



# Sentencing Guidelines Cover sheet

Scheduled Sentencing Date:

\_\_\_\_/\_\_\_\_/\_\_\_\_

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2017.

## ◆ OFFENDER

First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_ Suffix \_\_\_\_\_

Date of Birth: \_\_\_\_\_  
Month Day Year

Social Security Number: \_\_\_\_\_

CCRE:  V  A \_\_\_\_\_

CORIS Offender ID: \_\_\_\_\_ PSI: \_\_\_\_\_

## ◆ COURT

Judicial Circuit \_\_\_\_\_

City/County \_\_\_\_\_

FIPS Code: \_\_\_\_\_

Sentencing Judge's Name \_\_\_\_\_

\_\_\_\_\_  
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Preparer Name \_\_\_\_\_  Commonwealth's Attorney

Probation Officer

Prosecuting Commonwealth's Attorney \_\_\_\_\_ Defense Attorney \_\_\_\_\_

## ◆ CONVICTIONS

Offense	Counts	VCC	Offense Date
Primary Offense			Month Day Year
_____	____	____-____-____	____/____/____
Additional Offenses			
_____	____	____-____-____	____/____/____
_____	____	____-____-____	____/____/____

Primary Offense Code Section § \_\_\_\_\_ Docket Number \_\_\_\_\_

### Drug Type in Event Please check all that apply. This information is for research purposes only.

- Cocaine     Codeine     Fentanyl     Heroin     Hydrocodone     Methadone  
 Methamphetamine     Methylphenidate     Morphine     Oxycodone     Any other Schedule I/II drug \_\_\_\_\_

## ◆ METHOD OF ADJUDICATION

- Jury Trial Sentence Set by Jury: \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days     Life     Juvenile     Fine Only  
 Bench Trial     Guilty Plea     Alford Plea/Nolo contendere

## ◆ SENTENCING GUIDELINES RECOMMENDATION

### Section B

- Probation/No Incarceration  
 Incarceration 1 Day to 3 Months  
 Incarceration 1 Day to 6 Months  
 Incarceration 3 to 6 Months  
 Probation/No Incarceration or Incarceration to 6 Months

### Section B

Mandatory Minimum \_\_\_\_\_

### Section C

- Life Sentence     Non Guidelines Offense  
 Incarceration (Enter Midpoint and Range Below)

(Primary offense is a non guidelines offense)

Range Midpoint \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days

Sentence Range \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days TO \_\_\_\_\_ Years \_\_\_\_\_ Months \_\_\_\_\_ Days

Recommendation Adjusted for Mandatory Minimum

## ◆ NONVIOLENT RISK ASSESSMENT Section D of Drug, Fraud, and Larceny Worksheets

- Recommended for Alternative Punishment     Not Applicable (INELIGIBILITY CONDITIONS marked on Section D)  
 NOT Recommended for Alternative Punishment     Not a DRUG, FRAUD or LARCENY Offense

# ◆ Final Disposition Fill In After Sentence Has Been Pronounced

## ◆ SENTENCE \_\_\_\_\_

Total Time Imposed Before Suspension .....  Life Sentence + 

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Total Effective Time to Serve .....  Life Sentence + 

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Sentenced to Time Served

Post Release

Post Release Term § 18.2-10 ..... 

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Post Release Supervision Period § 19.2-295.2(A)..... 

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Probation Period (Supervised) § 19.2-303 .....  Indefinite 

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Good Behavior Period \_\_\_\_\_  
Years                      Months                      Days

*Check all that apply*

- Incarceration Sentence to Run Concurrently With Another Sentencing Event
- Written Plea Agreement Accepted = Rule 3A:8(c)(1) (A) or (C)
- Plea and Recommendation Accepted = Rule 3A:8(c)(1)(B)
- Oral Sentence Recommendation Accepted
- Restitution \$ \_\_\_\_\_  Fine \$ \_\_\_\_\_

### Other Sentencing Programs (check all that apply)

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |  |  |  |  |  |
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| <ul style="list-style-type: none"> <li><input type="checkbox"/> Day Reporting</li> <li><input type="checkbox"/> Detention Center Incarceration</li> <li><input type="checkbox"/> Diversion Center Incarceration</li> <li><input type="checkbox"/> Electronic Monitoring</li> <li><input type="checkbox"/> § 18.2-251/§ 18.2-258.1</li> <li><input type="checkbox"/> Substance Abuse Treatment</li> <li><input type="checkbox"/> Intensive Probation</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Community-Based Program _____</li> <li><input type="checkbox"/> <b>CCAP</b> Detention/Diversion Center Incarceration, 22-28 weeks</li> <li><input type="checkbox"/> <b>CCAP</b> Detention/Diversion Center Incarceration, 42-48 weeks</li> <li><input type="checkbox"/> Drug Court</li> <li><input type="checkbox"/> Youthful Offender <small>(Enter 4 yrs. to serve)</small> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table><br/><small>Office Use Only</small></li> <li><input type="checkbox"/> <b>DJJ</b> Commitment <input type="checkbox"/> Indeterminate <input type="checkbox"/> Determinate</li> <li><input type="checkbox"/> Other _____</li> </ul> |  |  |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |  |  |  |  |  |
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Other	CBP

## ◆ REASON FOR DEPARTURE AND/OR MODIFICATION OF JURY SENTENCE

Must be completed pursuant to § 19.2-298.01(B) and/or § 19.2-295(B) / § 19.2-303

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## ◆ SENTENCING DATE

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Month                      Day                      Year

\_\_\_\_\_ *Judge's Signature*

## ◆ ATTACH COURT ORDER AND MAIL Pursuant to § 19.2-298.01(E) \_\_\_\_\_

After sentencing, send to:

**Virginia Criminal Sentencing Commission • 100 North Ninth Street • Fifth Floor • Richmond, Virginia 23219**

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# Drug/Schedule I/II Section A

Offender Name: \_\_\_\_\_

## ◆ Primary Offense

- A. Possess Schedule I or II drug or First offender violation
  - 1 count ..... 1
  - 2 counts..... 3
  - 3 counts..... 8
- B. Sell, distribute, possession with intent, etc., Schedule I or II drug
  - 1 count ..... 12
  - 2 counts..... 13
  - 3 counts..... 14
  - 4 counts..... 15
- C. Manufacture Methamphetamine (1st or 2nd conviction)
  - 1 count ..... 12
  - 2 counts..... 13
  - 3 counts..... 14
  - 4 counts..... 15
- D. Sell, etc., Schedule I or II drug to minor (1 count)..... 11
- E. Accommodation - Sell, distribute, possession with intent Schedule I or II drug
  - 1 count ..... 5
  - 2 counts..... 7
- F. Sell, etc., imitation Schedule I or II drug (1 count)..... 4

**Score**

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## ◆ Primary Offense Remaining Counts

Total the maximum penalties for counts of the primary not scored above

- Years: 5 - 10 ..... 1      31 - 42 ..... 4
- 11 - 21..... 2      43 or more ..... 5
- 22 - 30 ..... 3

0	
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## ◆ Additional Offenses

Total the maximum penalties for additional offenses, including counts

- Years: Less than 4..... 0      22 - 30 ..... 3
- 4 - 10 ..... 1      31 - 42 ..... 4
- 11 - 21 ..... 2      43 or more ..... 5

0	
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## ◆ Knife or Firearm in Possession at Time of Offense

If YES, add 2

0	
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## ◆ Conviction in Current Event Requiring Mandatory Minimum Term (6 mos or more)

If YES, add 9

0	
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## ◆ Prior Convictions/Adjudications

Total the maximum penalties for the 5 most recent and serious prior record events

- Years: Less than 7..... 0
- 7 - 26..... 1
- 27 - 48..... 2
- 49 or more..... 3

0	
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## ◆ Prior Incarcerations/Commitments

If YES, add 2

0	
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## ◆ Prior Felony Drug Convictions/Adjudications

- Number of Counts: 1 - 2..... 1
- 3 - 4..... 2
- 5..... 3
- 6 or more..... 4

0	
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## ◆ Prior Juvenile Record

If YES, add 1

0	
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## ◆ Legally Restrained at Time of Offense

- None..... 0
- Other than parole/post-release, supervised probation or CCCA..... 1
- Parole/post-release, supervised probation or CCCA ..... 4

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS A: POSSESSION OF SCHEDULE I/II DRUG (§ 18.2-250(A,a))**

## ◆ Two or More Prior Felony Convictions/Adjudications

If YES, add 2

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

0	
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## Total Score

If total is 10 or less, go to **Section B**. If total is 11 or more, go to **Section C**.

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# Drug/Schedule I/II Section B

Offender Name: \_\_\_\_\_

## ◆ Primary Offense

- A. Possess Schedule I or II drug or First offender violation
  - 1 count .....3
  - 2 counts.....6
- B. Accommodation - Sell, distribute, possession with intent Schedule I or II drug
  - 1 count .....8
  - 2 counts.....9
- C. Sell, etc., imitation Schedule I or II drug (1 count).....4

**Score**

▼

0	
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## ◆ Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above

- Years: 5 - 9 .....2
- 10 - 19 .....3
- 20 - 28 .....4
- 29 - 38 .....5
- 39 or more .....6

0	
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## ◆ Additional Offenses Total the maximum penalties for additional offenses, including counts

- Years: Less than 1 .....0
- 1 - 9 .....2
- 10 - 19 .....3
- 20 - 28 .....4
- 29 - 38 .....5
- 39 or more .....6

0	
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## ◆ Knife or Firearm in Possession at Time of Offense \_\_\_\_\_ If YES, add 2

0	
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## ◆ Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

- Years: Less than 1 .....0
- 1 - 22 .....1
- 23 - 43 .....2
- 44 or more .....3

0	
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## ◆ Prior Misdemeanor Convictions/Adjudications (Excludes Traffic)

- Number of 1 - 4 .....1
- Counts: 5 - 9 .....2
- 10 or more .....3

0	
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## ◆ Prior Incarcerations/Commitments \_\_\_\_\_ If YES, add 1

0	
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## ◆ Prior Juvenile Record \_\_\_\_\_ If YES, add 1

0	
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## ◆ Legally Restrained at Time of Offense

- None .....0
- Other than parole/post-release, supervised probation or CCCA .....2
- Parole/post-release, supervised probation or CCCA .....3

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS A: POSSESSION OF SCHEDULE I/II DRUG §18.2-250(A,a))**

## ◆ Two or More Prior Felony Convictions/Adjudications \_\_\_\_\_ If YES, add 2

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

0	
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## Total Score

See Drug/Schedule I/II Section B Recommendation Table to convert score to guidelines sentence.  
Then, go to Section D Nonviolent Risk Assessment and follow the instructions.

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# Drug/Schedule I/II Section C

Offender Name: \_\_\_\_\_

## ◆ Primary Offense

	— Prior Record Classification —		
	<input type="checkbox"/> Category I	<input type="checkbox"/> Category II	<input type="checkbox"/> Other
<i>(scores for attempted/conspired offenses are in parentheses)</i>			
A. Possess Schedule I or II drug or First offender violation			
Attempted, conspired or completed:	1 count.....	20.....	10.....
	2 counts.....	28.....	14.....
	3 counts.....	36.....	18.....
B. Sell, Distribute, Possession with intent, etc., Schedule I or II drug			
Completed (Attempted or Conspired):	1 count.....	60 (48).....	36 (24).....
	2 counts.....	80 (64).....	48 (32).....
	3 counts.....	95 (76).....	57 (38).....
	4 counts.....	130(104).....	78 (52).....
C. Sell, etc., Schedule I or II drug, second offense			
Completed (Attempted or Conspired):	1 count.....	110 (88).....	66 (44).....
	2 counts.....	310(248).....	186(124).....
D. Sell, etc., Schedule I or II drug - third or subsequent offense			
Attempted, conspired or completed:	1 count.....	175.....	105.....
	2 counts.....	390.....	234.....
E. Manufacture Methamphetamine, first or second offense, § 18.2-248(C1)			
Attempted, conspired or completed:	1 count.....	145.....	87.....
F. Sell, etc., Schedule I or II drug to minor			
Attempted, conspired or completed:	1 count.....	60.....	30.....
G. Accomodation—Sell, etc., Schedule I or II drug			
Attempted, conspired or completed:	1 count.....	32.....	16.....
	2 counts.....	40.....	20.....
H. Sell, etc., imitation Schedule I or II drug			
Attempted, conspired or completed:	1 count.....	12.....	6.....
	2 counts.....	20.....	10.....

Score

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## ◆ Primary Offense Remaining Counts Assign points to each count of the primary not scored above and total the points

Maximum Penalty (years) 5,10.....1 40 or more.....5

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## ◆ Additional Offenses Assign points to each additional offense (including counts) and total the points

Primary offense D: Sell, etc., Sch. I/II 3rd or Subsequent	
Years	Points
Less than 5.....	0
5,10.....	2
20.....	4
30.....	6
40 or more.....	7

Primary offense: All other offenses	
Years	Points
Less than 5.....	0
5,10.....	1
20.....	2
30.....	4
40 or more.....	5

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## ◆ Mandatory Minimum for Weapon Conviction(s) in Current Event Assign points to each additional

offense with a mandatory minimum and total the points

2 Year Mandatory Minimum.....13      3 Year Mandatory Minimum.....25      5 Year Mandatory Minimum.....32

0		
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## ◆ Firearm in Possession at Time of Offense

If YES, add 5

0	0	
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## ◆ Prior Convictions/Adjudications Assign points to the 5 most recent and serious prior record events and total the points

Maximum Penalty: Less than 5.....0      30.....3

(years) 5, 10.....1      40 or more.....4

0		
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## ◆ Prior Felony Drug Convictions/Adjudications

Primary offense D: Sell, etc., Sch. I/II 3rd or Subsequent	
Number of Counts	Score
2.....	9
3.....	10
4.....	17
5 or more.....	20

Primary offense: All other offenses	
Number of Counts	Score
1.....	2
2.....	3
3.....	5
4.....	7
5.....	8
6 or more.....	10

0		
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## ◆ Prior Felony Convictions/Adjudications Against Person

Number of Counts: 1.....3      3.....9

2.....6      4 or more.....12

0		
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## ◆ Prior Felony Property Convictions/Adjudications

Number of Counts: 1,2.....1      4 or more.....3

3.....2

0	0	
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## ◆ Prior Juvenile Record

If YES, add 1

0	0	
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## ◆ Legally Restrained at Time of Offense

If YES, add 3

0	0	
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## ◆ Type of Additional Offense (Score if primary offense is E: Manufacture Methamphetamine § 18.2-248 (C1))

Additional offense of child present during manufacture of methamphetamine If YES, add 14

0		
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## ◆ Sale/Quantity of Cocaine (Score if primary offense is B, C, D, or F: § 18.2-248(C) or §18.2-255(A))

Quantity of Cocaine: Less than 28.35 grams.....0      28.35 g to less than 226.8 grams.....36      226.8 grams or more.....60

0		
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## Total Score

See Drug/Schedule I/II Section C Recommendation Table for guidelines sentence range.  
Then go to Section D Nonviolent Risk Assessment and follow the instructions.

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# Nonviolent Risk Assessment ❖ Drug/Schedule I/II Section D

Offender Name: \_\_\_\_\_

## ▶ Ineligibility Conditions

- A. Was the offender recommended for **Probation/No Incarceration** on Section B? .....  Yes  No
- B. Do any of the offenses at sentencing involve the sale, distribution, or possession with intent, etc. of cocaine of a combined quantity of 28.35 grams (1 ounce) or more? .....  Yes  No
- C. Are any prior record offenses violent (Category I/II listed in Appendix A of the Guidelines Manual)?.....  Yes  No
- D. Are any of the offenses at sentencing violent (Category I/II listed in Appendix A of the Guidelines Manual)?.....  Yes  No
- E. Do any of the offenses at sentencing require a mandatory term of incarceration? .....  Yes  No

**If answered YES to ANY, go to "Nonviolent Risk Assessment Recommendations" on cover sheet and check Not Applicable. If answered NO to ALL, complete remainder of Section D worksheet.**

## ▶ Offender Age at Time of Offense \_\_\_\_\_

- Younger than 21 years ..... 9
  - 21 to 29 years ..... 6
  - 30 to 43 years ..... 3
  - Older than 43 years ..... 1
- |  |  |
|--|--|
|  |  |
|--|--|

## ▶ Gender \_\_\_\_\_

- Offender is Male..... 2
- |   |  |
|---|--|
| 0 |  |
|---|--|

## ▶ Prior Juvenile Adjudication \_\_\_\_\_

- No prior juvenile adjudication ..... 0
  - Female with prior juvenile adjudication..... 1
  - Male with prior juvenile adjudication ..... 7
  - Juvenile record unknown
- |   |  |
|---|--|
| 0 |  |
|---|--|

## ▶ Prior Adult Felony Convictions \_\_\_\_\_

- Number of Counts: 0 ..... 0
  - 1 - 2 ..... 1
  - 3 ..... 5
  - 4 or more..... 15
- |  |  |
|--|--|
|  |  |
|--|--|

## ▶ Prior Adult Incarcerations \_\_\_\_\_

- Number: 0 ..... 0
  - 1 - 3 ..... 1
  - 4 or more..... 8
- |   |  |
|---|--|
| 0 |  |
|---|--|

## ▶ Prior Arrest or Confinement Within Past 12 Months (Prior to Offense) —If YES, add 3 —▶

0	
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## Total Score \_\_\_\_\_▶

- 15 or less, check Recommended for Alternative Punishment.
- 16 or more, check NOT Recommended for Alternative Punishment.

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Drug/Schedule I or II  
Section D

Go to **Cover Sheet** and fill out **Nonviolent Risk Assessment Recommendations**.



# Additional Offenses Continuation Sheet

Offender Name: \_\_\_\_\_

Offense	Counts	VCC	Offense Date		
			Month	Day	Year
_____	<input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/> <input type="text"/>
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