

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-005498-001 DT

07/07/2011

COMMISSIONER STEVEN P. LYNCH

CLERK OF THE COURT
S.M. Perez
Deputy

STATE OF ARIZONA

DANIELLE HARRIS

v.

JACOB ANTHONY DUFFANY (001)
DOB: 07/12/1974

DWANE M CATES
APO-SENTENCINGS-CCC
APPEALS-CCC
AZ DOC
DISPOSITION CLERK-CSC
MCSO-ATTN RECORDS MANAGER
RFR
VICTIM SERVICES DIV-CA-CCC

SENTENCE - IMPRISONMENT AND PROBATION

8:29 a.m.

Courtroom CCB 1001

State's Attorney: Danielle Harris
Defendant's Attorney: Dwane Cates
Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Let the Record Reflect that the victim's family is present in the courtroom during these proceedings.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-005498-001 DT

07/07/2011

Count(s) 1, 2, and 3: 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, as amended: Attempted Molestation of a Child
Class 3 Felony and Dangerous Crimes Against Children (Victim C.C. was 14 years old at the time of the incident)

A.R.S. § 13-1401, 13-1405, 13-705, 13-3821, 13-701, 13-702, 13-702.01, 13-801, and 13-1001

Date of Offense: April 1, 2007 and June 1, 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 2, as amended: Attempted Molestation of a Child
Class 3 Felony and Dangerous Crime Against Children (Victim C.C. was 14 years old at the time of the incident)

A.R.S. § 13-1401, 13-1405, 13-705, 13-3821, 13-701, 13-702, 13-702.01, 13-801, and 13-1001

Date of Offense: April 1, 2007 and June 1, 2007

Non Dangerous - Non Repetitive

OFFENSE: Count 3, as amended: Sexual Abuse
Class 3 Felony and Dangerous Crimes Against Children (Victim C.C. was 5 years old at the time of the incident)

A.R.S. § 13-1401, 13-1405, 13-705, 13-3821, 13-701, 13-702, 13-702.01, 13-801, and 13-1001

Date of Offense: May 27, 1997 through May 26, 1998

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 3: 7 year(s) from July 7, 2011

Presentence Incarceration Credit: 126 day(s)

Aggravated

Community Supervision: Count 3 - Waived pursuant to A.R.S. § 13-603(K) and 41-1604.07(D), due to the term of probation in Counts 1 and 2.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-005498-001 DT

07/07/2011

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 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).

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: Lifetime

Upon absolute discharge from prison for a separate offense in Count 3.

IT IS ORDERED that probation in Count 1 shall run concurrent with probation in Count 2.

Count 2 Probation Term: Lifetime

Upon absolute discharge from prison for a separate offense in Count 3.

IT IS ORDERED that probation in Count 2 shall run concurrent with probation in Count 1.

Conditions of probation include the following:

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month.

PROBATION SURCHARGE: Count 1 - \$10.00.

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

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-005498-001 DT

07/07/2011

SEX OFFENDER REGISTRATION FEE: Count 1 - \$250.00 per month.

Payment to commence on a date to be determined and is due on the same day of each month thereafter until paid in full.

All amounts payable through the Clerk of the Superior Court.

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.

Additional Monetary Information: The Defendant waives his presence for any future Restitution Hearing that may be held.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

Condition 21 - Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Sex Offender

Pursuant to A.R.S. § 13-3821(J), notification is made to the Sheriff of Maricopa County, Arizona.

Condition 21 - Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Other - Computer usage - Ownership/Monitoring

Condition 22: Other - Abide by the following additional conditions: Do not have any contact with any witness involved in this case.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-005498-001 DT

07/07/2011

Count(s) 1: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

Count(s) 2: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

Count(s) 3: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

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.

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.

8:36 a.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-005498-001 DT

07/07/2011

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

/s/ COMMISSIONER STEVEN P. LYNCH
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)