

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2008-174642-001 DT

04/09/2009

HONORABLE GLENN M. DAVIS

CLERK OF THE COURT  
E. Canas  
Deputy

STATE OF ARIZONA

HEATHER L WICHT

v.

MICHAEL A TOVAR (001)  
DOB: 08/11/1990

JOANNE CUCCIA

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

SENTENCE OF IMPRISONMENT

9:38 a.m.

State's Attorney: Desi Rubacalva  
Defendant's Attorney: above-named counsel  
Defendant: Present  
Court Reporter: Cindy Lineburg

Count(s) 1: 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 1 Burglary in the Second Degree  
Class 3 felony  
A.R.S. § 13-1501, 1507, 610, 701, 702.01, 702, 801  
Date of Offense: 11/26/2008  
Non Dangerous - Non Repetitive

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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 1: 6 year(s) from 04/09/2009  
Presentence Incarceration Credit: 133 day(s)  
Aggravated

Community Supervision: Count 1 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS FURTHER ORDERED that Defendant must submit to Deoxyribonucleic Acid (DNA) testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 31-281.

IT IS ORDERED granting the Motion To Dismiss the following: Allegation of prior felony conviction and probation status.

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

Restitution shall be held for 60 days.

9:51 a.m. Matter concludes.

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 GLENN M. DAVIS  
JUDGE OF THE SUPERIOR COURT

(thumbprint)