

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-006300-030 DT

01/13/2012

HONORABLE LISA DANIEL FLORES

CLERK OF THE COURT
T. Henninger
Deputy

STATE OF ARIZONA

ELLEN DAHL

v.

RAFAEL ANGEL JARAMILLO (030)
DOB: 11/18/1983

D STEPHEN WALLIN

APO-SENTENCE IMPRISON-CCC
APPEALS-CCC
AZ DOC
DISPOSITION CLERK-CSC
VICTIM SERVICES DIV-CA-CCC

SENTENCE OF IMPRISONMENT

11:00 a.m.

State's Attorney: Ellen Dahl
Defendant's Attorney: Stephen Wallin
Defendant: Present
Court Reporter: Marge Harcarik

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2 Amended: Fraudulent Schemes and Artifices
Class 2 Felony with one historical felony conviction
A.R.S. § 13-703, 2310, 701, 702, 801, 301, 302, 303 and 304

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Date of Offense: May 28, 2010
Non Dangerous - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 2: 9 year(s) from release in CR2008-030698-001, CR2007-134222-001, CR2008-031235-001 and CR2010-005981-002

Presentence Incarceration Credit: 0 day(s)

Slightly Mitigated

This sentence is to be consecutive to CR2008-030698-001, CR2007-134222-001, CR2008-031235-001 and CR2010-005981-002.

Pursuant to A.R.S. § 13-703 or 13-704, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Armed Robbery, a class 2 non dangerous felony committed on February 6, 2008 and convicted on August 13, 2010 in CR2008-031235; Maricopa County Superior Court.

Community Supervision: Count 2 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

IT IS ORDERED granting the Motion To Dismiss the following: Counts 1 and 3. The allegation of the defendant's other historical felony convictions, gang sentencing enhancement and multiple crimes occurring on different occasions. The Maricopa County Attorney's Office will not file the following charges arising out of Phoenix Police Departmental Report 2010-01127627: Conspiracy to Commit Aggravated Assault, Conspiracy to Promote Prison Contraband, additional Fraudulent Schemes, additional Participating in a Criminal Street Gang, and Use of a Wire in a Drug Transaction. The Maricopa County Attorney's Office will not file Aggravated Assault charges arising out of Maricopa County Sheriff's Office Incident Report 11-206479. The Maricopa County Attorney's Office will not file Aggravated Assault Charges arising out of Arizona Department of Corrections report 2011-100071. The Maricopa County Attorney's Office will not file Aggravated Assault on Corrections Officer charges arising out of incidents on March 8, 2011 and May 19, 2011.

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IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with the most recent presentence report and/or probation violation report in this cause relating to the Defendant.

Defendant has waived the preparation of a presentence report.

11:06 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE LISA DANIEL FLORES
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)