

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2016-155164-001 DT

04/18/2017

HONORABLE JAY RYAN ADLEMAN

CLERK OF THE COURT
S. Yoder
Deputy

STATE OF ARIZONA

CHRISTINE J TRUSKEN

v.

MICHAEL DAVID MULLINS (001)
DOB: 12/05/1976

KERRIE M DROBAN

DISPOSITION CLERK-CSC
RFR
AZ DOC

SENTENCE OF IMPRISONMENT

Courtroom CCB 1204

9:06 a.m. This is the time set for Sentencing.

State's Attorney: Christine J. Trusken
Defendant's Attorney: Kerrie M. Droban
Defendant: Present

Court Reporter, Wanda Bauer, is present.

A record of the proceedings is also made digitally.

Discussion is held regarding Defendant's avowals. The State provides an amended Plea Agreement to correct the avowals.

Eric Gilbert, the victim's son, makes statements to the Court.

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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: Leaving Scene of a Fatal Injury Accident
Class 2 Felony

A.R.S. § 28-661, 28-3001, 28-3304, 28-3305, 28-3315, 13-701, 13-702, and 13-801

Date of Offense: November 22, 2016

Non Dangerous - 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 1: 8.5 year(s) from April 18, 2017

Presentence Incarceration Credit: 145 day(s)

More Than Presumptive

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

ASSESSMENTS:

PROBATION ASSESSMENT: Count 1 - \$20.00.

The Court will retain jurisdiction over restitution. No hearing is set at this time. In the event a restitution hearing is set, Defendant waives his/her presence.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforeponse@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.

Community Supervision: Count 1 - Waived pursuant to A.R.S. § 13-603(K), due to the term of probation in CR2016-151879-002 and CR2016-150987-001.

In the event the Defendant is released by the Department of Corrections on a temporary release basis, and a term of Community Supervision has been waived, the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. § 13-901(B).

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IT IS ORDERED granting the Motion to Dismiss the following: The allegation that Defendant was on felony release at the time of this offense.

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.

The presentence investigation report is filed under CR2016-151879-002.

IT IS FURTHER ORDERED that Defendant shall have no contact with the victim(s).

IT IS FURTHER ORDERED that the Arizona Department of Transportation, Motor Vehicle Division, shall revoke the defendant's driver license.

FILED: Amended Plea Agreement.

9:38 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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

/s/ HONORABLE JAY RYAN ADLEMAN
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)