

I'm a Convicted Felon - What Happens if I'm Charged with Possession of a Firearm?

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According to an article in the Palm Beach Post, a Polk County man has been accused of poaching wildlife and was caught and arrested after boasting about it on Facebook. He is facing several charges including unlawful hunting and possession of a firearm by a convicted felon.

The Crime

For a convicted felon, he wasn't very careful. Darin Lee Waldo, 43, unknowingly chose to exchange photographs of illegally killed game with investigators, participated in chat rooms describing his actions and even invited undercover agents to participate in two illegal hunts.

The Florida Fish and Wildlife Conservation Commission reported these violations on Friday. They say he and other suspects hid small boats and guns at Lake Marion Creek Wildlife Management Area near Haines City.

Waldo is [charged with possession of a firearm by a convicted felon](#) – a crime that could land him in prison for a mandatory sentence of 3 years. He has also been charged with armed trespass, attempting to take wild game (turkey and deer) during closed season, and several other charges.

Possession of a Firearm by a Convicted Felon Florida Statute

According to Florida Statute Section 790.23, it is illegal for anyone convicted of any felony offense to possess a firearm, ammunition, or an electronic device or weapon. It is not illegal to possess a firearm if your civil rights and firearm authority was restored by Florida law. "Possession" has varying definitions. Actual possession means the firearm was found on your person. Constructive possession means the firearm was found in your house or vehicle.

Criminal Defense

If you have been convicted of a previous felony and then have been charged with a possession of a firearm, you are facing a third degree felony punishable by up to 5 years in prison. It is especially serious if the prosecutor can prove actual possession as mentioned above (when the weapon is on your person). This can result in a mandatory sentence of 3 years.

If you have ever been [charged with possession of a firearm](#), convicted felon or not, you need a criminal defense lawyer on your side immediately. The system does not look favorably on convicted felons and you do not want to face yet another felony charge. Have a [criminal defense lawyer](#) help you build your defense strategy and at least give you a chance of avoiding prison again.

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