

**IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT  
IN AND FOR ALACHUA COUNTY, FLORIDA**

**STATE OF FLORIDA**

vs.

**CASE NO. 2024-CF-001845-A**

**ZION JAMES**  
**Defendant**  
\_\_\_\_\_ /

**MOTION FOR DOWNWARD DEPARTURE AT SENTENCING**

COMES NOW, the undersigned attorney pursuant to Sections 921.0026(2)(1) Florida Statutes moves this Honorable Court to sentence the Defendant in a manner that Departs from the Lowest Permissible Department of Correction Sentence of 82 months department of corrections with a 10-year minimum mandatory. As Grounds for this Motion, the Defendant would show.

1. Section 921.0026(2)(1), Florida Statutes permits the Court to enter a sentence that departs from the lowest permissible if the Defendant will qualify as a Youthful Offender if the Defendant is under the age of 21 at the time of sentencing. The Defendant's date of birth January 19, 2010. The Defendant is currently 15 years of age.
2. The Defendant pled to Robbery with a Firearm or Deadly Weapon, Tampering with Physical Evidence, Delivery of Cannabis, Conspiracy to commit Robbery with Firearm, and Unlawful use of Two-Way Communications Device.
3. The Defendant is facing Possible Life in Prison with the lowest permissible score of 82.050 in prison with a minimum mandatory of 10 years incarceration for Count 1 of the information.
4. The Defendant never took depositions because his posture from the onset of this case was to take full responsibility for his actions.
5. The Scoresheet supplied by the State of Florida shows that the Defendant has no prior history of violence nor criminal convictions.
6. The evidence shows that the Defendant met the victim (Wilber Aberto Perez) for an agreed upon Marijuana drug transaction. The Defendant pretended to pay for the Marijuana and then proceeded to steal the drugs and take off running to flee the area. The witnesses testified that

Ke'Mani Hill was the one that possessed the firearm and discharged the weapon that led to the death of Wilber Aberto Perez after Zion James fled the area.

7. Zion James cooperated with the State of Florida after his arrest and provided a proffer to take full responsibility for his actions. Zion was completely transparent with what happened and expressed regret with what happened with the victim Wilber Aberto Perez.
8. Zion has the support of family, friends and teachers who have taken the time to write letters to the court asking for the court to depart from the lowest permissible sentence. (see Attachments). They have highlighted examples of good character by assisting his neighbors and grandparents and with his willingness to make a positive difference in the lives of those around him.
9. The Court should also be aware that Maximum Risk Residential programs provide an alternative to the Department of corrections sentences. Youth/Defendant may remain within these Maximum Risk Residential programs until their 22<sup>nd</sup> birthday. Each facility is required to provide single-cell occupancy with the exception the youth maybe housed together during pre-release transition. The facilities offer individualized support to help students achieve their educational and career goals including high school, or equivalent diploma as well as industry-recognized credentials, and enrolling in post-secondary education at a Florida College University or Technical college. Furthermore, the program provides behavioral/mental health services which is something that Zion James would greatly benefit from.
10. The Defendant/Child in the above styled cause has no prior criminal history to this criminal charges. There is no evidence of gang membership or active participation in group criminal activity. However, during the PDR meeting, the Defendant/child admitted to regular use of marijuana starting at a very young age.
11. The Defendant/child also meets the criteria for a downward departure for when the criminal act was committed in an unsophisticated manner and was an isolated incident for which the Defendant/child has shown remorse. The Defendant grabbed the marijuana and took off running after stealing the marijuana. This quick grab and run without paying meets the criteria of a crime that was done in a unsophisticated manner. The Defendant/child provided a proffer and expressed extreme remorse about his involvement throughout this process.
12. It is the request of the Defense that he be sentenced as a youthful offender to a maximum risk program to be followed by a period of probation. The Court can also elect for the Defendant to remain at the Maximum Risk program until his 22<sup>nd</sup> birthday where the Defendant can get the treatment to work on his addiction as well as access to educational opportunities and career goals. If the court elects to sentence Mr. James to an adult facility, we are asking that he is also

sentenced as a youthful offender where he is incarcerated with a combination of adult supervision not to exceed six years under the youthful offender statute.

WHEREFORE, it is respectfully requested that this Honorable Court Grants Defendant's motion to sentence the Defendant in a manner that Departs from the Lowest Permissible Department of Correction Sentence of 82 months department of corrections with a 10-year minimum mandatory

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that true and correct copies of the foregoing were filed with the Clerk of Court and the Office of the State Attorney, ([Eservice@sao8.org](mailto:Eservice@sao8.org)), by Electronic mail, on the 6<sup>th</sup> of February 2025

PIERRE-ANTOINE LAW, P.A

By: /s/ Yvens Pierre-Antoine

YVENS PIERRE-ANTOINE

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ATTACHMENT  
LETTERS OF SUPPORT

July 4, 2024

To Whom It May Concern,

I am writing to express my enthusiastic support for Zion James, whom I have had the privilege to know since his early childhood. I believe he would benefit greatly from any opportunities for rehabilitation or support that you are able to find him in the Alachua County community.

I have been working for the Department of Defense since Zion was born and he is a part of my proverbial village. Our families have been intertwined for the last 35 years. Since about the age of eight, I have observed firsthand his dedication, integrity, and positive impact on our community. One of Zion's notable attributes is his passion for football, having played the sport for six years. This commitment reflects his discipline, teamwork skills, and ability to strive for excellence in all he undertakes.

Beyond athletics, Zion is actively involved in our community through his lawn services and fishing activities, skills and hobbies he picked up from his grandfather, whom he admires greatly. He not only demonstrates a strong work ethic and responsibility, but also shows a deep respect for nature and the environment. In fact, I trust and depend on him so much that I opted to fly him to Washington, DC to do yard work for me as opposed to relying on strangers.

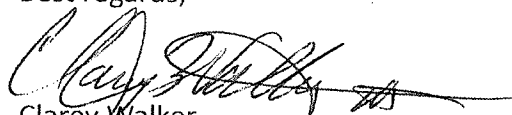
His proficiency in fishing and fish cleaning showcases his hands-on skills and attention to detail. After he catches the fish, he will often clean them for the elderly who are fortunate enough to benefit from his catch, but physically limited in their ability to put in the extra work. He does it with a smile.

What truly sets Zion apart is his compassionate nature and willingness to help others. He has consistently shown his generosity by assisting his neighbors and grandparents as they need help with things around the house. This altruistic behavior illustrates his empathy and commitment to making a positive difference in the lives of those around him.

I wholeheartedly believe Zion found himself in the wrong place, at the wrong time, with the wrong group and recommend him for a rehabilitation program. He possesses the character, skills, and determination to succeed and positively contribute to his community. I am confident that he will embrace any opportunity for growth with enthusiasm and dedication.

Please feel free to contact me at 9045354444 or [clareywalker@gmail.com](mailto:clareywalker@gmail.com) if you require any further information or clarification regarding my support for Zion James.

Best regards,

  
Clarey Walker

To Whom It May Concern:

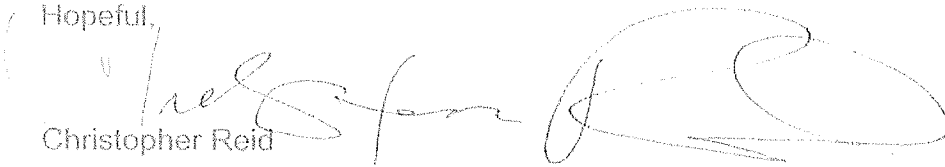
My name is Mr. Christopher Reid. I am writing today on behalf of Zion James. I have had the pleasure of knowing him for several years. He has been nothing but kind. As my former student, Zion worked hard to be successful. As my mentee, he has been nothing but respectful. Too many times, young men make a mistake and are painted as horrible humans. I can personally say that he is an amazing young man. Is he perfect? No! However, he is someone who deserves another chance. I am willing to do everything that I can to make sure he follows the straight and narrow. I ask today that you all look at him as human and understand he has never made a mistake like this before.

If you have any other questions, please feel free to reach out to me.

[rchristopher15@gmail.com](mailto:rchristopher15@gmail.com)

Hopeful,

Christopher Reid

A handwritten signature in black ink, appearing to read "Christopher Reid", written over a faint, dotted-line signature. The signature is written in a cursive style with a large, looping flourish at the end.

**To the Honorable Judge P. Pena, Prosecutor Bryan Glenn, and Public Defender Yvens Pierre Antione**

I am writing to respectfully request your consideration in offering Zion James a plea deal with a lighter sentence. First and foremost, I want to express my deepest condolences to the victim and their family. This is a tragic situation, and my thoughts are with them.

Zion was my student last year, and I had the privilege of being his mentor teacher throughout his entire three years at Lincoln. I have seen him grow and develop into a young man who genuinely cares about his education. Zion was committed to maintaining good grades, consistently striving to keep his grades at a B or higher. When his grades dropped due to missed assignments, he worked diligently to raise them back to a B or even an A.

Zion is also passionate about sports, particularly football and basketball, and enjoys spending time with his friends. I have observed him showing kindness and generosity, as he was always willing to share his snacks with both close friends and acquaintances alike. While Zion may not have been a perfect student, I can confidently say that he demonstrated compassion and empathy in my classroom.

I believe it was this compassion and empathy that led Zion to run before the murder occurred. As a young man, Zion did not know how to stop the situation once it escalated, but he took steps to distance himself and avoid being directly involved in the crime. While I fully acknowledge Zion's criminal involvement, he fled the scene before the murder took place. The weapon involved was neither his nor within his access.

This is Zion's first offense, and in light of this, I am pleading with the court to show mercy and consider a lighter sentence. I know Zion personally, and I am certain that he is not a violent individual or a killer. He made unfortunate associations, and he will have to face the consequences for that. However, I urge you to consider a sentence that offers Zion a chance to rebuild his life and avoid becoming trapped in the revolving door of the justice system.

Thank you for your time and consideration.

Sincerely,  
Lisa Marmorato  
8<sup>th</sup> Grade History Teacher at Lincoln Middle School

Dear Honorable Judge,

I am writing to you in regard to my former student, Zion James, who is currently facing charges before your court. I ask that you please consider this letter as part of his case, as I have had the privilege of knowing him for 4 years since his older sister cheered and I believe I can speak to his character and the circumstances surrounding his actions.

During the time that I taught Zion, he was a funny, charismatic, and outgoing young person. He had a natural ability to bring energy into the classroom and was often the life of the class, always willing to joke around and make others laugh. He had a gift for connecting with his peers, and his positive attitude and humor made him well-liked by everyone. While no one is perfect, and mistakes do happen, I believe it is important to acknowledge the potential in this young man and the immense impact that a harsh sentence could have on his future.

If Zion is sentenced to the maximum penalty, I fear that it will irrevocably alter the course of his life. A sentence to adult jail, especially for someone so young, would condemn him to a future of hardships and lost opportunities. I ask that you take into account his age, his size, and his potential for rehabilitation when considering the consequences of his actions. He is just a child, with a life ahead of him, and he deserves a chance to make amends and build a better future for himself.

It's hard for me to reconcile the person I knew in class with the person facing legal consequences now. I understand that he made a serious mistake, but I truly believe it was the kind of decision made by a young person who was still figuring out the world around him. At the time of the offense, he was just a kid—small in stature and still learning about the weight of his actions. Since the incident, I've seen him reflect on what happened, and it's clear he is genuinely remorseful.

Zion is not defined by this mistake, and I truly believe that, with the right guidance and support, he can turn his life around and contribute positively to society. I urge you to show mercy and offer him an opportunity for redemption. I would be happy to speak further on his behalf if needed.

Thank you for your time and consideration. I trust in your wisdom and compassion in making a decision that will allow Zion to move forward and fulfill his potential.

Sincerely,  
Ms. Kassandra Villalaz

7th Grade Civics Teacher and Team Leader

Lincoln Middle School