

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2003-005578-002 DT

06/03/2009

HONORABLE JANET E. BARTON

CLERK OF THE COURT  
A. Gonzalez  
Deputy

STATE OF ARIZONA

JOSE (TONY) ANTONIO COLON

v.

LEONA ISABELLE NIEVES (002)  
DOB: 06/13/1972

BRANDI BEOUGHER  
APO-SENTENCINGS-CCC  
APPEALS-CCC  
DISPOSITION CLERK-CSC  
PRETRIAL SERVICES AGENCY-CCC  
RFR  
VICTIM WITNESS DIV-AG-CCC

**SUSPENSION OF SENTENCE - PROBATION GRANTED**

8:39 a.m. This is the time set for Sentencing.

State's Attorney: Asst. Atty. Gen. Marna McLendon for Tony Colon  
Defendant's Attorney: Brandi Beougher  
Defendant: Present  
Court Reporter: Beverlee Caperton

State's attorney makes comments to the court.

Defense counsel makes comments to the court.

Count(s) 2: 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 2 Possession of Chemicals and Equipment to Manufacture Methamphetamine, a Dangerous Drug

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2003-005578-002 DT

06/03/2009

Class 3 Felony  
A.R.S. § 13-3407, 13-701, 13-702, 13-702.01, 13-801, 13-811  
Date of Offense: May 2, 2002  
Non Dangerous - Non Repetitive

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

Count 2 Probation Term: 2 years.

To begin: June 3, 2009.

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

FINE: Count 2 - Total amount of \$5,400.00, which includes surcharges of 80%, payable \$50.00 per month beginning August 1, 2009.

Fine is to be paid to the Anti-Racketeering Revolving Fund pursuant to A.R.S. § 13-811(B).

PROBATION SERVICE FEE: Count 2 - \$65.00 per month, beginning August 1, 2009.

RESTITUTION: Count 2 - \$2,826.13 payable \$50.00 per month, beginning August 1, 2009, to the following persons:

Drug Enforcement Administration, Attn. Maureen Graham (Business): \$2,826.13

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

ASSESSMENTS:

Count 2: PROBATION SURCHARGE: \$5.00.

Count 2: 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.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2003-005578-002 DT

06/03/2009

Condition 21 - Count 2: Be incarcerated in the county jail for 87 day(s), beginning June 3, 2009 with credit for 87 day(s) served.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

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 26 - Other: Have no contact with Timothy Hambrick while on supervised probation without prior authorization from the supervising probation officer.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 1, 3, 4, and 5, of the indictment.

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.

8:46 a.m. Matter concludes.

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

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2003-005578-002 DT

06/03/2009

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

/s/ HONORABLE JANET E. BARTON  
JUDGE OF THE SUPERIOR COURT

(thumbprint)