

# Rule 3.994. Order Certifying No Incarceration

In the \_\_\_\_\_ Court of the  
\_\_\_\_\_ Judicial Circuit

in and for

County, Florida

Case No.:

Division

State of Florida \_\_\_\_\_ )

Plaintiff, \_\_\_\_\_ )

)

v. \_\_\_\_\_ )

)

\_\_\_\_\_ (name) \_\_\_\_\_ ,)

Defendant. \_\_\_\_\_ )

)

## ORDER CERTIFYING NO INCARCERATION

1. The court hereby certifies that it will not impose any period of incarceration upon the defendant if there is a finding of guilt, a plea of guilty or nolo contendere on the substantive charge(s), or any probation revocation in this case.

2. The court hereby finds that the defendant is not incarcerated in this case.

3. Accordingly,

The court declines to appoint counsel in this case.

The court having found that the defendant will not be substantially prejudiced by the discharge of appointed counsel, counsel is discharged in this case.

The court finds that the defendant would be substantially prejudiced by the discharge of appointed counsel and, therefore, the Court will not discharge counsel in this case.

4. This certification of no incarceration may be withdrawn by the court after notice to the defendant unless the court has made a finding of guilt or the defendant has pled guilty or nolo contendere.

5. If this order certifying no incarceration is withdrawn after appointed counsel has been discharged pursuant to this order, there shall be an immediate redetermination of indigency and appointment of counsel.

DONE AND ORDERED at ....., Florida, on .....(date).....

Judge