



**RON DESANTIS**  
GOVERNOR

April 3, 2023

Warden Donald Davis  
Florida State Prison  
7819 N.W. 228th Street  
Raiford, Florida 32036-1000

Re: Execution Date for Darryl Bryan Barwick, DC# 092501

Dear Warden Davis:

Enclosed is the death warrant that I signed to carry out the sentence for Darryl Bryan Barwick, as well as certified copies of his judgment and sentence. I have designated the week beginning at 12:00 noon on Wednesday, May 3, 2023, through 12:00 noon on Wednesday, May 10, 2023, for the execution. I have been advised that you have set the date and time of execution for Wednesday, May 3, at 6:00 p.m.

This letter is incorporated into and made a part of the death warrant identified above.

Sincerely,

A large, stylized handwritten signature in blue ink, appearing to read "Ron DeSantis".

Ron DeSantis  
Governor

Enclosures

DEPT. OF STATE  
TALLAHASSEE, FL  
2023 APR -3 AM 11:57

FILED

Warden Donald Davis  
April 3, 2023  
Page 2

cc:

Honorable Carlos G. Muñiz  
Chief Justice  
Supreme Court of Florida  
500 S. Duval Street  
Tallahassee, Florida 32399

Honorable Christopher Patterson  
Chief Judge, 14th Judicial Circuit  
300 East 4th Street  
Panama City, Florida 32401

Secretary Ricky Dixon  
Department of Corrections  
501 South Calhoun Street  
Tallahassee, Florida 32399-2500

Carolyn Snurkowski  
Assistant Deputy Attorney General  
Office of the Attorney General  
The Capitol, FL-01  
Tallahassee, Florida 32300-0001

Karin Moore  
Capital Collateral Regional Counsel  
1004 DeSoto Park Drive  
Tallahassee, Florida 32301-4555

Linda McDermott,  
Assistant Federal Defender  
Office of the Federal Defender  
227 N Bronough St Ste 4200  
Tallahassee, FL 32301-1300

Michelle Whitworth  
Coordinator  
Office of Executive Clemency  
4070 Esplanade Way  
Building C, Rm. 229  
Tallahassee, Florida 32399-2450

Darryl Bryan Barwick, DC #092501  
Union Correctional Institution  
7819 N.W. 228<sup>th</sup> Street  
Raiford, Florida 32026-4000



## STATE OF FLORIDA

**ASHLEY MOODY  
ATTORNEY GENERAL**

April 3, 2023

The Honorable Ron DeSantis  
Governor  
The Capitol  
Tallahassee, Florida 32399—0001

RE: Darryl B. Barwick

Dear Governor DeSantis:

Darryl B. Barwick was found guilty of first-degree murder on November 24, 1986, for the March 31, 1986, murder of Rebecca Wendt in Bay County, Florida. Barwick was also found guilty of armed burglary, attempted sexual battery and armed robbery. He was sentenced to death for Ms. Wendt's murder on January 30, 1987, by the trial court, following the jury's 9-3 death recommendation.

The Florida Supreme Court, on direct appeal, vacated Barwick's death sentence, reversed his convictions and remanded the case to the lower court for a new trial. *Barwick v. State*, 547 So.2d 612 (Fla. 1989). On remand, Barwick was again convicted of first-degree murder, armed burglary, attempted sexual assault and armed robbery on July 9, 1992. He was sentenced to death by the trial court following the new jury's 12-0 death recommendation, on August 11, 1992. On appeal, the Florida Supreme Court affirmed his convictions and sentences on July 20, 1995. *Barwick v. State*, 660 So.2d 685 (Fla. 1995) cert. denied *Barwick v. Florida*, 516 U.S. 1097 (1996).

On March 18, 1997, Barwick filed his initial motion for post-conviction relief in the state trial court. It was amended on August 26, 2002, and April 8, 2005, and finally, denied by the trial court on August 28, 2007. He then filed an appeal and a habeas petition in the Florida Supreme Court. That court affirmed the trial court's denial of relief and denied habeas relief on June 30, 2011, in *Barwick v. State*, 88 So. 3d 85 (Fla. 2011).

Barwick filed his initial federal petition for writ of habeas corpus in the U.S. District Court for the Northern District of Florida on May 25, 2012. The federal district court denied the petition on March 19, 2014, and granted a limited request for a certificate of appealability (COA) in *Barwick v. Crews*, 2014 WL 1057088 (N.D. Fla. Mar. 29, 2014). (An expanded COA was subsequently granted on June 24, 2014).

He appealed the denial of relief to the Eleventh Circuit Court of Appeals on April 17, 2014. The Eleventh Circuit Court of Appeals affirmed the District Court's denial of relief. *Barwick v. Sec'y, Fla. Dep't of Corr.*, 794 F.3d 1239 (11<sup>th</sup> Cir. 2015) *cert. denied Barwick v. Jones*, 136 S. Ct.1714 (Mem) (2016).

Barwick filed a successive motion for post-conviction relief in the state trial court on May 2, 2017. Relief was denied on October 16, 2017. He appealed the denial of relief, and on February 28, 2018, the Florida Supreme Court affirmed the trial court's ruling. *Barwick v. State*, 237 So.3d 927 (Fla. 2018) *cert. denied Barwick v. State*, 139 S.Ct. 258 (Mem)(2018).

The record has been reviewed and there are no stays of execution issued by any court of competent jurisdiction in this case. Based upon the above-referenced summary of litigation affirming the judgment and sentence of death imposed for first-degree murder, the record is legally sufficient to support the issuance of a death warrant.

Sincerely,



Ashley Moody  
Attorney General

# DEATH WARRANT

## STATE OF FLORIDA

---

---

WHEREAS, DARRYL BRYAN BARWICK, on or about the 31st day of March, 1986, murdered Rebecca Wendt; and

WHEREAS, DARRYL BRYAN BARWICK, on the 9th day of July, 1992, was found guilty of first degree murder, armed robbery, armed burglary, and attempted sexual battery and on the 11th day of August, 1992, was sentenced to death for the murder of Rebecca Wendt; and

WHEREAS, on the 20th day of July, 1995, the Supreme Court of Florida affirmed the convictions and death sentence of DARRYL BRYAN BARWICK; and

WHEREAS, on the 30th day of June, 2011, the Supreme Court of Florida affirmed the trial court order denying DARRYL BRYAN BARWICK's initial Motion for Postconviction Relief and denied his Petition for Writ of Habeas Corpus; and

WHEREAS, on the 19th day of March, 2014, the United States District Court for the Northern District of Florida denied DARRYL BRYAN BARWICK's federal Petition for Writ of Habeas Corpus, and granted on one issue his Application for Certificate of Appealability, and on the 21st day of July, 2015, the United States Court of Appeals for the Eleventh Circuit affirmed the district court's denial of his habeas petition; and

WHEREAS, further postconviction motions and petitions filed by DARRYL BRYAN BARWICK have been denied and the denial affirmed on appeal; and

WHEREAS, executive clemency for DARRYL BRYAN BARWICK, as authorized by Article IV, Section 8(a), of the Florida Constitution, was considered pursuant to the Rules of Executive Clemency, and it has been determined that executive clemency is not appropriate; and


WHEREAS, attached hereto is a certified copy of the record of the conviction and sentence pursuant to section 922.052, Florida Statutes.

NOW, THEREFORE, I, RON DESANTIS, as Governor of the State of Florida and pursuant to the authority and responsibility vested in me by the Constitution and Laws of

Florida, do hereby issue this warrant, directing the Warden of the Florida State Prison to cause the sentence of death to be executed upon DARRYL BRYAN BARWICK, in accordance with the provisions of the Laws of the State of Florida.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capital, this 3rd day of April, 2023

  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE

FILED  
2023 APR -3 AM 11:57  
DEPARTMENT OF STATE  
TALLAHASSEE, FL

g 1

- COMMUNITY CONTROL VIOLATOR
  - PROBATION VIOLATOR
- (Check if Applicable)

IN THE CIRCUIT COURT, FOURTEENTH  
 JUDICIAL CIRCUIT, IN AND FOR  
BAY COUNTY, FLORIDA

STATE OF FLORIDA

— VS —

DARRYL BARWICK  
 Defendant

DIVISION G-FOSTER  
 CASE NUMBER 86-940

FILE# 92-32875  
 BAY COUNTY, FLORIDA

\*\* OFFICIAL RECORDS \*\*  
 BK 1387 PG 834

# JUDGMENT

The Defendant, DARRYL BARWICK, being personally before this Court  
 represented by HONORABLE ROBERT ADAMS, his attorney of record, and having:

- (Check Applicable Provision)
- Been tried and found guilty of the following crime(s)
  - Entered a plea of guilty to the following crime(s)
  - Entered a plea of nolo contendere to the following crime(s)

COUNT	CRIME	OFFENSE STATUTE NUMBER(S)	DEGREE OF CRIME	CASE NUMBER
I	MURDER IN THE FIRST DEGREE	782.04	CAPITAL	86-940
II	BURGLARY WHILE ARMED WITH BATTERY	810.02	PBL 1°	86-940
III	ATTEMPTED SEXUAL BATTERY	777.04 , 794.011	2°F	86-940
IV	ARMED ROBBERY	812.13	PBL 1°	86-940

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

The Defendant is hereby ordered to pay the sum of twenty dollars (\$20.00) pursuant to F.S. 960.20 (Crimes Compensation Trust Fund). The Defendant is further ordered to pay the sum of three dollars (\$3.00) as a court cost pursuant to F.S. 943.25 (4). PLUS \$200.00 PURSUANT TO F.S. 27.3455.

- (Check if Applicable)
- The Defendant is ordered to pay an additional sum of two dollars (\$2.00) pursuant to F.S. 943.25 (8). (This provision is optional; not applicable unless checked).
  - The Defendant is further ordered to pay a fine in the sum of \$ \_\_\_\_\_ Pursuant to F.S. 775.0835. (This provision refers to the optional fine for the Crimes Compensation Trust Fund, and is not applicable unless checked and completed. Fines imposed as part of a sentence pursuant to F.S. 775.083 are to be recorded on the Sentence page(s).)
  - The Court hereby Imposes additional court cost in the sum of \$ \_\_\_\_\_
  - The Court has determined the defendant to be indigent and waived costs described in this section as provided in Chapter 27.3455.

A CERTIFIED TRUE COPY  
 BILL KINSAUL CLERK  
 OF THE CIRCUIT COURT  
 By Michelle L. James  
 Deputy Clerk

Imposition of Sentence  
Stayed and Withheld  
(Check if Applicable)



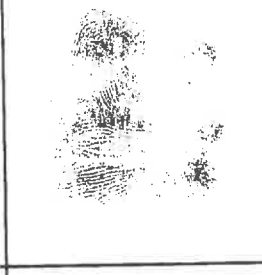

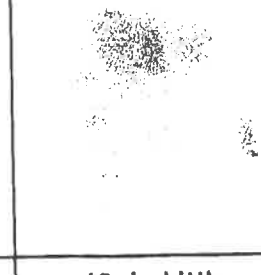


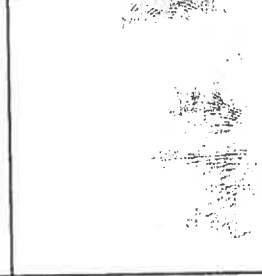

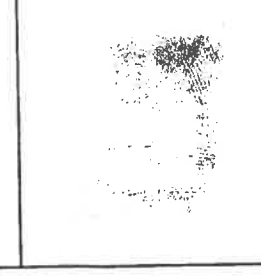
The Court hereby stays and withholds the imposition of sentence as to count(s) \_\_\_\_\_ and places the Defendant on Probation/Community Control for a period of \_\_\_\_\_ under the supervision of the Department of Corrections (conditions of probation/community control set forth in separate order).

Sentence Deferred  
Until Later Date  
(Check if Applicable)

The Court hereby defers imposition of sentence until \_\_\_\_\_ (date)

The Defendant in Open Court was advised of his right to appeal from this judgment by filing notice of appeal with the Clerk of Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised to his right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

FINGERPRINTS OF DEFENDANT

1. R. Thumb	2. R. Index	3. R. Middle	4. R. Ring	5. R. Little
				
6. L. Thumb	7. L. Index	8. L. Middle	9. L. Ring	10. L. Little
				

Fingerprints taken by:

Rubie A. Plummer Bailiff  
Name and Title

DONE AND ORDERED in Open Court at PANAMA CITY, BAY County, Florida, this 11th day of AUGUST, AD., 19 92. I HEREBY CERTIFY that the above and foregoing fingerprints are the fingerprints of the Defendant, DARRYL BARWICK and that they were placed thereon by said Defendant in my presence in Open Court this date.

Clinton E. Foster  
CIRCUIT JUDGE

CLINTON E. FOSTER



A CERTIFIED TRUE COPY  
BILL KINSAUL CLERK  
OF THE CIRCUIT COURT  
By [Signature]  
Deputy Clerk

Barwick, Darryl



Defendant DARRYL BARWICK  
Case Number 86-940

# SENTENCE

\*\* OFFICIAL RECORDS \*\*  
BK 1387 PG 836

(As to Count I)

The Defendant, being personally before this Court, accompanied by his attorney, ROBERT ADAMS, and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no cause being shown,

and the Court having on \_\_\_\_\_ deferred imposition of sentence until this date. (date)

(Check EITHER provision if applicable)  and the Court having placed the Defendant on probation/community control and having subsequently revoked the Defendant's probation/community control by separate order entered herein,

### IT IS THE SENTENCE OF THE LAW that;

The Defendant pay a fine of \$ \_\_\_\_\_, plus \$ \_\_\_\_\_ as the 5% surcharge required by F.S. 960.25.

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 \_\_\_\_\_ County, Florida (Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

For a term of Natural Life

For a term of DEATH

For an indeterminate period of 6 months to \_\_\_\_\_ years.

Followed by a period of \_\_\_\_\_ on probation/community control under the supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

However, after serving a period of \_\_\_\_\_ imprisonment in \_\_\_\_\_ the balance of such sentence shall be suspended and the Defendant shall be placed on probation/community control for a period of \_\_\_\_\_ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

If "split" sentence complete EITHER of these two paragraphs

### SPECIAL PROVISIONS

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

*Firearm - 3 year mandatory minimum*

It is further ordered that the 3 year minimum provisions of F.S. 775.087 (2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.

*Drug Trafficking mandatory minimum*

It is further ordered that the \_\_\_\_\_ year minimum provisions of F.S. 893.135(1)( ) are hereby imposed for the sentence specified in this count.

*Retention of Jurisdiction*

The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of \_\_\_\_\_. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

*Habitual Offender*

The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084 (4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

*Jail Credit*

It is further ordered that the Defendant shall be allowed a total of \_\_\_\_\_ credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

*Consecutive/Concurrent*

It is further ordered that the sentence imposed for this count shall run  consecutive to  concurrent with (check one) the sentence set forth in count \_\_\_\_\_ above.

OFFICIAL COURT REPORTER  
BAY COUNTY, FLORIDA  
BILL KINSAUL CLERK OF THE CIRCUIT COURT  
By [Signature]  
001-235

Defendant DARRYL BARWICK  
Case Number 86-940

\*\* OFFICIAL RECORDS \*\*  
BK 1387 PG 837

# SENTENCE

(As to Count II)

The Defendant, being personally before this Court, accompanied by his attorney, ROBERT ADAMS, and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no cause being shown,

and the Court having on \_\_\_\_\_ deferred imposition of sentence until this date. (date)

(Check EITHER provision if applicable)

and the Court having placed the Defendant on probation/community control and having subsequently revoked the Defendant's probation/community control by separate order entered herein,

### IT IS THE SENTENCE OF THE LAW that;

The Defendant pay a fine of \$ \_\_\_\_\_, plus \$ \_\_\_\_\_ as the 5% surcharge required by F.S. 960.25.

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 \_\_\_\_\_ County, Florida (Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

For a term of Natural Life

For a term of \_\_\_\_\_ years.

For an indeterminate period of 6 months to \_\_\_\_\_ years.

Followed by a period of \_\_\_\_\_ on probation/community control under the supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

If "split" sentence complete EITHER of these two paragraphs

However, after serving a period of \_\_\_\_\_ imprisonment in \_\_\_\_\_ the balance of such sentence shall be suspended and the Defendant shall be placed on probation/community control for a period of \_\_\_\_\_ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

### SPECIAL PROVISIONS

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

*Firearm - 3 year mandatory minimum*

It is further ordered that the 3 year minimum provisions of F.S. 775.087 (2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.

*Drug Trafficking mandatory minimum*

It is further ordered that the \_\_\_\_\_ year minimum provisions of F.S. 893.135(1)( ) are hereby imposed for the sentence specified in this count.

*Retention of Jurisdiction*

The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of \_\_\_\_\_. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

*Habitual Offender*

The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084 (4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

*Jail Credit*

It is further ordered that the Defendant shall be allowed a total of \_\_\_\_\_ credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

*Consecutive/Concurrent*

It is further ordered that the sentence imposed for this count shall run  consecutive to  concurrent with (check one) the sentence set forth in count I, III, & IV above.

VERIFIED TRUE COPY  
BILL KINSAUL CLERK  
OF THE CIRCUIT COURT  
By [Signature]  
Deputy Clerk

Defendant DARRYL BARWICK  
Case Number 86-940

# SENTENCE

\*\* OFFICIAL RECORDS \*\*  
BK 1387 PG 838

(As to Count III)

The Defendant, being personally before this Court, accompanied by his attorney, ROBERT ADAMS, and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no cause being shown,

and the Court having on \_\_\_\_\_ deferred imposition of sentence until this date. (date)

(Check EITHER provision if applicable)

and the Court having placed the Defendant on probation/community control and having subsequently revoked the Defendant's probation/community control by separate order entered herein,

IT IS THE SENTENCE OF THE LAW that;

The Defendant pay a fine of \$ \_\_\_\_\_, plus \$ \_\_\_\_\_ as the 5% surcharge required by F.S. 960.25.

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 \_\_\_\_\_ County, Florida (Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

For a term of Natural Life

For a term of 30 YEARS

For an indeterminate period of 6 months to \_\_\_\_\_ years.

Followed by a period of \_\_\_\_\_ on probation/community control under the supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

If "split" sentence complete EITHER of these two paragraphs

However, after serving a period of \_\_\_\_\_ imprisonment in \_\_\_\_\_ the balance of such sentence shall be suspended and the Defendant shall be placed on probation/community control for a period of \_\_\_\_\_ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

## SPECIAL PROVISIONS

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

*Firearm - 3 year mandatory minimum*

It is further ordered that the 3 year minimum provisions of F.S. 775.087 (2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.

*Drug Trafficking mandatory minimum*

It is further ordered that the \_\_\_\_\_ year minimum provisions of F.S. 893.135(1)( ) are hereby imposed for the sentence specified in this count.

*Retention of Jurisdiction*

The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of \_\_\_\_\_. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

*Habitual Offender*

The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084 (4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

*Jail Credit*

It is further ordered that the Defendant shall be allowed a total of \_\_\_\_\_ credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

*Consecutive/Concurrent*

It is further ordered that the sentence imposed for this count shall run  consecutive to  concurrent with (check one) the sentence set forth in count I, II, & IV above.

ACCEPTED TRUE COPY  
BY BILL KINSAUL CLERK  
OF THE CIRCUIT COURT  
By [Signature]  
Deputy Clerk

Defendant DARRLY BARWICK

Case Number 86-940

\*\* OFFICIAL RECORDS \*\*  
BK 1387 PG 839

# SENTENCE

(As to Count IV)

The Defendant, being personally before this Court, accompanied by his attorney, ROBERT ADAMS, and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no cause being shown,

and the Court having on \_\_\_\_\_ deferred imposition of sentence until this date. (date)

(Check EITHER provision if applicable)

and the Court having placed the Defendant on probation/community control and having subsequently revoked the Defendant's probation/community control by separate order entered herein,

### IT IS THE SENTENCE OF THE LAW that;

The Defendant pay a fine of \$\_\_\_\_\_, plus \$\_\_\_\_\_ as the 5% surcharge required by F.S. 960.25.

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 \_\_\_\_\_ County, Florida (Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

For a term of Natural Life

For a term of \_\_\_\_\_  
 For an indeterminate period of 6 months to \_\_\_\_\_ years.

Followed by a period of \_\_\_\_\_ on probation/community control under the supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

If "split" sentence complete EITHER of these two paragraphs

However, after serving a period of \_\_\_\_\_ imprisonment in \_\_\_\_\_ the balance of such sentence shall be suspended and the Defendant shall be placed on probation/community control for a period of \_\_\_\_\_ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

### SPECIAL PROVISIONS

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

*Firearm - 3 year mandatory minimum*

It is further ordered that the 3 year minimum provisions of F.S. 775.087 (2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.

*Drug Trafficking mandatory minimum*

It is further ordered that the \_\_\_\_\_ year minimum provisions of F.S. 893.135(1)( ) are hereby imposed for the sentence specified in this count.

*Retention of Jurisdiction*

The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of \_\_\_\_\_. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

*Habitual Offender*

The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084 (4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

*Jail Credit*

It is further ordered that the Defendant shall be allowed a total of \_\_\_\_\_ credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

*Consecutive/Concurrent*

It is further ordered that the sentence imposed for this count shall run  consecutive to  concurrent with (check one) the sentence set forth in count I, II, & III above.



A CERTIFIED TRUE COPY  
BILLY SAUL CLERK  
OF THE CIRCUIT COURT  
By Scholarly Thomas  
Deputy Clerk

\*\* OFFICIAL RECORDS \*\*  
BK 1387 PG 840

Defendant DARRYL BARWICK  
Case Number 86-940

*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


- consecutive to  concurrent with (check one) the following:
- Any active sentence being served.
- Specific sentences: \_\_\_\_\_

In the event the above sentence is to the Department of Corrections, the Sheriff of BAY County, Florida is hereby ordered and directed to deliver the Defendant to the Department of Corrections together with a copy of this Judgment and Sentence.

The Defendant in Open Court was advised of his right to appeal from this sentence by filing notice of appeal within thirty days from this date with the Clerk of this Court, and the Defendant's right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

In imposing the above sentence, the Court further recommends/orders \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DONE AND ORDERED in Open Court at PANAMA CITY, BAY County, Florida, this 11th day of AUGUST A.D., 1992.

  
CIRCUIT JUDGE

CLINTON E. FOSTER

A CERTIFIED TRUE COPY  
BY Harold Bazzelle CLERK  
OF THE CIRCUIT COURT  
By [Signature] DMS  
Deputy Clerk

001299