

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, PASCO COUNTY

STATE OF FLORIDA,

Plaintiff,

Case No. 2023-CF-000562-CFAXWS

vs.

WILLIAM ARSAND CLIFTON,

Defendant.

PROCEEDINGS: Sentencing Hearing

DATE: December 11, 2025

BEFORE: The Honorable Mary M. Handsel
Circuit Court Judge

PLACE: West Pasco Judicial Center
7530 Little Road, Suite 201
New Port Richey, Florida 34654

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P R O C E E D I N G S

1
2 THE COURT: I have the -- next up is Ms. Stevens
3 with the Clifton sentencing. Are we ready for that?

4 MS. STEVENS: Yes, Your Honor.

5 MR. SARABIA: We are, Judge.

6 THE COURT: Okay. Can I have Mr. William
7 Clifton out, please?

8 THE BAILIFF: Yes, Your Honor.

9 THE COURT: Thank you.

10 Mr. Clifton, right to the podium.

11 Before we begin, can I have the lawyers at the
12 bench briefly?

13 (Recess from 10:27 a.m. to 10:32 a.m.)

14 THE COURT: All right. Mr. Clifton, we're going
15 to put off your sentencing here for about an hour so
16 I can clear out the courtroom --

17 THE DEFENDANT: Yes, ma'am.

18 THE COURT: -- so we don't have as many people
19 staring at you and talking about it. I got some more
20 people to talk to, but we're going to -- we're just
21 going to -- we're still doing it, it's just going to
22 be in about an hour. Okay?

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: I know it's bad sitting back there,
25 and you're waiting for -- to get called, and you're

1 like, when is this going to happen? It was supposed
2 to be at 10:00. So I just wanted to bring you out
3 and let you know we are going to push it back a
4 little just so I can handle some other cases. Okay?

5 THE DEFENDANT: Yes, Your Honor. It's not a
6 problem.

7 THE COURT: All right. So we're going to go
8 ahead and have Mr. Stevens -- Mr. Clifton, I'm sorry,
9 back -- go back in the back, and then we're just
10 going to push him for about an hour. Okay?

11 MR. SARABIA: Yes, Your Honor.

12 THE COURT: If you need to use the restroom or
13 whatever you got going on.

14 (Other matters handled by the Court.)

15 THE COURT: All right. The only thing I have
16 left is the Clifton matter. So if we can bring
17 Mr. Clifton back out.

18 THE BAILIFF: Yes, Your Honor.

19 THE COURT: Thank you.

20 MS. STEVENS: Your Honor, as he's coming back
21 out, I did some research on that issue presented at
22 the bench, and I believe it does need to be
23 addressed.

24 THE COURT: I'm sorry?

25 MS. STEVENS: I said I did some research on the

1 issue presented earlier that we talked about
2 regarding the scoresheet, and I do -- I did a little
3 research on the break, and I do believe it needs to
4 be addressed if the Court would entertain.

5 THE COURT: Okay. We're going to wait for
6 Mr. Clifton.

7 See? This is why I wake up in the middle of the
8 night and think of these things.

9 MS. STEVENS: And, for your reference, I sent an
10 email to your assistant with the case law that I was
11 referencing.

12 THE COURT: Okay. She's not here, so I wouldn't
13 have gotten that. She's on vacation.

14 MS. STEVENS: I didn't know that. Would you
15 like the citation?

16 THE COURT: That's okay. Hold on.
17 Did you provide it to Mr. Sarabia?

18 MS. STEVENS: Yes, Your Honor.

19 THE COURT: Give me one second.

20 MR. SARABIA: And based on that, Judge, I pulled
21 two cases as well. They're both a page long.
22 They're not --

23 THE COURT: Okay. I'll take your two cases, and
24 then I'll have counsel put on the record their cases.

25 So before we begin, we're back on the sentencing

1 calendar for William Clifton, case number 23-CF-562.
2 Mr. Clifton is here for sentencing.

3 Just to -- for some housekeeping matters, he was
4 found guilty on one count of aggravated assault with
5 a firearm, and then the other three counts he was
6 found guilty of the lesser included offenses of
7 improper exhibition of a firearm. We're going to
8 talk about that for a minute.

9 Then, on top of that, the Defense did request a
10 presentence investigation to be done before
11 sentencing, which I did order, and which I have
12 received a copy of.

13 Did both -- State, did you receive your copy?

14 MR. SARABIA: Of the -- yes.

15 THE COURT: And, Defense, did you receive your
16 copy?

17 MS. STEVENS: Yes.

18 THE COURT: Okay. So I have the -- I have the
19 original in my hand. Maybe it's been filed; I don't
20 know, but I have a copy.

21 Then, after the presentence investigation was
22 done, the Defense filed a motion for a downward
23 departure because the scoresheet, as the State
24 currently has it -- which I received a copy of when
25 we were at the bench before we began a couple hours

1 ago. The scoresheet that the state has prepared
2 and -- for this case for sentencing -- and I assume
3 you've seen a copy, Ms. Stevens. Did you see a --

4 MS. STEVENS: No, Your Honor, I did not, but
5 I --

6 THE COURT: Okay. I have a copy of it, and it
7 does allege that he was in -- the primary offense is
8 the aggravated assault, which is a level six. It
9 also has only one count of the improper exhibition of
10 a weapon, which I believe is what's going to happen
11 because they're going to be merged together.

12 MR. SARABIA: We're agreeing to vacate Counts 2
13 and 3.

14 THE COURT: So he would be --

15 MR. SARABIA: Which I -- I suspect Defense is
16 going to move for --

17 THE COURT: It would be Count 1 as charged by
18 the jury. Count 4 is the lesser from the jury
19 verdict.

20 MR. SARABIA: I -- I think Count 4 is the as
21 charged. Count 1 is the lesser.

22 THE COURT: Okay. Count 4 will be the improper
23 exhibition --

24 MS. STEVENS: No, Your Honor. I think that's
25 opposite.

1 MR. SARABIA: Yeah. Count -- Count 1 is
2 improper exhibition. Count 4 was the aggravated
3 assault.

4 THE COURT: Oh, that's right. I'm sorry.
5 You're right.

6 The jury found Count 1, improper exhibition as a
7 lesser, and so he'll be adjudicated on that.
8 Counts 2 and 3 the State is -- I'm going to enter a
9 dismissal because it is -- they are merged into
10 Count 1. And then Count 4 is as charged, which is
11 the third degree felony, aggravated assault.

12 So for the clerk, although the jury returned
13 verdicts on all counts, Counts 2 and Counts 3 are
14 going to be dismissed because they're merged into
15 Count 1. Basically, it's -- by waving the gun
16 around -- you can't have individual people. So all
17 three of those people are now part of Count 1.

18 So -- but on this score sheet, again, the
19 aggravated assault is the primary offense, which was
20 Count 4, and then the less -- the additional offenses
21 is the improper exhibition, which is Count 1, the
22 misdemeanor, which is .20. Then there is no prior
23 record. So on the first page, he scores 36.2 points.
24 Then the State on the second page did indicate -- add
25 18 points under Section 7, firearm/semiautomatic or

1 machine gun. You can give 18, or 25 for a machine
2 gun. This is a semiautomatic, so he gets 18 --
3 they're alleging 18 points. So the total sentencing
4 point score is 54.20. With the minus 28, he would
5 score 19.650 the way the scoresheet is currently. So
6 based on the fact that he would score mandatory state
7 prison, the Defense filed the motion for downward
8 departure.

9 In the meantime, just because it wasn't on the
10 record, I addressed the lawyers at the bench earlier
11 today, and I brought up the fact that we did not do a
12 specialized jury verdict form finding specifically
13 that he possessed a firearm. Not sure we have to. I
14 wasn't sure one way or another because this is not a
15 case in which the firearm enhances the offense. It
16 does not. It stays a third degree felony. It was
17 also the only allegation in the Information, and it
18 was actually listed as the -- and I just looked this
19 up -- it was listed as the charging of aggravated
20 assault with a firearm is what the jury found.

21 I'm going to go back and look at the verdict
22 form again one more time. I did that a couple hours
23 ago, so my brain's a little mush right now. Count 1
24 came back -- it does not say with a firearm. I
25 apologize. It's the lesser that says defendant is

1 guilty of lesser included offense of improper
2 exhibition of a dangerous weapon or firearm. The one
3 that they found him guilty of aggravated assault, and
4 I'm just talking about the jury verdict form, says
5 aggravated assault. The defendant is guilty of
6 aggravated assault, as charged in the Information.
7 And I did read the Information to the jury, and the
8 Information alleges aggravated assault with a
9 firearm. And the jury verdict forms --
10 instructions -- the jury instructions -- I'm going
11 back there for a second. Sorry. It only alleges
12 deadly weapon. So I'm just putting that out there.

13 State has provided me two cases. One is
14 *Luttrell*, L-U-T-T-R-E-L-L, vs. *State*, 513 So.2d 1298,
15 and *Rios vs. State*, which is 510 So.2d 1028 [sic].

16 Defense had a case. You do not have a copy
17 because you just looked it up on your phone. What is
18 the case?

19 MS. STEVENS: *State v. Tripp*, T-R-I-P-P. It's a
20 Supreme Court case, and the citation is 642 So.2d
21 728.

22 THE COURT: Is it T-R-I-P-P?

23 MS. STEVENS: Yes, ma'am.

24 THE COURT: This says that it was overruled by
25 *Gentile vs. State* in 2012, so I don't know.

1 MS. STEVENS: The *Gentile vs. State*, Your Honor?

2 THE COURT: Mm-hmm. And this is all about
3 whether you can reclassify. We're not talking about
4 reclassification.

5 MS. STEVENS: But it does -- the -- the *Tripp*
6 case says that it's not -- that it is the special
7 verdict form that dictates whether or not the weapon
8 was -- is used. So they're saying -- and my reading
9 of it says that in order to add those points, the
10 jury verdict is the deciding factor on whether the
11 points should be added.

12 Unfortunately, using my phone to do research is
13 rather -- it's ridiculous, honestly -- obviously.

14 So the argument is that it's the jury that
15 decides whether or not the weapon is -- or the
16 dangerous weapon is a -- deadly weapon is the
17 firearm, and therefore that is the decision as to
18 whether or not the score can be increased. They end
19 the sentence therefore enhanced by score for firearm.
20 It must be the special jury instruction -- a special
21 jury verdict.

22 MR. SARABIA: Your Honor, I would point the
23 Court to *State vs. Iseley*, a Florida Supreme Court
24 case, 944 So.3d 227.

25 THE COURT: Hold on. 944 So.2d what?

1 MR. SARABIA: 227. Which interprets *Tripp*.

2 MS. STEVENS: Say the name again. I'm sorry.

3 MR. SARABIA: *State v. Iseley*, I-S-E-L-E-Y.

4 (Pause.)

5 THE COURT: See, my problem is -- is that none
6 of these really address the issue here. I am
7 100 percent in agreement that if the State was
8 intending to make this a second degree felony from a
9 third degree felony because the use of the firearm,
10 which is the enhancement statute under the
11 enhanced -- the -- the ability to enhance a charge,
12 we would have had to have a specialized jury
13 instruction. The question is not whether they
14 enhanced the thing. It's points on the scoresheet.

15 And there's no case law that I know of that says
16 that community sanction violations, prior serious
17 felonies, legal status, or firearms have to be
18 specifically found by a jury. Now, if we're talking
19 about enhancements, like drug trafficking, motor
20 vehicle -- I don't know what we're going to do about
21 motor vehicle theft, because that's new -- criminal
22 gang offenses, domestic violence, that kind of stuff,
23 those things have to be alleged in the information
24 and specifically found.

25 But we're talking about the firearm

1 semiautomatic/machine gun points that are added when
2 they are -- where the Court finds that that's what
3 was used -- it's kind of like injury points. We
4 don't make the jury find victim injury points either.
5 The case law says that's up to the judge. There's no
6 special jury instruction that says I would consider
7 this slight or I would consider this moderate or
8 severe. Those are points that the Court -- and
9 there's case law, and I know that case law very well,
10 that says that that's ultimately up to the judge to
11 determine what that is, if any, based on the evidence
12 in the trial.

13 So my problem is -- is all the case law that you
14 guys keep showing me is about enhancements. When we
15 go from a second degree to a first or a first to a
16 PBL or a third to a second. None of these cases,
17 even *Tripp*, is talking about -- they're talking about
18 775.0 whatever it is that talks about -- .087(2),
19 which found the jury verdict of second degree murder
20 less included, and then we're talking about enhancing
21 that back to a second because of the use of a
22 firearm.

23 MS. STEVENS: Your Honor, with that -- with
24 that, I believe that *McKnight vs. State* is another
25 case. It's a -- it's a very, very short case. I

1 think that it directly affects -- addresses that.

2 THE COURT: What's the case cite?

3 MS. STEVENS: It is 756 So.2d 41.

4 THE COURT: So you're -- you're not arguing that
5 we needed a specialized jury instruction if you're
6 citing this case. What you're saying is that it is
7 the -- it's inherent in the charging document. So in
8 this one -- I'll read it into the record. We
9 recently resolved this conflict in *Thompson*, whereas
10 we held that consistent with our opinion in *White*,
11 25 sentencing points may not be added to the
12 defendant's sentencing guidelines scoresheet where
13 the use or possession of the firearm is inherent in
14 the commission of the underlying felony. We further
15 reason that making the initial determination of
16 whether the assessment of additional sentencing
17 points is appropriate, it makes no difference whether
18 the weapon was a firearm or semiautomatic weapon.
19 In -- in conclusion, we approve the opinion of
20 *Williams* and quash the District's opinion.

21 I -- I really don't know what that means,
22 because I don't know what this --

23 MS. STEVENS: Your Honor --

24 THE COURT: I don't know. I don't know what
25 this charge was.

1 MS. STEVENS: Your Honor, in my reading of this
2 entire -- the case line that we've been going
3 through, I believe that the jury verdict, just like
4 in *Tripp*, said -- the verdict for -- excuse me -- the
5 special verdict form is the deciding factor as to
6 whether or not the points can be added to the
7 scoresheet, even if charged in the Information
8 includes an inherent crime that includes a firearm.
9 That the verdict form is the deciding factor, not the
10 Information or language in the verdict form, other
11 than the special verdict form.

12 (Pause.)

13 THE COURT: Well, the problem with this --
14 again, we're doing this off of phones and off the
15 thing -- these cases -- the case you just cited and
16 the case it cites in there, which is *Thompson*, was
17 where they tried to add 25 or 18 points on a carrying
18 concealed firearm. And they said you can't do that
19 because it's inherent in the nature of the case that
20 carrying concealed firearm, you have to have a
21 firearm. So then you can't add the 20 -- the 25 or
22 the 18 because it's carrying concealed firearm.
23 Thompson pled no contest to the aggravated assault
24 and felon in possession of a firearm. The offense of
25 ag assault is expressly exempt from Florida Rules of

1 Criminal Procedure 3.703(d)(19) from assessment of
2 additional sentencing points for the possession of
3 the firearm. So --

4 MR. SARABIA: And -- and, Judge, if I can --

5 THE COURT: They're saying it's exempt.

6 MR. SARABIA: Well, that is an old version of
7 the statute.

8 THE COURT: Right, right. Then they took that
9 out.

10 MR. SARABIA: Correct. And it used to be the
11 case that we could not use the 18 points for
12 aggravated assault when there was a three-year min
13 man associated with it.

14 THE COURT: Right.

15 MR. SARABIA: I believe that changed around
16 2015, 2016.

17 THE COURT: Correct.

18 MR. SARABIA: Which now the -- 921.0 -- I think
19 it's 24 -- which describes when we get the points,
20 and it says possession of a firearm, semiautomatic
21 firearm, or machine gun. If the offender is
22 convicted of committing or attempting to commit any
23 felony other than those enumerated in Section
24 775.087(2). So it basically -- it now gives -- it
25 refers to the list of crimes that you don't get the

1 points for, which I don't know that that was the case
2 back then. There was a point when ag assault was in
3 Section 2. It is no longer.

4 THE COURT: Correct.

5 MR. SARABIA: Because it is no longer, I think
6 it now qualifies under that. So I think that that --
7 that solves the *McKnight* problem.

8 I would also say to the Court that the Defense's
9 case, *Tripp*, it does deal with enhancements, which is
10 a different issue. If we are comparing apples to
11 oranges, though, the *Iseley* case clarifies *Tripp* and
12 specifically goes over that if it's -- if there's a
13 clear jury finding, it can be -- it can be
14 demonstrated either by -- and I'm quoting *Iseley* -- a
15 specific question or special verdict form, which is
16 the better practice, or, two, the inclusion of a
17 reference to a firearm in identifying a specific
18 crime for which the defendant is found guilty.

19 Here it's aggravated assault. If the jury --
20 the verdict form says aggravated assault as charged
21 in the Information. The Information is very clear
22 that the allegation is only a firearm. And also, as
23 the *Iseley* case indicates, there was never any
24 dispute over whether or not this was a firearm. And
25 I think that it's well within *Iseley*.

1 Now, I would -- I would just caution the Court
2 because there is recent case law about the victim
3 entry points. There is now standard jury
4 instructions for findings for severe, moderate, and
5 slight. Because of where this case --

6 THE COURT: When did they put those out? Last
7 week? I swear they keep changing it on me.

8 MR. SARABIA: It is -- it is very recent. So I
9 just want to caution the Court that there -- there
10 are things in that direction. Were there any dispute
11 about the firearm, and if we didn't have the
12 reference in the Information, I might agree with
13 Defense counsel on this issue; however, again,
14 there's no danger, no dispute.

15 Plus, the defendant even had the added
16 protection that the improper exhibition of a firearm,
17 which the jury did come back with as the lesser, they
18 specifically had to make the finding of a firearm in
19 that one. And as the facts are very clear in this
20 case, there was no break in time. Even the defendant
21 testified to that.

22 So there is no danger to the defendant. There
23 is no danger that the jury found any other deadly
24 weapon when they found it as charged in the
25 Information, and the State never alleged any other

1 deadly weapon.

2 THE COURT: All right. So, Defense, you're
3 saying that the scoresheet should not contain the
4 18 points, and the State is saying that it should.
5 Is that where we are?

6 MR. SARABIA: Yes, Judge.

7 MS. STEVENS: Yes, Your Honor.

8 THE COURT: Okay.

9 MR. SARABIA: And I -- I would also say, for the
10 record, I expect this to be moot because I do believe
11 the Defense is going to put evidence up -- the basis
12 for a departure, and it's going to be within the
13 Court's discretion where this Court wants to sentence
14 this defendant. So I do think that that is also
15 worth noting on the record that the -- the Court's
16 ultimately going to have discretion to do what the
17 Court wants to do.

18 THE COURT: Okay. For the record, I am making a
19 finding that I am not going to use the 18 points, and
20 I'm going to remove them from the scoresheet at this
21 point. And so we can proceed to sentencing. It
22 would not be a departure. I believe he would score
23 36.2 points, which is non-state prison, up to five
24 years. So the need for a departure reason would not
25 be necessary. However, I still have the discretion

1 to sentence him up to five years, and we don't have
2 to hear about a reason for a departure.

3 So I just think it's cleaner that way. It looks
4 to me or -- appear -- it's the reason I kind of woke
5 up, like, two days after this trial and -- and in a
6 cold sweat when we didn't use the specialized jury
7 instruction is because that's kind of where
8 everybody's moving, just like you said, with injury
9 points.

10 It seems to me that Florida wants you to use
11 specialized jury instructions if you're going to add
12 any points to any of this. So whether it's, you
13 know, injury, whether it's, you know, firearm -- use
14 of a firearm, whether it's law enforcement
15 protection, that we should have had a specialized
16 jury instruction, and I take full responsibility
17 for -- you know, the jury instructions are on me, and
18 I didn't -- I didn't ask for those. And so I know I
19 asked the State to prepare them, but jury
20 instructions are on me, and so I'm going to take the
21 hit for this one. I really should have thought it
22 through, but it was one of those cases that we'd been
23 going on for so long, it just kind of -- we get
24 involved in these trials and -- and we get to the
25 jury verdict forms and things like that, and this is

1 one of those ones where the law has kind of evolved
2 in the last year, year and a half.

3 And so I think that on appeal -- I don't want to
4 have an issue on appeal that I shouldn't have -- I
5 shouldn't have included those points. And since
6 my -- my discretion -- the amount of the upper level
7 of my sentencing is still five years with or without
8 the points, it just makes more sense to just find
9 that we shouldn't include them.

10 So I'm going to ask, does the State redo the
11 scoresheet? I actually have it here. I'm going to
12 remove it from the scoresheet. And if at the end,
13 this is an appellable issue on both sides, so, you
14 know, if the -- if you appeal, the State could
15 cross-appeal on that issue that I should have
16 included it, and then maybe we'll get some Second DCA
17 opinion on it.

18 But -- so right now I'm going to take the
19 18 off, which makes him score 36.2 points, which is
20 non-state prison and up to five years.

21 So I don't know -- since we're not going to
22 do -- we don't need you to provide me any reason for
23 a departure, I assume you just want to make a pitch
24 of what sentence you want me to impose.

25 MS. STEVENS: Yes, Your Honor. Should the --

1 should the Court like to hear, I do -- I do have an
2 expert for mitigation, but I believe that the report
3 that's been provided to the Court will detail what
4 I'm about to say.

5 THE COURT: Okay.

6 MS. STEVENS: Mr. Clifton is requesting a
7 probationary sentence in this case to include mental
8 health care and treatment to help with -- his -- his
9 diagnosis in the -- in the report by Dr. Marotti is
10 that he is diagnosed with obsessive-compulsive
11 behavior disorder, and that includes an obsessive
12 need and -- to compel rule following. So not only
13 does he feel compelled to follow rules and he feels
14 compelled just as much to identify rule-breaking and
15 to confront it or fix it or report it.

16 And in Dr. Marotti's report, it says that that
17 action -- or the -- the compulsive nature of that, in
18 connection with his other mental health diagnoses,
19 which are listed there, are directly related to the
20 actions and allegations that were heard before the
21 jury, his compulsive need to address what he believes
22 to be illegal or rule-breaking. And here we have
23 the -- the speed bumps that he believed to be
24 contrary to the law, the obstruction of the road. So
25 his compulsion to get out and address those.

1 In order to address that mental health
2 compulsion, there are specified treatments that would
3 be available to him, and, in combination of those
4 specialized treatments, such as cognitive or
5 behavioral health, in connection with medication
6 management. The medication management he was doing
7 in the past; however, he did modify that management
8 once -- after the allegations, he immediately went
9 and had that medical conversation with his doctor and
10 had those changed. But in addition to that med
11 management, adding the behavioral health will give
12 him the skills, training, and help he needs in order
13 to combat that compulsive -- compulsive need.

14 With that in mind, I'm asking the Court to --
15 not only does that give an understanding as to why we
16 are here today and his desire to fix these -- fix
17 these issues so that he does not end up in another
18 circumstance like he found himself in, he -- that
19 same mental health diagnosis makes him that much more
20 of a risk in any kind of incarceration setting. His
21 need to identify and report inappropriate behavior,
22 rule-breaking potential is -- is inherently dangerous
23 in an in -- in-custody circumstance.

24 Something that, although it cannot be the
25 deciding factor, of course, I would ask the Court to

1 include that in their consideration, and that a fair
2 and just resolution of this case could include the
3 mental health component to a probationary sentence.

4 THE COURT: Okay. I'm going to have your client
5 sit -- stand over there -- or sit back down over
6 there, because I know that the State has people that
7 they want to present.

8 MS. STEVENS: Your Honor, I also have statements
9 prepared by his wife, if the Court would like to hear
10 first.

11 THE COURT: Okay. Let me hear from the state
12 first and then we'll get with you.

13 MR. SARABIA: And, I'm sorry, just real quick,
14 Judge. Is the Defense asking to stipulate to the
15 report of Dr. Marotti so that it is in evidence --

16 MS. STEVENS: Yes. I apologize.

17 MR. SARABIA: -- or is Defense calling
18 Dr. Marotti or --

19 THE COURT: You can just stipulate if you want.

20 MR. SARABIA: We would agree to stipulate, but I
21 think that needs to be on -- on the record that --

22 MS. STEVENS: Your Honor, we'd ask for a
23 stipulation to the report provided by Dr. Morado, who
24 is -- her CV is included in my -- my sentencing
25 binder, as well as she is a court-appointed -- she is

1 on the court-appointed list. I would ask that if the
2 Court accepts this into evidence, that it be under
3 seal.

4 THE COURT: Okay.

5 State, any objection to stipulation of
6 Dr. Marotti's report?

7 MR. SARABIA: We would not object.

8 THE COURT: Okay. I'm going to go ahead and
9 hand this to the -- I'm taking it out of binder -- of
10 your binder because I don't think you want -- need
11 the whole binder in there. But I do have her report,
12 her CV, everything behind it, and I'll go ahead and
13 hand it to my clerk as Defense Exhibit 1 and under
14 seal.

15 (Defense Exhibit 1 received into Evidence as
16 Defense Exhibit 1 = Dr. Marotti's report, under seal)

17 MS. STEVENS: Thank you.

18 THE COURT: Okay. Her CV is not necessary.
19 She's part of our court-appointed list. Okay?

20 MS. STEVENS: Thank you.

21 THE COURT: State, go ahead. I know we have
22 several people who want to speak, and so who do you
23 want to go first?

24 MR. SARABIA: Mr. Zweifel.

25 THE COURT: Mr. Zweifel, how are you? Nice to

1 see you again.

2 MR. ZWEIFEL: Doing well. How are you?

3 THE COURT: Can you raise your right hand?

4 (Daniel Zweifel was sworn.)

5 THE COURT: All right. And if you have a
6 statement you want to make, please feel free.

7 MR. ZWEIFEL: I do. Is it okay if I read from
8 the --

9 THE COURT: Absolutely.

10 MR. ZWEIFEL: Okay. Your Honor, thank you for
11 the moment. This event, as I testified to, was life
12 changing. I remember the terror that I felt to this
13 day when I was staring at him, staring down the
14 barrel of his gun, with no provocation whatsoever.
15 My now soon-to-be-seven-year-old daughter asks me
16 before she goes out to play if the man with the gun
17 is out there. She's scared to go play in the front
18 yard of her own home. I reassure her that
19 everything's fine, it's all been taken care of, but
20 there were three children present that day, all under
21 the age of five years old. They do not deserve to
22 have that kind of trauma happen to them.

23 She asks why the man wanted to shoot me and
24 Mr. Mike. I don't really have a good answer for
25 that. Honey, he wasn't -- it's all taken care of.

1 Don't worry.

2 To my knowledge, Mr. Clifton has shown no
3 remorse for these actions. He's filed -- he filed
4 motions during our process to dismiss, to justify, to
5 try to rationalize that behavior. Never once have I
6 heard him say I'm sorry, that was a mistake, I
7 shouldn't have done that. There was no reason for
8 this incident to happen at all. We were doing
9 nothing wrong. There was certainly no reason to draw
10 a firearm on us.

11 A few years ago at a Christmas light show, he
12 drove his car up to a crowd and harassed --

13 MS. STEVENS: Objection, Your Honor --

14 THE COURT: Overruled. This is sentencing.
15 I -- I can hear from them.

16 Go ahead.

17 MR. ZWEIFEL: It was a light show, Christmas
18 music, children, fake snow flying from the -- you
19 know, from a machine or whatever. And he drove up to
20 this crowd harassing all the kids because they were
21 blocking the sidewalk. I heard this from the
22 neighbor who owns the home. After --

23 THE COURT: So that's hearsay. You didn't see
24 that.

25 MR. ZWEIFEL: I'm sorry. I was not there. That

1 is correct.

2 THE COURT: That's okay.

3 MR. ZWEIFEL: I apologize.

4 THE COURT: That's okay.

5 MR. ZWEIFEL: Numerous neighbors have reached
6 out to us through this process to account their
7 run-ins with Mr. Clifton, including kids riding bikes
8 on streets and getting harassed. He's been an
9 aggressor in our neighborhood on many different
10 occasions.

11 The gun incident shows a continued escalation of
12 his behavior. Using this gun continues his vigilante
13 mindset. I fear he will retaliate against me and my
14 family if he's allowed out with little to no
15 punishment. So in my opinion, I ask the Court not to
16 give his man leniency when considering a sentence.

17 Thank you for your time.

18 THE COURT: Thank you, sir.

19 Hi, you all. How are you doing?

20 MR. KRNJAICH: Good. How are you doing?

21 MS. KRNJAICH: Good. How are you?

22 THE COURT: I need both of you to raise your
23 right hand.

24 (Michael and Amanda Krnjaich were sworn.)

25 THE COURT: All right. Are you both going to

1 speak or is someone going to take --

2 MS. KRNJAICH: We're both going to speak, if
3 that's okay.

4 THE COURT: Okay. Go ahead. You can go first.

5 MS. KRNJAICH: I was going to go first.

6 MR. KRNJAICH: (Indiscernible) very similar.

7 Sorry.

8 THE COURT: It's okay. No problem. Go ahead.

9 MS. KRNJAICH: My name is Amanda Krnjaich, and I
10 am speaking today in regard to the emotional and
11 psychological toll the event in February 2023 with
12 Mr. Clifton has had on my family. Not only on behalf
13 of myself and my husband, but on -- on behalf of my
14 two sons, who are also nameless victims of this crime
15 that need to have their voices heard.

16 Living in a family- and kid-friendly
17 neighborhood, we have always enjoyed being outside
18 our home and letting the kids play with neighbor
19 friends while under our supervision. What seemed to
20 be a normal day outside our home, while the kids
21 played and my husband and I were talking with
22 neighbor friends, turned into the most terrifying
23 moment of my life. You never think something like
24 this would ever happen to you or your loved ones, but
25 when it happened to -- to us that February afternoon,

1 I will never be able to forget.

2 Watching your husband have a loaded and
3 chambered gun pulled mere feet from his body while
4 your two-year-old son is standing a few feet away is
5 an evil image that will always stay with me. Having
6 to relive that moment on video and hear my terrified
7 scream again and again in court was a form of
8 torture. I wouldn't wish a moment like this on
9 anyone.

10 On behalf of my children, who were two and four
11 years old at the time and witnesses to this event
12 against their father and neighbors, please hear and
13 understand what it did to their emotional well-being.
14 The next morning, after Mr. Clifton pulled a gun on
15 their father, my four-year-old son Noah told me he
16 was too scared to go outside of our home because the
17 man with the gun who was going to shoot daddy might
18 be out there. No child should ever, ever have to be
19 scared -- I'm sorry, excuse me -- to play outside
20 their home for fear someone driving down the street
21 may shoot them or their parents or neighbors. What
22 do you say when your tiny son asks you, why did that
23 man want to shoot daddy?

24 My husband's life could have been taken from him
25 for simply looking after the welfare of his own

1 children and wanting traffic to slow down and watch
2 for kids at play.

3 Once word got out in our neighborhood about
4 Mr. Clifton pulling a gun on Mike and our neighbors,
5 I was contacted by many members within our community
6 that have also had scary and troublesome encounters
7 with Mr. Clifton. There have been complaints filed
8 and numerous times where he believed he was the law,
9 despite not wearing a badge. You would think after
10 being arrested and possibly convicted as a felon that
11 this behavior would change and he would calm this
12 vigilante aggression down. However, I continue to be
13 contacted from members of our community about
14 aggressive run-ins he was still having with others.
15 Clearly being arrested and potentially being a
16 convicted felon did not scare him enough to calm down
17 this type of behavior.

18 In the days, weeks, and months that followed
19 this event, I myself was scared to take our dog
20 outside at night for fear of Mr. Clifton returning.
21 I have panic attacks in my sleep where I think he's
22 trying to break into our home. When you see
23 firsthand the evil that is out there that came for a
24 member of your own family, you really look at things
25 in a different light.

1 While it's important to note the emotional and
2 psychological toll Mr. Clifton has had on myself and
3 my small children, I do want to tell Mr. Clifton
4 thank you for having the resolve to not pull the
5 trigger.

6 Yesterday, Mike and I celebrated our ninth
7 wedding anniversary, and I cannot imagine a life
8 without him, and I am thankful every day that his
9 life was not cut short in front of me and our
10 children on a February day.

11 Mr. Clifton, whatever anger, hurt, and sadness
12 you may be feeling in your life, please know that
13 Jesus Christ gave his life for you and thinks you
14 worthy of all the love, joy, peace, and hope he
15 freely and faithfully gives. Please read the Bible
16 and find the words straight from God how moments like
17 this do not have to define you. But if you repent
18 and profess him as your Lord and Savior, you will be
19 forgiven for all wrongdoings and see how he loves a
20 sinner like you just as much as he loves a sinner
21 like me. Once the Holy Spirit fills you, you won't
22 ever see the want or need to do something like this
23 again because Jesus only chooses to give love, not
24 hate.

25 I lastly want to leave you with the greatest

1 commandment from the Book of Matthew, chapter 21,
2 verses 37 to 39, spoken straight from the mouth of
3 Jesus himself: Love the Lord your God with all your
4 heart and with all your soul and with all your mind.
5 This is the first and greatest commandment. And the
6 second is like it: Love your neighbor as yourself.

7 Thank you.

8 THE COURT: Thank you, ma'am.

9 MR. KRNJAICH: Hi, Your Honor.

10 THE COURT: Hey.

11 MR. KRNJAICH: My name is Mike Krnjaich, and I'm
12 here today to explain the -- how the -- sorry -- how
13 William Clifton's actions affected my life and the
14 lives of those who witnessed the assault, especially
15 the children present.

16 On February 9th, 2023, I was a victim of an
17 aggravated assault involving a firearm. The moment
18 Mr. Clifton chose to threaten my life with a
19 fully-loaded and chambered firearm, everything around
20 me changed. I remember the fear I felt as I realized
21 I was about to be shot and killed in front of my wife
22 and kids. The sense of terror is something I
23 continue to carry with me every day. What makes this
24 even more devastating is it happened in front of my
25 children.

1 I will never forget those screams coming from my
2 wife and my fearful children, especially my
3 four-year-old. They were forced to see something
4 that children should never see, their father being
5 attacked and threatened with a gun. After the
6 incident, my son, as my wife stated, struggled to go
7 outside and play. He would ask if the bad man -- the
8 bad man with the gun was going to come back. We have
9 tried our best not to discuss the subject around our
10 children in hopes that they will forget this
11 traumatic experience as it is something they should
12 have never been exposed to.

13 For me, personally, I still struggle emotionally
14 and psychologically from this experience. It's
15 always in -- in my mind that -- thinking Mr. Clifton
16 is going to come retaliate against me or my family.
17 Will he be lying in wait in the bushes for my
18 children to leave for school? Will he come in the
19 middle of the night and break into our house while we
20 are sleeping? The amount of scenarios that run
21 through my mind are endless and continue to keep me
22 up at night.

23 I am extremely thankful to Mr. Clifton that he
24 did not pull the trigger that day, but I also fear
25 that the only thing that stopped him was the other

1 victim witnesses watching him at that very moment.

2 Mr. Clifford has been terrorizing the people of
3 our community for a while, and has had law -- law
4 enforcement dispatched out for various actions
5 numerous times with numerous incident reports. Many
6 people have been in fear of what Mr. Clifton is
7 capable of, and it has all escalated to where we find
8 ourselves now. Mr. Clifton thinks he's above the law
9 in all these circumstances, and it's just a matter of
10 time until something more catastrophic and violent
11 took place.

12 What I want the Court to understand, that this
13 is not an isolated incident. This is a culmination
14 of many incidents. This was not just a moment in
15 time that will pass. It will live with me and my
16 family forever. The trauma did not end with me and
17 my family when the firearm was lowered. It was
18 something we'll continue to live and deal with.

19 I believe accountability is necessary, and even
20 though Mr. Clifton believes he did nothing wrong, he
21 still needs to be held accountable for what he has
22 done to me and also the lasting harm caused to the
23 other innocent -- my other innocent friends and
24 family. My children were forced to witness this
25 violence, and they deserve justice just as much as I

1 do.

2 I'm asking the Court to consider the seriousness
3 of -- the seriousness of this crime, the terror it
4 caused, and the long-term impact it's had on everyone
5 involved. I hope that the Court reflects on the
6 severity of Mr. Clifton's action and helps ensure
7 that no one else is put in danger from Mr. Clifton
8 ever again.

9 Thank you for allowing me to share my thoughts,
10 Your Honor.

11 THE COURT: Thank you both.

12 MR. SARABIA: That's it, Judge.

13 THE COURT: Okay.

14 Defense, do you have any witnesses you wish to
15 present?

16 MS. STEVENS: Your Honor --

17 THE COURT: I think you said something about his
18 wife wants to talk?

19 MS. STEVENS: Yes, your honor. His wife,
20 Tatsiana Clifton, has prepared a statement to read to
21 the Court.

22 THE COURT: Okay. She's more than welcome. Is
23 she here?

24 MS. STEVENS: Yes.

25 THE COURT: Come on up, ma'am.

1 Good afternoon, Ms. Clifton.

2 MS. CLIFTON: Good afternoon.

3 THE COURT: Can you raise your right hand?

4 (Tatsiana Clifton was sworn.)

5 THE COURT: All right. Go ahead.

6 MS. CLIFTON: Your Honor, thank you for letting
7 me to speak. My name is Tatsiana Clifton, and I'm
8 the wife of William Clifton. We have been married
9 for -- for almost 14 years, and I hope to give the
10 Court a sense of the person I have lived besides
11 during that time.

12 William's whole -- whole adult life was the
13 Navy. He served for 20 years and honorably -- and
14 was honorably discharged. During those 20 years, his
15 service was recognized with multiple awards and
16 medals that doesn't talk about, even though they
17 reflect how seriously he took his duties.

18 We -- we married in 2012 while he was stationed
19 in Germany. Later we moved to Jacksonville, and
20 after his retirement we settled in the Tampa Bay
21 area. After so many years of moving for the
22 military, having a stable home finally meant a great
23 deal for us.

24 William paid a price for his service. He left
25 the Navy with real physical and mental health

1 injuries tied to that service, and the transition to
2 civilian life was -- has been difficult. He is
3 receiving treatment through the VA and has been
4 willing to work with his doctors. He will follow any
5 treatment, counseling, or supervision the Court
6 imposes, and I will fully support him in doing that.

7 I understand that this is -- this case is not
8 only about our family, and I'm truly sorry for the
9 distress that this situation has caused to the people
10 involved.

11 At home, William has always been someone I can
12 rely on. He quietly takes on whatever
13 responsibilities are needed. Caring for our dog,
14 handling house maintenance, and daily tasks that keep
15 our home running.

16 When his father was sick, he drove ten hours one
17 way many times to be there and help him. He does the
18 same for his mother and sister, helping with their
19 house issues when he visits, and, when he cannot
20 travel, he researches solutions and arranges what
21 they need from a distance. He does not ask for
22 credit. He is simply someone people depend on.

23 I'm sorry.

24 In all the years I have known him, I have never
25 known William to seek to hurt or intimidate anyone,

1 and he has never been in legal trouble before this
2 case. For the past three years, he has lived under
3 the weight of this every day, and these last two
4 months with him in jail -- I'm sorry -- have been --
5 have been the hardest time of our lives, especially
6 given his mental health -- health struggles. I see
7 how much this experience is affecting him, and I
8 worry about that longer incarceration would mean for
9 his ability to continue his treatment.

10 Your Honor, William has a stable home to return
11 to and strong family support. From my heart, I'm
12 asking you, please allow him to serve any sentence
13 the Court imposes at home rather than any further
14 incarceration and to let him continue his treatment
15 and supervision in the community. I also hope that,
16 if law allows, Your Honor, you will consider a
17 sentence that does not -- that does not leave a
18 permanent conviction on his record for this incident
19 so that this case does not completely overshadow
20 his -- his 20 years of honorable service and leave
21 both of us with consequences that we -- that will
22 follow us for the rest of our lives.

23 Thank you for listening.

24 THE COURT: Ms. Clifton, thank you.

25 All right. Anyone else that you want to speak?

1 MS. STEVENS: Your Honor, I believe that I'd
2 like to call Dr. Marotti just to -- to provide some
3 clarity on Mr. Clifton's mental health treatment.

4 THE COURT: Okay.

5 MS. STEVENS: Dr. Moratti?

6 THE COURT: Good afternoon, Doctor. Thank you
7 for waiting all day.

8 DR. MAROTTI: Good afternoon.

9 THE COURT: Can you raise your right hand?

10 ALESSANDRA MAROTTI, PSY.D.

11 being called as a witness, and having first been duly
12 sworn, testified as follows:

13 THE WITNESS: Yes, I do.

14 THE COURT: All right. Counsel, go ahead.

15 THE COURT CLERK: I need her report.

16 DIRECT EXAMINATION

17 BY MS. STEVENS:

18 Q Doctor, can you please state your name for the
19 record?

20 A Alessandra Marotti.

21 MS. STEVENS: Okay. And, Your Honor already
22 stipulated to the -- to the evaluation. Does that
23 stand to stipulate to her credentials as expert?

24 THE COURT: I'm sure the State will.

25 MR. SARABIA: We would.

1 MS. STEVENS: Thank you.

2 THE COURT: So stipulated.

3 BY MS. STEVENS:

4 Q Dr. Marotti, have you had an opportunity to
5 assess Mr. Clifton?

6 A Yes. I did on November 17, 2025.

7 MS. STEVENS: I'm going to come over here closer
8 to the microphone, Your Honor.

9 THE COURT: That's fine.

10 BY MS. STEVENS:

11 Q And, Doctor, when you evaluated Mr. Clifton,
12 were you able to make any opinions as to diagnosis for
13 mental health disorder?

14 A Yes. He has several diagnoses.

15 Q And can you please tell us what those diagnoses
16 are?

17 A Yes. So there is two different types of mental
18 health diagnoses that involve Mr. Clifton. The first type
19 of diagnosis is the obsessive-compulsive personality
20 disorder, and also some schizoid personality disorder
21 traits. The personality disorders are disorders that are
22 not just a collection of symptoms, but they are like a
23 structure of personality. And they are stable traits that
24 we get -- you know, they are usually diagnosed during
25 early childhood, but they strongly form who we are. And

1 it's the way we see -- you know, we see reality and we see
2 relationship and we understand the world. They are very
3 fixed and rigid.

4 So he has two of these disorders. I mean, one
5 is more clearly -- clearly diagnosed; it is the
6 obsessive-compulsive personality disorder, which will have
7 him compelled to follow rules and regulation in a rigid
8 way without understanding of any, like, flexibility in --
9 you know, in -- within the rules.

10 The second one, again, is schizoid, which make
11 him, like, more isolated socially and internally,
12 difficulty communicating emotions and being in touch with
13 his own feelings and understanding the perspective of
14 somebody else from an emotional point of view, not from a
15 cognitive point of view.

16 The other diagnoses are the major depressive
17 disorder, generalized anxiety. Those are -- you know,
18 they're more commonly known, obviously impact the way we
19 feel, our mood, our motivation level, and, you know, our
20 way of thinking again.

21 And then there is a military sexual trauma that
22 is a specific -- a specific constellation of symptoms that
23 are used by the military, and is normally related to --
24 progresses in post-traumatic stress disorder.

25 Q And when you spoke about obsessive-compulsive

1 personality disorder, are there any -- you -- some of the
2 characteristics specific to that have to do with rule
3 following. Is that correct?

4 A Yes.

5 Q And as that relates to -- are you familiar with
6 the allegations that were presented here in this case?

7 A Yes.

8 Q And do you have any opinion as to whether his
9 obsessive-compulsive behavioral disorder and other listed
10 diagnoses, would those have played any part in the
11 allegations that you're aware of -- the fact pattern of
12 this case?

13 A Yes, I think they did. So the -- the first sets
14 of diagnosis, the personality disorder, the rigidity in
15 thinking that things, you know, should be black or white,
16 that the law should be followed no matter what, played a
17 role in his level of behaviors in the -- in the
18 neighborhood with, you know, anything can be seen as
19 contrary to how things are supposed to be with an
20 excessive checking and -- in other words, like, his
21 constantly checking his cameras, making sure people don't
22 use his driveway, which is all kind of legitimate thing,
23 quote/unquote, but it also, like, too rigid followed by
24 him, and they really give him a great deal of concern when
25 they are violated.

1 The second one that I think it also played a
2 role in that specific incident is, you know, the other set
3 of diagnoses, you know, the anxiety, the -- the trauma,
4 that I think makes him, like, react in a -- in a
5 fight-or-flight mode. So it, like, leads to these kind of
6 behaviors in which it doesn't -- it doesn't go away, but
7 it just keeps -- you know, it just kind of reacted with
8 a -- how can I say -- with an anxious reaction if -- in
9 general.

10 Q Are -- the descriptions you just provided,
11 are -- are there treatments available that could provide
12 either support or corrective -- allow for corrective
13 behavior?

14 A Yes. So we have seen, you know, through my
15 interview and -- and review of records that Mr. Clifton
16 has been treated with medication for a long time, and
17 those medications do address his -- you know, his anxiety,
18 his depression mainly. He has not received psychotherapy
19 or any type of more ongoing therapeutic process that would
20 challenge those way of thinking. And that will help him
21 to kind of, like, still -- still kind of be who he is, but
22 at the same time fade away the need of compulsively having
23 to act on whatever he thinks is right.

24 So I think that a big part that is missing is
25 the -- the psychotherapy approach, in particular cognitive

1 behavioral therapy, that is actually really focused and
2 designed for this, like a thought process change, together
3 with the behavioral change, and dialectical behavioral
4 therapy, which is, like, a little variation of the
5 cognitive behavioral therapy.

6 Q And in your opinion, those types of therapies
7 would provide the corrective ability for Mr. Clifton to
8 regulate those compulsive needs?

9 A Yes. Because what has not been addressed with
10 medication is his actual beliefs and rigidity and
11 compulsion. So the medication just keep him, like,
12 calmer, and, you know, less depressed or less anxious, but
13 we're not reasoning with him. We're not having a back and
14 forth about how those things are actually more his need
15 and don't really apply to anybody else.

16 Q Did you have an opportunity to discuss these
17 treatment options with Mr. Clifton?

18 A Yes, during my interview.

19 Q And did he give you any indication whether he
20 was agreeable to these types of treatment?

21 A I think he is right now. Because of, you know,
22 this personality characteristics, normally people don't
23 feel those things are like -- you know, they're like --
24 they're not things that they normally see they need to
25 change. They kind of are, you know, righteous. The thing

1 that -- you know, they're always right in doing those
2 things because it is such a set personality
3 characteristic. But because of, you know, the events and
4 what happened or -- and, you know, his -- his current
5 circumstances, there is an understanding that, you know,
6 these things are not working for him and they need to
7 change, and that only medication will not -- they are not
8 the answer.

9 Q And just to summarize, for my understanding. So
10 he is -- in your opinion, he's amenable to treatment?

11 A Yes, I think he is.

12 Q As to the -- Mr. Clifton's ability to exhibit
13 emotion or behavior that would resemble something like
14 remorse, we've heard today that there's question as to
15 remorse. And you had an opportunity to evaluate
16 Mr. Clifton, and you had an opportunity to observe this
17 emotional state. Based on the diagnoses that you provide
18 and a common understanding of remorse, do you have an
19 opinion as to whether Mr. Clifton would exhibit that in --
20 in what we would consider a normal expression?

21 A No. That is the part that is missing, and
22 that -- you know, that would need therapy to -- to
23 develop. There is an understanding that, you know, what
24 happened is wrong and that he's in trouble for it, but it
25 is not that kind of emotional component of being able to

1 kind of feel what somebody else feel or how to look at
2 things from another person's perspective, and those are
3 the elements -- the genuine elements that they are --
4 they are in remorse. Right? Is the -- I'm able to see
5 emotionally, like, your point of view, not just my point
6 of view, and that's what therapy is there for.

7 Q And -- and for Mr. Clifton specifically, as --
8 in considering his need to -- and the compulsive need for
9 rule following, admitting -- you said that he understands
10 that what he did has consequences, what he did was wrong,
11 and it should not have been done. Is that admission of
12 those things? Would you categorize that, based on his
13 diagnoses, as a form of remorse?

14 A Yes. It's like -- let's call it cognitive
15 remorse, like a thought remorse more than, you know, a
16 full remorse.

17 Q Although, granted, it lacks the common emotional
18 element to it.

19 A Exactly.

20 Q Okay. You discussed the behavioral therapy and
21 that, when it comes to those emotional aspects, that can
22 come out at the behavioral therapy as well.

23 A Yes.

24 Q And -- and these are things that medication
25 alone cannot address? Is that correct?

1 A Yes. Medications alone are not going to change
2 the way we think.

3 Q And based on your evaluation and the diagnoses
4 and the symptoms exhibited by Mr. Clifton, as it relates
5 to his being in a custody environment, being in a prison
6 environment around other individuals, is there anything
7 about his diagnoses that may put him at either -- that put
8 him at a greater risk in a -- in a prison scenario?

9 A Yes, I think so. It's the same -- it's the same
10 aspect of that rigidity in, you know, apply kind of what
11 is right and what is wrong and not being able to kind of,
12 in a sense, like, walk away from -- from something that he
13 perceive to be wrong. I can imagine that in a -- you
14 know, in a prison setting, there is many, like, things
15 happening at the same time, things that can be, like,
16 bending the rules in some kind of way, and I think that
17 would be a very hard position for him to be for his own
18 safety.

19 Q And with that same understanding, do you have an
20 opinion as to whether that would make him a better --
21 would be successful on probation in the community?

22 A I believe he will be because -- because, again,
23 of the same kind of like -- he does well with structure,
24 and, you know, this is clear stated to him that these are
25 the conditions that he needs to follow, he does follow

1 rules and regulation and he does do well with structure.
2 I think he just has to have those things very well, like,
3 specified for him.

4 Q And -- and that would go -- would you agree that
5 goes the same for a community -- community control or what
6 would be commonly known as house arrest? Would you
7 agree -- would you say that's the same?

8 A Yes.

9 Q And finally, Doctor, would you please tell the
10 Court, if Mr. Clifton is allowed to do community-based
11 care with mental health treatment, what would the
12 treatment recommendation be for -- to follow up with this
13 primary -- with his standard practitioner?

14 A What I would suggest for him, first, to keep
15 going with his medications, and also to add an intensive
16 psychotherapy, you know, cognitive behavioral therapy.
17 And ideally, those two providers will work together so it
18 would be coordinated care rather than two separate things.

19 Q And that's all community-based, not inpatient.
20 Correct?

21 A Yes.

22 MS. STEVENS: Thank you, Doctor.

23 That's all I have, Your Honor.

24 THE COURT: State, any questions for the doctor?

25 CROSS-EXAMINATION

1 BY MR. SARABIA:

2 Q Doctor, you said he follows rules. Who
3 determines what the rules are that need to be followed?

4 A In his mind, I think he does, but he, in his
5 mind, is following, like, the laws or regulations.

6 Q He does, though.

7 A Yes.

8 Q Just a couple things I wanted to ask about in
9 your report. On page seven, you indicate that he's in the
10 83rd percentile in need of -- in high -- in the high-need
11 category of the Dynamic Need Index?

12 THE COURT: What did you say? Dynamic need,
13 N-E-E-D?

14 MR. SARABIA: Correct.

15 THE WITNESS: Yes.

16 THE COURT: Okay.

17 THE WITNESS: Eighty-three percentile.

18 BY MR. SARABIA:

19 Q Okay. Which -- and that indicates high need?
20 He needs --

21 A Yes.

22 Q He's very needy?

23 A Yeah. So that was a measure that I administered
24 to assess, like, risk -- you know, the risk of -- risk of
25 re-offending and the needs that would need to be addressed

1 to reduce the risk of re-offending. And, yeah, in the
2 category of the needs, it did come up significant. So he
3 does have, you know, need to be addressed.

4 Q All right. Also, you indicated in your findings
5 for obsessive-compulsive, he's in the clinical range at
6 81. Would that be 81 -- 81st percentile or that just a
7 raw score?

8 A Not -- yeah. That's a T score, so would not be
9 a percentile. And yeah. This is actually -- this is a --

10 Q But --

11 A Yeah. Go ahead.

12 Q It's a high score, though.

13 A Yes.

14 Q Indicating that, in clinical range, that would
15 mean he needs treatment.

16 A Yes.

17 Q Interpersonal sensitivity. You found --

18 THE COURT: Can I have the lawyers at the bench
19 just briefly?

20 Doctor, I apologize. Just give me a minute.

21 (Recess from 1:24 p.m. to 1:32 p.m.)

22 THE COURT: Doctor, if you want to go ahead and
23 stand right there.

24 THE COURT: State, you can finish up.

25 And again, I apologize. I had to take a comfort

1 break. So go ahead.

2 MR. SARABIA: Thank you. Thank you, Judge.

3 BY MR. SARABIA:

4 Q Now, there was a hostility index for
5 aggressiveness towards others?

6 A Yes. So let me explain. This is an -- it's an
7 assessment measure of clinical scales. Those are not
8 clinical diagnoses themselves.

9 Q Correct. But he scored high on that scale -- on
10 the hostility towards other scale.

11 A Yes.

12 Q Phobic anxiety for fears related to specific
13 stimuli. He scored high on that as well.

14 A Yes.

15 Q Paranoid ideation for projections to others and
16 persecutory cognitions. He scored high on that as well.

17 A Yeah. It's a little lower, but still
18 significant.

19 Q And then psychoticism, for psychotic and
20 schizophrenic behaviors, he was on the borderline of
21 scoring high.

22 A Yes.

23 Q And on your -- on your page nine, paragraph in
24 the middle, I believe you indicated you're recommending --
25 he's at increased need for mental health services to

1 manage his risk factors, and one of those you indicated
2 was a lack of empathy?

3 A Yes.

4 Q And then the next paragraph, you also indicated
5 that Mr. Clifton may not fully recognize or identify his
6 symptoms as problematic. Correct?

7 A Yes. That's part of the personality disorder.

8 Q Yeah. Meaning he doesn't see any problem with
9 the way that he's behaving or the things that he does.

10 A I mean, he hasn't so far -- like, before the
11 incident.

12 Q Just one last couple of questions. You said he
13 acknowledged the importance of his prescribed medications.
14 Right?

15 A Yes.

16 Q But then also on page five, you also indicated
17 that he was refusing medications while in custody at
18 times. Correct?

19 A Yes. So the problem with the medication in
20 custody is that he was -- and I don't know the reason why
21 he was given just one of his medications instead of two.
22 And he had put a request for his second medication, which
23 is trazodone, which is the sleep -- I mean, it's
24 anti-anxiety/antidepression, but usually it helps with
25 sleep. So I think, you know, there is, like, some --

1 there is some kind of back and forth about getting the
2 same medication he was having when he was out.

3 MR. SARABIA: I have no other questions, Judge.

4 THE COURT: Okay.

5 Ms. Stevens, anything else for the doctor?

6 MS. STEVENS: Yes, Your Honor. Just to clarify
7 a few things.

8 REDIRECT EXAMINATION

9 BY MS. STEVENS:

10 Q Doctor, as it relates to the -- the concept of
11 refusing medication, in my understanding that the refusal
12 was -- are you of the opinion that the refusal was because
13 he wasn't getting -- or he wanted his specific medication
14 that the jail could not give him? Is that what you would
15 say?

16 A Yeah. It was on the -- on the notes also
17 from -- from jail. There was a -- there was a request,
18 actually, that he put, a request to see mental health
19 because he wanted the trazodone, which -- he was
20 prescribed two medications prior to his incarceration,
21 which is Effexor and trazodone. So antidepressant, and
22 the trazodone, in particular, helps with sleep. In -- in
23 jail, I don't know for what reason, he's given the Effexor
24 but not the trazodone. So I don't know why he refused
25 the -- the Effexor, but I definitely read the notes of him

1 asking for the trazodone, saying that he was experiencing
2 withdrawal symptoms, which that's understandable.

3 Q So is it a better statement to say that he
4 wasn't refusing treatment by medication but wanted the
5 correct medication?

6 A Yes.

7 Q Right. And --

8 THE COURT: Let me clarify. He didn't want the
9 correct medication. He wanted exactly the medication
10 he had out on the -- in the --

11 THE WITNESS: Yes. The medication.

12 THE COURT: So he --

13 THE WITNESS: He's been -- he has been on the
14 same for a long time.

15 THE COURT: So he didn't want to change -- he
16 didn't want to have, like, a generic form or a form
17 that they thought was equal. Is that what you're
18 saying?

19 THE WITNESS: No. The jail is giving him one --

20 THE COURT: Okay.

21 THE WITNESS: -- and he's taking two.

22 THE COURT: Okay.

23 THE WITNESS: So the jail is only giving him
24 one, which is just the antidepressant.

25 THE COURT: And so he quit taking that because

1 he didn't get both of them.

2 THE WITNESS: That's my impression.

3 THE COURT: Okay.

4 THE WITNESS: It -- it's not that he's not
5 taking it all the time, but I saw two refusals in --
6 in the month of records.

7 THE COURT: So he's supposed to get two. They
8 were giving him one. And when he didn't get two, he
9 didn't take any.

10 THE WITNESS: Exactly.

11 THE COURT: Okay. Got it.

12 Go ahead.

13 MS. STEVENS: Your Honor, I -- I intend to
14 provide some more clarity for that on -- at a later
15 time when we're done questioning the doctor.

16 THE COURT: Okay.

17 MS. STEVENS: All right.

18 BY MS. STEVENS:

19 Q Doctor, there's also -- on page five where you
20 indicate that you reviewed the records and -- excuse me.
21 There was -- you indicate when Mr. -- oh, I'm sorry. On
22 page six, where he was arrested February 9th of 2025, and
23 then medications are increased on February of 2025. Is --
24 is that in error and it should have been 2023 where he --
25 he addressed his medications after the incident?

1 A Yes, I think so. Sorry.

2 Q Okay. So with that understanding, he -- he
3 addressed his medications directly after the incident and
4 because of that. Is that correct?

5 A Yes.

6 Q All right. And the sliding scales are not
7 diagnoses, we heard you say. What does that mean when
8 something is in the high -- in the high range?

9 A You're talking about this -- the page eight, the
10 clinical scales?

11 Q Yes, Your Honor -- or yes, ma'am.

12 A So -- so this is a questionnaire of clinical
13 symptoms that we give to see, you know, is just anybody
14 depressed or you're more depressed than most people, which
15 means are you clinically depressed. Together, obviously,
16 with that information -- so those are just scales. I
17 cannot diagnose all of these diagnoses just because he
18 score high on those. But those are the -- kind of like
19 it's reporting symptoms that could be -- you know, that
20 could belong to any of this -- to any of these, basically,
21 clinical categories. But we cannot diagnose with all of
22 this checklist of things just based on this scale.

23 Q So these scales -- is it correct that these
24 scales assist you in diagnosis, but they themselves are
25 not the diagnosis?

1 A They are not. They don't -- they don't have --
2 they don't -- I mean, we follow the diagnostic manual, you
3 know, the DSM, for diagnosing. This is not a DSM
4 checklist. This is just, like, clinical question that
5 asks you -- that point out to -- are you experiencing
6 those symptoms.

7 Q Okay. And in your evaluation, do you have an
8 opinion as to whether or not Mr. Clifton is low, medium,
9 or high risk of reoffending?

10 A So the -- the risk assessment measures that I
11 administered came back with non-significant, basically.

12 Q Okay. Thank you. And finally, when we -- when
13 we heard discussion about the authority that Mr. Clifton
14 chooses to follow, is that authority from another entity
15 or from himself only? Is he following the rules of, per
16 se, the government or the State of Florida, what have you,
17 or is he making these up as he goes along?

18 A His mind is saying that he's following the
19 rules, they are like the real laws, let's call it. So
20 State of Florida, HOAs, or any rules that are, like,
21 written. I don't think he is dictating his own rules.
22 But he's himself deciding if other people are bringing
23 them or not.

24 MS. STEVENS: Okay. And that's all I have.

25 Thank you.

1 THE COURT: All right, Doctor. Thank you.

2 THE WITNESS: Thank you.

3 THE COURT: All right. Anything else from the
4 Defense?

5 MS. STEVENS: Your Honor, no further witnesses,
6 but I would like to clarify for the Court as to the
7 medication circumstance.

8 When Mr. Clifton first arrived in custody, there
9 was a confusion between the VA providing appropriate
10 medical records in order for him to get onto his
11 medication. Myself, his family have -- were all in
12 efforts of trying to get him his medication. The
13 jail had not been able to provide that to him. I
14 actually had to go down there and speak to somebody
15 in person. Any time he requested and they weren't
16 able to provide it, they marked that he was refusing.
17 So his jail records say refusing, but it all is
18 related to not being able to obtain the proper
19 records in order to get the medications to him.

20 And I -- the -- the client has never stated to
21 me that he is not inclined to take his medication.
22 He has consistently done that, and even changed and
23 modified it after the incident. But historically,
24 he's been complying with this medication.

25 And then, Your Honor, I can provide argument if

1 the State is --

2 THE COURT: Okay.

3 MS. STEVENS: Your Honor, based on the
4 information provided to the Court today, I think that
5 we would ask the Court to consider a period of
6 community-based supervision, be it probation or
7 community control. Mr. Clifton is -- has this
8 ability and need to follow what he believe -- the
9 rules as written. Here, his rules and regulations
10 will be that of the supervision, the Court's ordered
11 supervision, the standard conditions of probation, or
12 the Department of Corrections for supervision.

13 Your Honor, he has shown a -- he has a
14 willingness to participate in treatment, and the
15 added treatment that he would get, the behavioral
16 therapy, is going to give him those added necessary
17 elements of how to properly manage those compulsive
18 behaviors.

19 He -- he has allowed me to tell the Court that,
20 because he just -- he does not feel comfortable in
21 speaking on his behalf because he doesn't feel it
22 would come out properly, but he has told me to
23 express that he is -- he is sorry for the way that
24 the actions have affected his community, that
25 community that he lives in and the people involved.

1 He -- I've explained to him that this cannot not
2 necessarily be a condition of his probation, but he
3 is prepared to -- to move out of the community, and
4 any community-based supervision obviously would
5 include a -- no contact with any of the victims or
6 the -- or victims (Indiscernible) charges that were
7 merged, so to speak.

8 So he is asking the Court to consider the
9 resolution of this case with community-based care,
10 community-based supervision such as home detention --
11 excuse me -- it is getting late -- community control
12 or a period of probation, Your Honor.

13 THE COURT: Okay.

14 State, what are you asking?

15 MR. SARABIA: Judge, the picture that is painted
16 by the psychologist indicates an individual with high
17 marks for hostility, phobic anxiety, paranoid
18 ideations, and borderline psychoticism. This is a
19 horrible combination for somebody out in the
20 community with a firearm. And it culminates in
21 exactly the kind of incident we have here. And thank
22 God that this incident was not worse than it was.
23 Absolutely this person needs to be a convicted felon
24 so that he cannot have a firearm ever amongst the
25 civilians of the community.

1 The Court is familiar with the facts. The Court
2 has heard all the evidence. Again, there's a lot of
3 very problematic things coming together, as the
4 psychiatrist indicates in her report, they're very
5 concerning, and the state would recommend in the
6 range between 18 and 24 months in prison.

7 THE COURT: Okay. If we can have Mr. Clifton at
8 the podium with counsel so I can proceed to
9 sentencing.

10 Again, we're -- we're on the record for
11 sentencing in the William Clifton case, 23-CF-0562.

12 We had an earlier argument in reference to
13 whether we were going to go ahead and use the
14 additional 18 points for use of a firearm that's
15 allowed under the statute -- the Criminal Punishment
16 Code scoresheet, and, because we did not do a
17 specialized jury form for the jury, I'm going to
18 choose not to use those 18 points.

19 So for the record, right now -- and that's an
20 appealable issue for the State if they wish to take
21 that, because I'm not putting that in -- he would
22 score 36.20 points without the 18 extra points, so he
23 would score non-state prison up to five years for the
24 third degree felony conviction of Count 4.

25 I -- I did hear during the testimony of the

1 victims in this case, three of the four, about other
2 instances that they had heard about in the
3 neighborhood. I'm -- I'm not going to use that in my
4 decision, other than the fact that the doctor also
5 commented a little bit on it, that, you know, he
6 feels like it's his job to, like, supervise HOA rules
7 and regulations. And I think the testimony of the
8 witnesses would be consistent with the doctor's
9 statements about his behaviors and the things that he
10 believes he can do and not do and those types of
11 things.

12 I just wanted to make it in the record that I'm
13 not using those prior incidences, if you want to call
14 them incidences, in my decision on sentencing, but
15 I -- I do think the doctor made a point of -- of
16 saying that, based on her evaluation, the defendant,
17 currently, his mental health diagnosis causes him to
18 be highly rigid when it comes to following, quote,
19 rules, unquote, that he believes are proper.

20 I understand the State's position, and I kind of
21 agree with it, which is the rules that Mr. Clifton
22 wants everyone to follow are the rules that he
23 believes are the correct rules. And that got into
24 this trial specifically with these plastic speed
25 bumps. There is no rules about these speed bumps.

1 There's absolutely no rules about these speed bumps.
2 Yet Mr. Clifton thought that he -- he believed there
3 was and, and he was going to enforce what he thought
4 was the rules.

5 Again, that -- that comes into play in -- in my
6 decision-making in the fact that he was in the Navy
7 for 20 years. I was a Navy child. Twenty-six years
8 of my life my father was in the Navy. I was
9 raised -- born on a Navy base. Raised in the Navy.
10 Not -- my personally, I was never in the Navy, but I
11 was raised on naval bases three quarters of my life
12 before I was 18. And there's like a -- when you're
13 in -- when you're in the military, there's a lot of
14 rules that -- there's a lot of rules and there's a
15 lot of people telling you what to do, and sometimes
16 you don't agree with what they're telling you do, but
17 you have to do it. And he was able to do that for
18 20 years in the military, and he was able to not get
19 discharged for, you know, not following orders that
20 maybe he didn't agree with, things like that, because
21 you get that a lot.

22 So I'm not exactly sure I am a hundred
23 percent -- I believe the doctor's diagnosis. That's
24 what she thinks. But my problem is -- is that she --
25 she makes diagnosis that he needs psychotherapy on

1 top of the medical -- medication that he's already
2 been doing. Well, he's -- he's been having doctors
3 evaluate him with the VA for I don't know, what, I
4 think his wife said something like 11 years, 7 years,
5 something like that, and he didn't do psychotherapy
6 because he doesn't see anything he does as wrong.
7 It's everybody else's problem, everybody else's
8 issues.

9 There's a couple things that happened in this
10 trial that were very concerning to the Court. Number
11 one, whether he can or can't, he has shown no
12 remorse. And the remorse that I would expect him to
13 show, or I would expect any defendant in this case to
14 show, involves the fact that there was children
15 present when this happened. You know, it's one
16 thing -- and I know that the adults have trauma from
17 this. Absolutely, they have trauma. Any person
18 would have trauma having a gun pointed pretty much
19 point blank in their face and then, you know, waved
20 around in their presence. But he did it knowing that
21 there were children there. He, in the video,
22 literally tracks the victim, who then leaves his path
23 of running away because he puts himself in direct
24 contact with his child. So to not have the gun
25 pointed at his child, he goes another way because he

1 can -- he can tell that the defendant is tracking him
2 with his firearm.

3 So the victim saves his children. The defendant
4 doesn't give a crap. He doesn't care. He doesn't
5 care that there's children there. He clearly knows
6 no one else has a gun. No one has a gun. He has a
7 gun. No one else does. So if he felt in fear, as
8 soon as the victim ran away, he should have put the
9 gun down. He doesn't put the gun down. He tracks
10 the victim across the lawn, with multiple children
11 present, and he has shown no remorse for that. None.
12 Zero. Not I'm sorry, that was wrong. None.
13 Children. None.

14 And don't tell me that it's because he has a
15 mental health issue. It's because he doesn't believe
16 he did anything wrong. He took the witness stand and
17 he lied. And we all know he lied because he told
18 some ridiculous story about going to the gas station.
19 And once he took the witness stand and decided to
20 alter his story, that tells me he knew he had to come
21 up with some story of why he was in this
22 neighborhood.

23 He was in this neighborhood because he heard
24 that they put these plastic things out, and he was
25 going to go -- go over there and take care of it.

1 Instead, he tells some ridiculous story about driving
2 in some weird way around this neighborhood to get to
3 a gas station and just happens to come in -- into
4 this street, which nobody drives down unless they
5 live in, and then sees these plastic things and
6 decides that they don't belong there.

7 And I want to note for the record, when he pulls
8 up, he is angry. He is mad. He curses, he yells, he
9 screams. He is angry. So clearly he has the ability
10 to manifest feelings. He doesn't get out and just
11 walk up with no response or no action and then start
12 moving -- he is cursing, he is yelling, he's saying,
13 I'm sick of this. You can hear it all on the video.
14 It's clear as day. He pulls up with the exact
15 decision that he found exactly where he was trying to
16 go. He was going to go and take care of this because
17 he heard about these things. I believe he said in
18 his own testimony, he had seen it in the HOA minutes.
19 His testimony. So that means he was reading HOA
20 minutes to try to find rule breakers.

21 It's one thing when you follow the rules. It's
22 another thing when you go out of your way to try to
23 find things in the community so that you can fix.
24 That's a problem. That's a huge problem that I have
25 with this case.

1 This isn't an isolated incident in the fact that
2 he happened to be driving in his own street and he
3 had some problems with his neighbors. This street
4 and his street are not even close to each other. And
5 there's no reason for him to drive down this street
6 to go to his house. So he went out of his way after
7 reading the HOA minutes to find someone that was
8 putting these little plastic speed bumps on the
9 ground and to make a point that he wanted them to
10 know that that wasn't right.

11 And then he said that he couldn't run over them
12 because it would have gone up into his chassis and
13 blown up his engine. I'm paraphrasing there, but
14 that's kind of what he said.

15 Again, no remorse, no consideration, no concern
16 for anyone else but himself. Himself. And what he
17 perceives the rules to be and what he is going to do
18 about the rules.

19 And the reason I'm bringing this up is he still
20 lives in this neighborhood. You say that he's,
21 quote, thinking -- or maybe it was in the PSI; I'm
22 not really sure where it was, but somewhere in all
23 this is that he's thinking of moving. You would have
24 thought he would have moved a long time ago. I mean,
25 this case has been going on. He was out of custody

1 for almost, what, two years? Three years? Two
2 years? Two years. But he lived in the neighborhood.
3 He still stayed there.

4 He ran motions -- you know, Stand Your Ground
5 motions. He ran other motions. He, to this day,
6 does not feel that he's done anything wrong. I still
7 haven't heard him say he hasn't done anything wrong.
8 He doesn't have to. It's not required under the
9 statute, but he did testify. And once you testify,
10 you put your -- you put your credibility and
11 everything about you before the Court.

12 And as the victim said, the biggest issues that
13 they have and what they're concerned about is that
14 Mr. Clifton still lives in the neighborhood and their
15 children's trauma. All of those things are on him.
16 A hundred percent.

17 They did a RPO on this case and removed his
18 firearm, but that's over. So he can have a gun. He
19 doesn't need a gun. I agree a hundred percent with
20 the State. There's no question in this case he will
21 be adjudicated. I know his wife doesn't want him to
22 be, but he will be. He cannot have a firearm. He
23 cannot be trusted with a firearm. He can't own a
24 firearm. He can't use a firearm. Not a knife, not a
25 gun. He can't be trusted with one. He's already

1 shown that. His idea of how he can use that firearm
2 and when he can use that firearm, the jury said very
3 clearly, is skewed.

4 He was not in danger. There was nothing wrong.
5 He -- he could have sit there and pushed those guys
6 back and forth. He could have -- he could have had a
7 big push match, but he didn't. He just stepped back,
8 drew his gun, pointed it at the victim, and then
9 tracked him all the way across the lawn, past three
10 children, while people are running for their lives
11 screaming, and then turns to the other three people
12 who are minding their own business, hiding behind a
13 tree that's about the size of a twig, trying to hide
14 behind a tree, and then he points it at them too.
15 And he does it all the way until he gets back in his
16 car.

17 So my problem with Mr. Clifton is that he
18 doesn't have any belief that what he did is wrong,
19 number one. Number two, he did it in front of
20 children, pointing the gun at one point towards the
21 children. Now, I will say it appears that the victim
22 is between himself and his child, but then he moves
23 because he's afraid that if the firearm goes off, his
24 child could be hit. And then he takes the stand and
25 makes up some wild story about how he was driving

1 around the neighborhood going to a gas station, which
2 we spent quite a bit of time with the jury on that,
3 and I'm -- I'm sure -- I'll assure you that the jury
4 didn't buy that either, because that was ridiculous.

5 So, you know, this isn't -- when the Court looks
6 at these cases and how to respond and what kind of
7 sentence the Court should give in these cases, you
8 have to look at the overall case itself. And again,
9 this isn't a situation where he had prior incidences
10 with the victims and lived in the neighborhood and
11 maybe overreacted. This is an incident where he went
12 to their neighborhood. This is their house. This is
13 their street. I know it's all the same neighborhood,
14 but we all had maps. Okay? He literally had to
15 drive, like, in a circle to get there. They're not
16 in the same sub-development. They're in the same
17 neighborhood.

18 I lived in Lansbrook, so you got this
19 neighborhood and that neighborhood, and it takes two
20 miles to get to the other neighborhood. If you want,
21 I'll get on the record how many miles, but I can
22 guarantee you, you would agree they don't live -- he
23 doesn't have to drive by their house to get to his
24 house. There's no reason to. I -- I saw more maps
25 of that neighborhood than I'll ever want to know.

1 And they're all in -- in the record.

2 So do they live in the same named
3 sub-development? Yes. Do they live in the same
4 neighborhood? No. To me, neighborhood is like your
5 three streets, your five streets that are around. He
6 doesn't live in that neighborhood. There's no reason
7 for him to go there. He wasn't visiting a friend.
8 He wasn't going to somebody's house. He wasn't going
9 to his cousin's house. To this day his statement for
10 being there, again, was that he was going to a gas
11 station that you don't have to go through that street
12 to get to. Matter of fact, you have to go around to
13 get back to the street to get to the gas station that
14 he was, quote, going to.

15 So the fact that, you know, you want me to, I
16 guess, just give him probation and just say, you
17 know, take some medication, isn't -- isn't sufficient
18 to the Court for sentencing in these type of cases.

19 So at this point, what I'm going to do is that,
20 as to the misdemeanor lesser Count 1, which also
21 includes Counts 2 and 3 as merged, I'm going to give
22 him one year in the county jail, and he will have
23 56 days credit time served for that. He will be
24 adjudicated.

25 Then, on Count 4, which is a third degree

1 felony, I'm going to -- the one year in county jail
2 is going to be followed by five years of probation.
3 The first year is going to be under house arrest, and
4 then the remaining four will be regular probation.

5 He will have no contact with the victims or the
6 victim's street. He can't drive down the street.
7 There's no reason for him to drive down the street.
8 He has to continue to take all medication
9 recommended. He has to sign a HIPAA waiver so that
10 they make sure that they can speak to the mental
11 health provider. He has to continue with his mental
12 health treatment. He has to do -- as a condition of
13 his mental health treatment, he has to add
14 psychotherapy to the treatment. There's \$550 in
15 court costs and fines, \$100 to the State.

16 State, is there any invest costs or anything
17 that -- restitution or anything like that?

18 MR. SARABIA: No restitution. \$104 to the
19 sheriff's office for investigative costs.

20 THE COURT: \$104. And I want it clear that he
21 is adjudicated on both charges, on 1 and 4. That he
22 will have no contact with the victims. He will have
23 no contact with the victims' street. He cannot go
24 down that street. Can't -- and the state can give me
25 the name of the street so we can give it to

1 probation.

2 MR. MOELLER: Barbour, B-A-R-B-O-U-R, Trail.

3 THE COURT: Barbour Trail. He'll have no
4 contact with the victim. No contact with Barbour
5 Trail in -- I believe it's New Port Richie,
6 considering.

7 MR. MOELLER: It's Odessa.

8 THE COURT: Odessa? Odessa.

9 And Mr. Clifton, does he stipulate to the cost?

10 MS. STEVENS: Yes, Your Honor.

11 THE COURT: Okay. I can do a breakdown, but
12 it's -- I mean --

13 MS. STEVENS: Do you need -- it's \$550 court
14 costs?

15 THE COURT: Yes. And \$100 to the State.

16 MS. STEVENS: Okay. We'll stipulate, Your
17 Honor.

18 THE COURT: Okay. And then it's -- and then
19 it's the invest cost with the sheriff's office,
20 \$140.

21 As a condition of adjudication, he can have no
22 firearms. He cannot possess a firearm. He cannot
23 have any weapons. He cannot possess a weapon. And
24 that will be forever because he can't get it back
25 even after probation is done.

1 State, is there anything else that you're asking
2 me as a condition of any probation?

3 MR. SARABIA: No, Judge.

4 THE COURT: All right. And the -- it'll be --
5 the Count 1 is an adjudication, one year Pasco County
6 Jail with 56 days credit time served, and Count 4 is
7 a consecutive five years of probation, first year is
8 house arrest, last four regular probation. No
9 contact with the victim. No contact with Barbour
10 Trail in Odessa. He has to continue with his mental
11 health treatment. He has to sign a HIPAA waiver. He
12 has to take all medication recommended. He has to do
13 psychotherapy as a condition of his mental health
14 treatment. And then the costs.

15 MR. SARABIA: And, I'm sorry, Judge, can we get
16 a waiver of search as a condition of probation as
17 well?

18 THE COURT: Okay. And then he will -- he has --
19 he'll waive any search and seizure -- waiver of
20 search and seizure so they can search in his house if
21 he has any weapons. So --

22 MS. STEVENS: While he's on probation?

23 THE COURT: Right. So while he's on probation,
24 he will waive his right to search and seizure so that
25 they can go ahead and make sure that he doesn't have

1 any weapons in his home. So he's -- waiver of search
2 and seizure. No contact with the victim. No contact
3 with Barbour Trail in Odessa. He'll have to add
4 psychotherapy to any mental health treatment or, if
5 they don't recommend any treatment, he'll have to do
6 psychotherapy. He has to sign the HIPAA waiver. He
7 has to continue with his mental health treatment,
8 taking all recommended medications as recommended.
9 And first year will be as a house arrest, and the
10 last four will be as probation.

11 For the clerk, any update on that?

12 And then he'll be adjudicated on both cases.

13 The last thing I have is he would have 30 days
14 to appeal. Can he afford to hire an attorney for
15 appeal?

16 MS. STEVENS: Yes, Your Honor.

17 THE COURT: All right. So right now -- if that
18 changes, you can contact the court.

19 But, Mr. Clifton, you have 30 days to appeal,
20 and for right now they're saying that you can hire
21 your own attorney for an appeal. And so if that
22 changes, you just need to contact the court and let
23 me know, and I can appoint a public defender for
24 appeal purposes. And you have 30 days to appeal.

25 All right? Good luck, sir.

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THE DEFENDANT: Yes, Your Honor.

(The proceeding concluded at 2:05 p.m.)

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CERTIFICATE OF COURT TRANSCRIBER

STATE OF FLORIDA

COUNTY OF PINELLAS

I, Mary Ann Burke, a digital court transcriber for the Sixth Judicial Circuit, do hereby certify that I was authorized to and did transcribe the foregoing proceedings and that the transcript is a true and correct record of said proceedings.

DATED this 10th day of February, 2026.

Mary Ann Burke

Mary Ann Burke, CET-1292
Digital Court Transcriber
Sixth Judicial Circuit