

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2008-007753-004 DT

03/19/2009

HONORABLE CHRISTOPHER WHITTEN

CLERK OF THE COURT  
Ni. Brown  
Deputy

STATE OF ARIZONA

APRIL ARLENE SPONSEL

v.

EDGAR VEGA (004)  
DOB: 01/07/1993

JAIME C HINDMARCH

APO-SENTENCINGS-CCC  
APPEALS-CCC  
AZ DOC  
CITS - CCC SPANISH  
DISPOSITION CLERK-CSC  
JUVENILE COURT ADMINISTRATION  
- DUR  
RFR  
VICTIM SERVICES DIV-CA-CCC

SENTENCE - IMPRISONMENT AND INTENSIVE PROBATION

9:42 a.m.

State's Attorney:	April Sponsel
Defendant's Attorney:	Jaime Hindmarch
Defendant:	Present
Interpreter:	Colleen Kane
Court Reporter:	Pamela Remus

Ophilia Navarro addresses the Court on behalf of the Defendant, assisted by court interpreter, Colleen Kane.

Henry Valencia addresses the Court on behalf of the Defendant.

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Mary Wrobel addresses the Court on behalf of the Defendant.

Edwin Navarro addresses the Court on behalf of the Defendant.

Steven Mellman addresses the Court on behalf of the Defendant.

Manuel Vega addresses the Court on behalf of the Defendant.

Officer Eric Miner addresses the Court on behalf of the State.

Count(s) 22: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

Count(s) 23: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

Count(s) 24: 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 22 Assisting a Criminal Street Gang  
Class 3 Felony

A.R.S. § 13-2301, 13-2321, 13-610, 13-701, 13-702, 13-702.01, 13-301, 13-302, 13-303,  
13-304, 13-610 and 13-801

Date of Offense: May 1, 2008

Non Dangerous - Non Repetitive

OFFENSE: Count 23 Aggravated Assault  
Class 3 Felony

A.R.S. § 13-1203, 13-1204, 13-610, 13-604, 13-3105, 13-701, 13-702, 13-702.01 and 13-  
801

Date of Offense: May 1, 2008

Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

OFFENSE: Count 24 Aggravated Assault  
Class 3 Felony

A.R.S. § 13-1203, 13-1204, 13-610, 13-604, 13-3105, 13-701, 13-702, 13-702.01 and 13-  
801

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Date of Offense: May 1, 2008  
Dangerous pursuant to A.R.S. § 13-604 - Non 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 22: 5 year(s) from March 19, 2009 (SEE "LATER" FOR CORRECTION)  
Presentence Incarceration Credit: 189 day(s)  
Mitigated  
Sentence is concurrent with Count 23.

Count 23: 5 year(s) from March 19, 2009  
Presentence Incarceration Credit: 189 day(s)  
Mitigated  
Sentence is concurrent with Count 22.

Community Supervision: Count 22 and 23 - Waived pursuant to A.R.S. § 13-603(K) and 41-1604.07(D), due to the term of probation in count 24 (SEE LATER FOR CORRECTION).

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 24 Probation Term: 5 years

Upon absolute discharge from prison for a separate offense in Counts 22 and 23 of this cause number. (SEE "LATER" FOR CORRECTION).

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 24 - \$65.00 per month.

ASSESSMENTS:

Count 24: PROBATION SURCHARGE: \$10.00.

Payment to commence upon a date to be determined by the Adult Probation Department.

All amounts payable through the Clerk of the Superior Court.

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The Arizona Department of Corrections/Community Service shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 18 - Not have any contact with the victim(s) whatsoever, unless approved in writing by the Adult Probation Department.

Condition 19 - Count 24: Complete 200 hours of approved community restitution at a minimum rate as directed in writing by the Adult Probation Department.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

Condition 25 - Abide by the Special Conditions of Probation as noted on the attachment to the Uniform Conditions of Supervised Probation.

Condition 26 - Other: The Defendant is not to have contact, directly or indirectly, with any member of the 9th Street Eastside gang, or any other gang. Defendant shall not visit any known 9th Street Eastside gang area, specifically including the Verde Park or 928 E. Pierce or any area described on the attached map. Defendant is not to provide anything of any monetary value to any person in jail or prison.

IT IS ORDERED granting the Motion To Dismiss the following: Counts 25, 26 and allegations pursuant to 13-604(T).

Count(s) 22 and 23 (SEE "LATER" FOR CORRECTION): IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

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 all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

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The Court is informed that the convicted person is an alien or suspected alien and that a staff member with the Adult Probation Department has conducted the requisite electronic inquiry as to the person's citizenship status and has informed the Court of those findings.

10:30 a.m. Matter concludes.

LATER: The record is corrected to reflect that the 5 year concurrent Doc terms apply to Counts 23 and 24. The 5 year consecutive probation applies to Count 22.

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

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE CHRISTOPHER WHITTEN  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)