

## WHAT PENALTIES DO I FACE?

It is impossible to determine exactly what penalties you may face without careful analysis of your case. A determination of your possible sentence requires that an experienced attorney take your charge, your prior record, and local sentencing customs into account. However, Florida law does provide minimum and maximum penalties for every crime. The possible penalties for a number of common crimes are listed below:

### SIMPLE BATTERY AND DOMESTIC BATTERY

- Jail: Up to one year
- Batterer's Intervention or Anger Management Course at defendant's expense.
- Restitution to victim.

### POSSESSION OF COCAINE

- Fine: \$0 - \$250,000 (depending on weight)
- Jail: Up to 30 years (depending on weight)
- Mandatory Driver's License suspension upon conviction.
- Property forfeiture
- Minimum mandatory jail sentences of 3 years - 15 years may apply.

### POSSESSION OF MARIJUANA

- Fine: \$0 - \$200,000 (depending on weight)
- Jail: Up to 30 years (depending on weight)
- Possible mandatory Driver's License suspension upon conviction.
- Property forfeiture
- Minimum mandatory jail sentences of 3 years - 15 years may apply
- Misdemeanor possession (less than 20 grams): up to 60 days in jail and \$500 fine.

### PETIT THEFT (SHOPLIFTING)

- Jail: Up to one year
- Anti-shoplifting course at defendant's expense.
- Restitution to store.

**IT IS IMPORTANT TO NOTE** that crimes that seem relatively minor, such as possession of as little as 10 grams of a controlled substance or theft of cable services, are felonies. A felony conviction affects your civil rights such as your right to vote and your right to bear arms; therefore, felony charges must be taken very seriously.

## WHY DO I NEED AN ATTORNEY?

You are not required to have an attorney represent you; however, there are some very good reasons why you should:

- **YOUR TIME IS VALUABLE.** Often a person charged with a crime must wait hours to have their case called by the court. A lawyer can help you get in and out of court quickly, and may be able to help you avoid appearing in court at all.
- **LEGAL LANGUAGE** can be confusing and difficult to follow. Sometimes it seems more like a foreign language. Having an attorney with you in court can help you understand everything that is occurring, and can help you phrase responses to the court in the most appropriate manner.
- **JUDGES ARE PEOPLE TOO** and like most people, they have their individual likes and dislikes. Robert Norvell has practiced extensively in Palm Beach, Broward, Martin and St. Lucie counties, and is familiar with many of the judges and their individual courtroom procedures.
- **DEMOCRACY WORKS BOTH WAYS** meaning the same laws that give the state the right to prosecute you ensure that *you have the right to tell your side of the story and to present each and every defense available to you.* Many people plead guilty to a crime without having an experienced attorney analyze their case. *Do not be one of those people.* Do not give up your legal rights without speaking to attorney so you can make the best decision regarding your case.

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CRIMINAL DEFENSE

## EXPERIENCED HELP

ROBERT NORVELL HAS OVER 10 YEARS EXPERIENCE DEFENDING INDIVIDUALS CHARGED WITH STATE AND FEDERAL CRIMES.



ATTORNEY ROBERT NORVELL

graduated from Boston University Cum Laude with a Bachelor of Arts, and again with honors from the University of Florida, College of Law. During his time at the University of Florida Mr. Norvell received Book Awards (finished number one in the class) in Property Law, Tort Law, and Estates and Trusts.

After graduating from law school, Attorney Norvell worked as an Assistant State Attorney in Alachua County, Florida. He then became an Assistant Public Defender in Palm Beach County, Florida. At the Palm Beach County Public Defender's Office Mr. Norvell was promoted to Division Chief where he was charged with the supervision of two attorneys and responsible for an active caseload. Attorney Norvell also acted as a liaison between judges and the Public Defender's Office. Because of this experience, he has personally practiced before every criminal judge in both Circuit and County Court.

Robert Norvell has been an active, well known, and respected member of the Palm Beach Criminal Defense Bar for many years. In 2006, he was appointed to the Florida Bar Traffic Rules Committee, which is a decision making committee that makes recommendations to the Legislature regarding traffic laws in West Palm Beach and throughout Florida. He is the only criminal defense attorney in Palm Beach County to sit on this Committee.

## ANSWERS TO COMMON QUESTIONS

### WHAT SHOULD I DO RIGHT NOW?

**WRITE IT DOWN:** Although it may seem time consuming, you should write down everything you remember related to your case so you can give it to your attorney later. People tend to forget details over time -- even the details of a traumatic arrest. The names of witnesses are especially important. Even if you don't know the witnesses personally, or you think they won't want to help you, an attorney can compel them to appear and testify if needed.

**HIRE AN ATTORNEY:** Find an attorney who is experienced in handling your type of case. This will take away the stress of going to court on your own, and will assure you that your rights are protected. Further, the earlier an attorney is involved in a case the more likely it is he will be able to find and preserve important evidence. For example, if you were arrested near a gas station or nightclub there may be surveillance video of your arrest. However, surveillance video is usually erased within a week and generally must be secured with a subpoena. An attorney can help you make sure this and other types of evidence are preserved.

**IF YOU DO NOT HIRE AN ATTORNEY, GO TO COURT:** If you hire an attorney you may not have to go to court. Generally, an attorney can enter an appearance and appear on your behalf. However, if you do not hire an attorney you must go to court, even though you may have to wait there for hours. If you miss your court date it is very likely that the judge will issue a warrant for your arrest.

**DO NOT CONTACT THE VICTIM:** If you contact the victim in a case you can find yourself in even more trouble. This is especially true in domestic battery cases, where a "no-contact" order is often issued automatically at the beginning of the case. Do not violate the court's order, and do not contact the victim and try to "work things out." Unfortunately, once a criminal case begins a victim cannot "drop the charges."

## WHAT DEFENSES ARE AVAILABLE?

Without careful analysis of your case, it is impossible to determine which legal defenses may be available to you. Some common defenses are discussed below:

### IMPROPER STOP

If your case involved a vehicle stop, it is possible that the stop was improper. A police officer must have a good reason to stop a vehicle -- a simple hunch, for example, does not give the police a valid reason to investigate. An improper stop may render all evidence obtained after the stop inadmissible.

### IMPROPER SEARCH

Even if an officer had a valid reason to search your vehicle, he or she still may not have had enough evidence to search your person. Like an improper stop, an improper search may force the court to throw out the evidence found during that search.

### TECHNICAL LEGAL DEFENSES

There are a number of technical defenses which may apply to your case. For example, an illegal item found in the proximity of two different people (e.g., in a car with two passengers) may not be admissible against either person, in spite of the fact that it was near both of them. This is because the state may not be able to prove that either person had "constructive possession." An experienced lawyer can help you identify this and other technical defenses.

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