

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2007-136696-001 SE

05/14/2010

HON. TERESA SANDERS

CLERK OF THE COURT

I. Ostrander

Deputy

STATE OF ARIZONA

MARYVONNE HARBULOT

v.

ANTHONY CLAYTON LESTER (001)

DOB: 06/16/1984

BRIAN D STRONG

APO-SENTENCINGS-SE

APPEALS-CCC

AZ DOC

AZ DOC - INMATE TRUST ACCOUNTS

DISPOSITION CLERK-CSC

RFR

VICTIM SERVICES DIV-CA-SE

SENTENCE - IMPRISONMENT AND PROBATION

9:52 a.m.

State's Attorney: Maryvonne Harbulot

Defendant's Attorney: Brian D. Strong

Defendant: Present

Court Reporter: Scott Kindle

The following individuals address the Court on behalf of the victim:

Sydney Lee (victim)

Tracey Glennon

Courtney Moore

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Counts 1 and 3: The Defendant was found guilty after a trial by jury.

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

OFFENSE: Count 1: Aggravated Assault
Class 3 Dangerous Felony and a Domestic Violence Offense
A.R.S. §§ 13-1203, 13-1204, 13-3601, 13-701, 13-702, 13-702.01, 13-801, and 13-604
Date of Offense: On or about June 6, 2007
Dangerous pursuant to A.R.S. § 13-604 - Non Repetitive

OFFENSE: Count 3: Disorderly Conduct
Class 6 Felony and a Domestic Violence Offense
A.R.S. §§ 13-2904, 13-3601, 13-701, 13-702, 13-702.01, and 13-801
Date of Offense: On or about June 6, 2007
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: 12 years from May 14, 2010
Presentence Incarceration Credit: 377 days
Aggravated

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

RESTITUTION: Count 1 - \$1,307.11 to the following victim in the following amount:

- Victim Compensation Fund (Business) \$1,307.11

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

Restitution shall be paid monthly in an amount to be determined by the Arizona Department of Corrections in compliance with A.R.S. § 31-230.

Community Supervision: Count 1 - Waived pursuant to A.R.S. §§ 13-603(K) and 41-1604.07(D) due to the term of probation in Count 3 in this cause number.

In the event the Defendant is released by the Department of Corrections on a temporary release basis pursuant to A.R.S. § 31-233 and a term of Community Supervision has been waived

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pursuant to A.R.S. § 13-603(K), the length of probation shall be extended to include the time of Defendant's temporary release pursuant to A.R.S. § 13-901(B).

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

Count 3: Probation Term: 3 years

Upon absolute discharge from prison for a separate offense in Count 1 in this cause number.

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 3 - \$65.00 per month.

ASSESSMENTS:

Count 3: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

Count 3: PROBATION SURCHARGE: \$20.00.

The Court retains jurisdiction for any future restitution hearings.

The Arizona Department of Corrections 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 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.

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Count 1: IT IS FURTHER ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS FURTHER 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.

Count 3: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

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.

The Court strongly recommends Defendant be placed in an appropriate facility so that he may receive mental health treatment.

10:24 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

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/ HON. TERESA SANDERS
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)