

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT  
IN AND FOR CITRUS COUNTY, FLORIDA  
CASE NO.: 2012-CF-1038

SEP- 9 11 10:46

STATE OF FLORIDA,

v.

TARA SALUTE, (41)

Defendant.

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**PETITION TO ENTER PLEA OF NOLO CONTENDERE**

COMES NOW, the Defendant, TARA SALUTE and hereby withdraws her previously tendered plea of Not Guilty and enters a plea of *Nolo Contendere* to the charge of Unlawful Sexual Activity with a Minor. By entering this plea, I understand the following:

1. I am charged in case number 2012-CF-1038 with Unlawful Sexual Activity with a Minor; the maximum possible penalty being 15 years imprisonment and/or \$10,000.00 fine.

2. I understand I may plead not guilty. I understand I have a right to (a) a speedy and public trial by jury; (b) to confront and cross-examine witnesses against me; (c) to use the power and process of the Court to compel the production of evidence including the attendance of any witness in my favor; (d) assistance of counsel at all stages; (e) to testify or not testify at my option and I understand the jury, at my request, will be told my decision not to testify may not be considered as evidence against me, and (f) to require the State to establish my guilt beyond a reasonable doubt.

3. I also understand that if I plead *nolo contendere*, the Court may impose the same punishment as if I had plead not guilty, stood trial and been convicted. I know that if I plead guilty, or if I am adjudged guilty after a plea of *nolo contendere*, there will be no further trial of any kind which means that by pleading guilty or *nolo contendere*, I waive my right to trial as set forth in paragraph 2 above.

4. I know by a plea of *nolo contendere* without specifically reserving my right to appeal, I give up my right to a direct appeal of all matters relating to my judgment and sentence, including the question of guilt or innocence. I do understand, however, that I do not give up my right to appellate review by collateral attack.

5. I understand that the trial judge may ask questions about the offense to which I am pleading, and if I answer these questions, under oath, on the record, and in the presence of counsel, the answers may later be used against me in a prosecution for perjury.

6. I understand that if I am not a United States citizen, this plea may subject me to deportation pursuant to the laws and regulations governing the United States Immigration and Naturalization Service.

7. I understand that if the offense to which I am pleading is a sexually violent offense or a sexually motivated offense, or if I have previously been convicted of such an offense, the plea may subject me to involuntary civil commitment as a sexually violent predator upon completion of my sentence.

8. I understand that if the offense to which I am pleading is one for which automatic, mandatory driver's license suspension or revocation is required by law to be

imposed (either by the court or by a separate agency), the plea will provide the basis for suspension or revocation of the driver's license.

9. The Defendant and the State, pursuant to plea negotiations and the provisions of Rule 3.171, Fla.R.Crim.P., agree as follows:

A. The Defendant shall plead *nolo contendere* to the charge of Child Abuse Without Great Bodily Harm.

B. The State and defense agree to recommend the following disposition:

- i. Withhold of adjudication of guilt; (*discretion of court*)
- ii. 3 years probation with the standard conditions;
- iii. \$398.00 court costs;
- iv. \$100.00 cost of prosecution;
- v. \$50.00 per day cost of incarceration;
- vi. \$20.00 crime stoppers trust fund;
- vii. Undergo drug and alcohol evaluation within 60 days and treatment as directed by the probation department and random screening to determine compliance with this term of probation at the direction of her probation officer and at the Defendant's own expense;
- viii. Submit two(2) samples of DNA to be registered in the FDLE DNA data bank;
- ix. No unsupervised contact with any child under the age of 18 unless related in the second degree of consanguinity until completion of drug and alcohol evaluation and treatment. Upon proof of completion of evaluation and treatment, contact shall be modified to provide that the Defendant will not be alone in the presence of any minor child not related in the second degree of consanguinity; and
- x. Defendant shall be allowed to travel to and from Marion County for her children's school, sports and extracurricular activities.

10. I am 41 years of age. My physical and mental health is presently satisfactory, and I am not under the influence of any drugs or intoxicants.

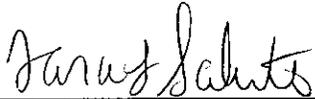
11. I declare that no one has made any promise or suggestion that I will receive a lighter sentence or any other form of leniency if I enter this plea, nor has anyone subjected me to any force, duress, threats, intimidation, or pressure to compel or induce me to enter

this plea.

12. I am represented by Attorney Denise VanNess. I have told my attorney all facts and circumstances known to me about the charges against me and I am satisfied with her representation.

13. I offer my plea of *nolo contendere* freely and voluntarily, and of my own accord with full understanding of all the matters set forth in this Petition.

DATED this 9<sup>th</sup> day of September, 2013.



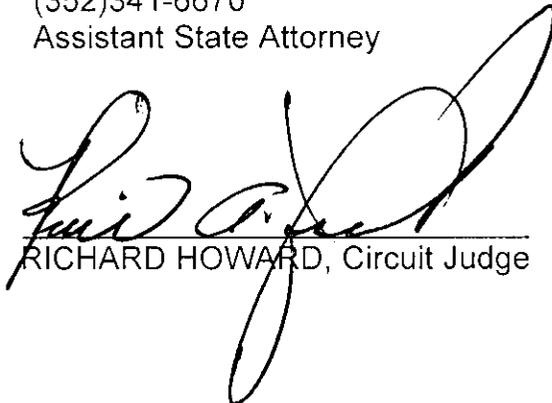
TARA SALUTE, Defendant



DENISE VANNESS, ESQ.  
VanNess & VanNess, P.A.  
Fla. Bar No.: 0845050  
1205 N. Meeting Tree Boulevard  
Crystal River, FL 34429  
(352) 795-1444  
Attorney for Defendant



BRIAN TREHY, ESQ.  
Office of the State Attorney  
Fla. Bar No.: 366579  
110 N. Apopka Ave.  
Inverness, FL 34450  
(352)341-6670  
Assistant State Attorney



RICHARD HOWARD, Circuit Judge