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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF AGRICULTURE AND
CONSUMER SERVICES,

Petitioner,

and

LARRY KRAVITSKY,

Respondent.

DOAH Case No. 07-5600

DACS Case No. 2007-0079

Agency Case No. A47018

MOTION TO SUPPRESS EXHIBITS

COMES NOW, Larry Kravitsky, pro se, pursuant to Florida Statute 120.57(1)(d) submits his motion to suppress exhibits in the above styled case. As grounds for such Respondent states as follows:

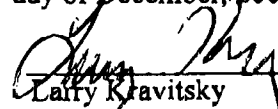
1. Respondent requests Petitioner's Exhibits 23, 24 to be excluded from introduction in this action. Florida Statute 120.57(1)(d) states evidence of other violations is admissible only when relevant to prove a material fact in issue. Exhibit 23 relates to a charge of Tax Evasion dated April 15, 1995. This violation shows no proof of motive, opportunity, intent, preparation, plan, knowledge, identity or absence of mistake or accident and further is inadmissible when the evidence is relevant only to prove bad character,
2. Similarly Exhibit 24, a no contest plea to a charge of unlawful compensation in 2004, is not relevant to any fact or issue in the present case unless some other violation has been found to have been committed or Respondent had been found guilty of some violation of any act in violation of Chapter 482. Chapter 482 lists no such violation, unlawful compensation anywhere within its pages thus Exhibit 24's admission in this case would

be solely to prove bad character or propensity and therefore should not be admitted by this Court.

3. Florida Statute 120.57(1)(d) further mandates that no fewer than ten days before commencement of proceedings a written statement of the acts or offenses it intends to offer describing them and the evidence the State intends to offer with Particularity.
4. Attached is a copy of the postmark indicating packet including Exhibits 23 and 24 could not have been received within the statutory mandated period.

WHEREFORE, Petitioner asks this honorable Court to suppress Petitioner's Exhibits 23 and 24.

Dated this 17th day of December, 2008



Larry Kravitsky
3300 South Ocean Blvd., #917
Highland Beach, Florida 33487
(754) 367-1990

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished to David W. Young, Esquire, Attorney for Petitioner, Florida Department of Agriculture and Consumer Services by U.S. Mail at Suite 520 Mayo Building, Tallahassee, FL 32399-0800, and by facsimile at 1-850-245-1001 on this 17th day of December, 2008.

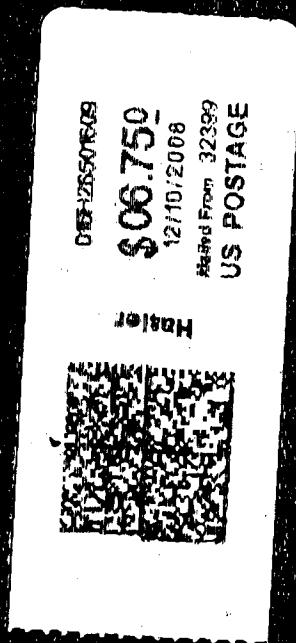
By: 

Larry Kravitsky, pro se
3300 South Ocean Blvd., #917
Highland Beach, Florida 33487
(754) 367-1990

Dec 17 2008 10:57
12/17/2008 10:55 #090 P.005

954 933 0784

From:SHIP SHAPE



Larry Kravitsky, Esq.
3300 South Ocean Boulevard
Suite 917
Highland Beach, Florida 33487

UNITED STATES DISTRICT COURT

EASTERN

District of

NEW YORK

UNITED STATES OF AMERICA

V.

LARRY KRAVITSKY

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number:

CR-98-932-01

Jay Goldberg

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) ONE (1) of a SINGLE COUNT INFORMATION

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.

☐ was found guilty on count(s) _____
after a plea of not guilty.

Title & Section

26 USC 7201

Nature of Offense

INCOME TAX EVASION

Date Offense

Concluded

April 15, 1995

Count

Number(s)

1

The defendant is sentenced as provided in pages 2 through _____ of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.:

Defendant's Date of Birth: May 28, 1958

Defendant's USM No.: Unavailable

Defendant's Residence Address:

3300 South Ocean Blvd.

Apt. 917C

Highland Beach, Florida 33487

Defendant's Mailing Address:

May 4, 2001

Date of Imposition of Judgment

Signature of Judicial Officer

Thomas C. Platt, U.S.D.J.

Name and Title of Judicial Officer

Date

A TRUE COPY
ATTEST

DATED

5/10/2007
ROBERT C. HEINEMAN

BY

CLERK
DEPUTY CLERK

DEFENDANT: LARRY KRAVITSKY
CASE NUMBER: CR-98-932-01

PROBATION

The defendant is hereby sentenced to probation for a term of FIVE (5) YEARS with FOUR MONTHS home confinement

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter.

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.

☐ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT:
CASE NUMBER:

LARRY KRAVITSKY
CR-98-932-01

Judgment — Page 3 of 4

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 50.00	\$ 10,000.00	\$

☐ The determination of restitution is deferred until _____ An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>*Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
----------------------	----------------------------------	--	--

TOTALS

\$ _____ \$ _____

If applicable, restitution amount ordered pursuant to plea agreement \$ _____

The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for the ☐ fine and/or ☐ restitution.

☐ the interest requirement for the ☐ fine and/or ☐ restitution is modified as follows:

ings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for
s committed on or after September 13, 1994 but before April 23, 1996.

12/17/2008 11:01 #090 P.008

954 933 0784

From: SHIP SHAPE

Dec 17 2008 11:02

DEFENDANT: LARRY KRAVITSKY
CASE NUMBER: CR-98-932-01(TCP)

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☐ Lump sum payment of \$ _____ due immediately, balance due
- ☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, or ☐ E below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ E below); or
- C ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☒ Special instructions regarding the payment of criminal monetary penalties:
The fine is payable in yearly installments of \$2,000.00 during the probation term. The first installment is due within SIX(6) MONTHS.

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.

DIVISION:
CRIMINAL

JUDGMENT

THE STATE OF FLORIDA VS.

CASE NUMBER

DEFENDANT

Larry Kravitsky

04-120180CF10
CF

☐ Probation Violator

State Attorney

Dana Schulson

Court Reporter

Trette Garcia

The Defendant,

Larry Kravitsky

being personally before this Court represented by

James Lewis

his attorney of record, and having:

INSTR # 106759121
OR BK 43455 Pages 1976 - 1977
RECORDED 01/19/07 08:27:49
BROWARD COUNTY COMMISSION
DEPUTY CLERK 2085
#14, 2 Pages

(Check applicable provision)

- ☐ Been tried and found guilty of the following crime(s)
☐ Entered a plea of guilty to the following crime(s)
☒ Entered a plea of not guilty to the following crime(s)

COUNT

CRIME

OFFENSE STATUTE
NUMBER(S)

DEGREE OF
CRIME

ADD'L MONIES
IMPOSED

<u>I</u>	<u>Unlawful Compensation</u>	<u>838016(1)</u> <u>+ 775.083</u>	<u>2F</u>	

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

The Defendant is hereby ordered to pay the sum of Fifty dollars (\$50.00) pursuant to F.S. 960.20 (Crimes Comp. Trust Fund). The Defendant is further ordered to pay the sum of Five Dollars (\$5.00) as court costs pursuant to F.S. 943.25(4). Fines imposed as part of a sentence pursuant to F.S. 777.083 are to be recorded on the Sentence page(s).

(Check if applicable)

Stayed & Withheld

Imposition of Sentence

☒ The court hereby stays and withholds the imposition of sentence as to count(s) I and places the Defendant on probation for a period of 3 years under the supervision of the Department of Corrections (conditions of probation set forth in a separate order)

Sentence Deferred
Until Later Date

☐ The court hereby defers imposition of sentence until

(Date)

☒ Pay \$200.00 Trust Fund pursuant to F.S. 938.05 (1) (b) (c)

Count(s) _____ : _____ DAYS/MONTHS BROWARD COUNTY JAIL W/CREDIT _____ DAYS TIME SERVED.

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

I hereby certify that a true and correct copy of the above and foregoing was served on the State Attorney by: ☐ hand delivery ☒ U.S. mail and to the Defense Attorney by: ☐ hand delivery ☒ U.S. mail this 10th day of 10th 2004

Deputy Clerk

ICC 112-65 JUDGMENT

CIRCUIT COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY, FLORIDA

Case Number 19-123456789 Arrest Number BCCN #
State of Florida VS AKA
Judge Cash bond / Return to depositor (Surety bond) IC
Cash bond number(s)
Charges:

() REMANDED () REMAIN IC () UNTIL PICKED UP BY OR
BED AVAILABLE AT

() Arraignment () Change of Plea () Guilty () No Contest () PSI/PDR () Sentencing / Re-Sentencing
() Trial by Jury () Trial by Court () First VOP / VOCC () Final VOP / VOCC () Admits Allegations
() Convicted by Jury/Court () Acquitted by Jury /Court () Dismissed () Speedy
() Discharged () Nolle Prosequi () Found Incompetent/Committed to Child/Family Services
() Adj. Guilty () Adj. Withheld () Adj. Delinquent
() Committed to DJJ/Level () Sentence Withheld () Previous Sentence Vacated
() PSI Ordered
Adj. and Sentence deferred to

Type of Probation / Community Control:
() Youthful Offender () Drug Offender () Sexual Offender () Habitual Offender () Mental Health () County
PROBATION/COMM. CONTROL () Revoked () Reinstated () Modified () Terminated
() Extended () All previous special conditions apply
WARRANT: () Dismissed () Withdrawn () Served in open court

SENTENCE: (PROBATION/COMM. CONTROL)

COUNT(S): 3 () Years () Months () Days () Probation () Community Control () followed by
() Years () Months () Days () Probation () Community Control
() each count concurrent/consecutive () concurrent () consecutive to case number
COUNT(S): () Years () Months () Days () Probation () Community Control () followed by
() Years () Months () Days () Probation () Community Control
() each count concurrent/consecutive () concurrent () consecutive to case number

SENTENCE: (INCARCERATION)

COUNT(S): () One year plus one day () Years () Months () Days
() BCJ () FSP, w/credit for days T/S
() followed by () Years () Months () Days () Probation () Community Control
() each count concurrent/consecutive () concurrent/consecutive () to case number
() any other sentence () Work release () prison sentence suspended
COUNT(S): () One year plus one day () Years () Months () Days
() BCJ () FSP, w/credit for days T/S
() followed by () Years () Months () Days () Probation () Community Control
() each count concurrent/consecutive () concurrent/consecutive () to case number
() any other sentence () Work release () prison sentence suspended

JUDGE

DEPUTY CLERK

3 of 4

DATE 1.10.07

FILE COPY

12/17/2008 11:04 #090 P.012

954 933 0784

From: SHIP SHAPE

State of Florida VS

Gravitsky Larry

Case number

2 OF 2
04-12018CF10A**SPECIAL CONDITIONS OF PRISON SENTENCE:**

- () Habitual Violent Offender mandatory minimum _____ years Ct(s) _____
 () Violent Career Criminal mandatory minimum _____ years Ct(s) _____
 () Prison Releasee Reoffender mandatory minimum _____ years Ct(s) _____
 () Firearm mandatory minimum _____ years Ct(s) _____
 () Other mandatory minimum _____
 () Habitual Offender Ct(s) _____ () Youthful Offender () Sexual Predator/Offender () Boot Camp
 () Drug Treatment () Tier _____ Program
 () To be given credit for all time previously served in prison, to be calculated by Department of Corrections

SPECIAL CONDITIONS OF PROBATION:

- () _____ days BCI w/credit for _____ days T/S () work release () Boot Camp
 () ATTAC () Work release after successful completion of ATTAC () Electronic Monitor () Drug Treatment
 () BSO/SAP () ISAP () Upon successful completion of drug program jail sentence shall be terminated
 () _____ hours of Community Service
 () \$50.00 per mo COS waived / imposed () Obtain GED or High School diploma
 () Anger Management Program () Peg program
 () BARC () followed by _____ () Psychological / Psychiatric evaluation and treatment necessary
 () Blood draw per F.S. 943.325 - 2 samples for conviction of sexual assaults; lewd or indecent acts; homicides (782.04) aggravated battery; home invasion robbery or carjacking () Random drug/alcohol testing
 () Curfew _____ () Random urinalysis/waive costs
 () Drug/Alcohol evaluation and treatment recommended () Recommend 2-year Driver's License Suspension
 () Forfeit weapon / firearm () Restitution ordered \$ _____ /amount reserved
 () F.A.C.T. () Spectrum
 () House of Hope () Substance abuse evaluation
 () IRT () followed by _____ () Turning Point Bridge Program/Aftercare
 () May transfer probation to Palm Beach County () Work permit
 () May travel _____ for work purposes () Make donation of \$ _____ to _____
 () No contact with minor children without adult supervision
 () No contact directly or indirectly with victim(s) or victim's family or others listed
 () No driving without valid driver's license
 () No drugs or alcohol
 () Enter and successfully complete _____
 () Drug Court Monitoring/Hearing set _____
 () Other _____

Defendant can travel to Kruba in the month of March, for a period of two weeks, with proper notice given to the Dept of Corrections. Court has no objections.

COSTS

- () \$200 Trust Fund
 () \$50 VC each count _____
 () \$5 Assessment each count _____
 () \$50 SN1
 () \$100 OTF
 () \$ _____ fine plus \$ _____
 () \$ _____ Court Costs
 () Pay balance of previously imposed costs
 () Balance of court costs and fees converted to a civil lien () Court costs converted to Comm.
 () Deferral fee _____ () Defer to _____
 () Other _____

- () \$40 PD application fee waived / imposed
 () \$ _____ PD fee
 () \$20 CSTF
 () \$20 AC () Extradition to _____
 () \$20 SN1
 () 5% surcharge count(s)
 () \$15.00 CFF
 () Waive all court costs

JUDGE

DEPUTY CLERK

DATE

1.10.07

4 of 4



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