

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-154315-002 DT

05/22/2009

HONORABLE RAYMOND P. LEE

CLERK OF THE COURT
A. Aguirre
Deputy

STATE OF ARIZONA

JON D WENDELL

v.

DONAVAN M BERING (002)
DOB: 10/24/1962

JOANNE CUCCIA
APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR
VICTIM SERVICES DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

2:10 a.m.

State's Attorney: Jon D. Wendell
Defendant's Attorney: Joanne Cuccia
Defendant: Present
Court Reporter: Linda Lopez

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

OFFENSE: Count 1 (As amended) Arson of an Occupied Structure
Class 2 Felony
A.R.S. § 13-1701, 13-1704, 13-301, 13-302, 13-393, 13-304, 13-701, 13-702, 13-702.01,
and 13-801
Date of Offense: 5/23/2008
Non Dangerous - Non Repetitive

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

Count 1 Probation Term: 5 years

To begin 5/22/2009.

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

RESTITUTION: Count 1 - \$190,734.59 payable \$100.00 per month, beginning 7/1/2009, to the following persons:

As discussed and set forth on the record.

Restitution ledger provided; priority of payment as stated in the restitution ledger.

PROBATION SERVICE FEE: Count 1 - \$35.00 per month, beginning 7/1/2009.

ASSESSMENTS:

Count 1: PROBATION SURCHARGE: \$10.00.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

All amounts payable through the Clerk of the Superior Court.

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

IT IS ORDERED granting the Motion to Dismiss the following: Allegation of Dangerous Nature.

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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.

2:35 a.m. Matter concludes.

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

/s/ HONORABLE RAYMOND P. LEE
JUDGE OF THE SUPERIOR COURT

(thumbprint)