity  
F.S. 800.04(4) ☐ The offense ☐ did ☐ did not involve sexual activity
- Use of Force or Coercion  
F.S. 800.04(4) ☐ The sexual activity described herein ☐ did ☐ did not involve the use of force or coercion.
- Use of Force or Coercion/unclothed Genitals  
F.S. 800.04(5) ☐ The molestation ☐ did ☐ did not involve unclothed genitals or genital area.  
☐ The molestation ☐ did ☐ did not involve the use of force or coercion.
- Criminal gang Activity ☐ The felony conviction is for an offense that was found, pursuant to section 874.04, Florida Statutes, to have been committed for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.
- Prison Releasee Re-offender ☐ The defendant is adjudicated a prison release re-offender and has been sentenced to an extended term in accordance with 775.082(9), Florida Statutes. The defendant must serve 100 percent of this sentence and shall not be eligible for parole, control release, or any form of early release. \_\_\_\_\_

**Firearm 10-20-Life:**

- Possess ☐ It is further ordered that the defendant shall served a minimum of 10 years before release in accordance with 775.087(2)(a)1, Florida Statutes. The defendant is not eligible for statutory gain-time under 944.275, Florida Statutes, or any form of discretionary early release prior to serving the minimum sentence. \_\_\_\_\_
- Discharge ☐ It is further ordered that the defendant shall served a minimum of 20 years before release in accordance with 775.087(2)(a)2, Florida Statutes. The defendant is not eligible for statutory gain-time under 944.275, Florida Statutes, or any form of discretionary early release prior to serving the minimum sentence. \_\_\_\_\_
- Death or Great Bodily Harm ☐ It is further ordered that the defendant shall served a minimum of 25 years before release in accordance with 775.087(2)(a)3, Florida Statutes. The defendant is not eligible for statutory gain-time under 944.275, Florida Statutes, or any form of discretionary early release prior to serving the minimum sentence. \_\_\_\_\_

**Other Provisions:**

- Retention of Jurisdiction ☐ The court retains jurisdiction over the defendant pursuant to Jurisdiction section 947.16(4), Florida Statutes (1983)

Jail Credit

☒ It is further ordered that the defendant shall be allowed a total of 666 days as credit for time incarcerated before imposition of this sentence.

☐ Your Driver's License is ☐Suspended ☐Revoked for \_\_\_\_ ☐Day(s)☐Month(s) ☐Year(s) ☐ Pursuant to 322.055. ☐ The Court has directed the department to issue a license for driving privileges restricted to business or employment purposes only, as defined by s. 322.271, if the person is otherwise qualified for such a license. Please know that in no case shall a restricted license be available until 6 months of the suspension of revocation period has expired.

**Other:**

☒ DEPARTMENT OF CORRECTIONS TO REVIEW AFTER 25 YEARS

☐ TIER Program.

**Restitution:**

☐ No restitution ordered.

☐ Restitution Ordered. To be paid in accordance with separate Restitution Order.

☐ Jurisdiction is reserved to determine restitution upon motion of the State.

Credit for Time Served  
In Resentencing after  
Violation of Probation  
Or Community Control

☐ It is further ordered that the defendant be allowed \_\_\_\_ days time served between the original date of arrest as a violator following release from prison to the date of re-sentencing. The Department of Corrections shall apply original jail time credit and shall compute and apply credit for time served and unforfeited gain time previously awarded on case/count \_\_\_\_ (Offenses committed before October 1, 1989).

☐ It is further ordered that the defendant be allowed \_\_\_\_ days time served between date of arrest as a violator following release from prison to the date of re-sentencing. The Department of Corrections shall apply original jail time credit and shall compute and apply credit for time served on case/count \_\_\_\_ (Offenses committed between October 1, 1989, and December 31, 1993).

☐ The Court deems the unforfeited gain time previously awarded on the above case/count forfeited under section 948.06(7).

☐ The Court allows unforfeited gain time previously awarded on the above case/count. (Gain time may be subject to forfeiture by the Department of Corrections under section 944.28(1)).

☐ It is further ordered that the defendant be allowed \_\_\_\_ days time served between date of arrest as a violator following release from prison to the date of re-sentencing. The Department of Corrections shall apply original jail time credit and shall compute and apply credit for time served only pursuant to section 921.0017, Florida Statutes, on case/count \_\_\_\_ (Offenses committed on or after January 1, 1994)

Consecutive/  
Concurrent As  
To Other Counts

☐ It is further ordered that the sentence imposed for this count shall run (check one)  
☐Consecutive to ☐ Concurrent with sentence set forth in count \_\_\_\_ of this case.

Consecutive/Concurrent  
As To Other Convictions

☐ It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run (check one) ☐ consecutive to ☐ concurrent with the following: (check one)

☐ Any active sentence being served.

☐ Specific sentences: \_\_\_\_.

In the event the above sentence is to the Department of Corrections, the Sheriff of St. Johns County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a

copy of this judgment and sentence and any other document specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing notice of appeal within 30 days from this date with the clerk of this court and the defendant's right to assistance of counsel in taking the appeal at the expense of the State on showing of indigency.

In imposing the above sentence, the court further recommends\_\_\_\_\_.

DONE AND ORDERED in open court at St. Johns County, Florida this Friday, March 24th, 2023.

  
R. LEE SMITH, Circuit Court Judge