

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-166303-001 DT

05/09/2011

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
T. Henninger
Deputy

STATE OF ARIZONA

KEVIN KIYOSHI OKANO

v.

NELSON DOUGLAS JOHNSON (001)
DOB: 05/13/1981

JOHN SCHULZ

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

SENTENCE OF IMPRISONMENT

9:38 a.m.

Courtroom ECB 412

State's Attorney: Kari Daly on behalf of Kevin Okano
Defendant's Attorney: John Schulz
Defendant: Present

Court Reporter, Michael Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

Count(s) 3: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

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

OFFENSE: Count 3 Amended: Resisting Arrest
Class 6 Felony with one prior felony conviction
A.R.S. § 13-2508, 610, 703, 701, 702 and 801
Date of Offense: 12/19/2010
Non Dangerous - 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 3: 1.75 year(s) from 05/09/2011
Presentence Incarceration Credit: 141 day(s)
Presumptive

Pursuant to A.R.S. § 13-703 or 13-704, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Misconduct Involving Weapons, a class 4 non dangerous felony committed on 08/07/1998 and convicted on 03/31/1999 in CR1998-012856; Maricopa County Superior Court.

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

ASSESSMENTS:

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.

Community Supervision: Count 3 - Imposed pursuant to A.R.S. § 13-603(I).

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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.

IT IS ORDERED granting the Motion To Dismiss the following: Counts 1, 2 and 4; Allegation of remaining prior felony conviction.

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.

9:42 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.

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. SHERRY K. STEPHENS
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)