

08/01/2002

CLERK OF THE COURT
FORM R576

JUDGE PRO TEM BERNARD C. OWENS
FOR JUDGE PRO TEM SHELLIE SMITH

J. Mabry
Deputy

CR 2002-010867

FILED: _____

STATE OF ARIZONA

JEFFREY R DUVENDACK

v.

RICHARD PERRY KERNS
DOB: 11/05/1975

MICHAEL T WESTERVELT

APO - EXPEDITED PROBATION
APPEALS-CCC
DISPOSITION CLERK-CSC
VICTIM SERVICES DIV-CA-CCC

SENTENCE - EXPEDITED PROBATION GRANTED

State's Attorney: Zach Murphy for Jeffrey Duvendack
Defendant's Attorney: Michael Westervelt
Court Reporter: Amy Prellwitz-Fuller

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 (Amended): Possession of Marijuana

Class 1 misdemeanor

A.R.S. § 13-3401, 13-3405, 13-3418, 13-707, 13-802, and 13-901.01(A)

Date of Offense: January 13, 2002

Non Dangerous and Non Repetitive

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
08/06/2002

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AS PUNISHMENT, IT IS ORDERED suspending imposition of sentence and placing Defendant on probation as stated in the Judgment and Order Suspending Sentence and Imposing Conditions of Probation:

Count 1: Probation Term: **12 months**; beginning this date.

Conditions of probation include the following:

Condition 5, Drug Education: Complete a minimum of 16 hours of drug education and provide proof of completion to the Court within 90 days of sentencing.

Condition 6, Restitution, Fines, and Fees:

PROBATION SERVICE FEE: \$40.00 per month, beginning September 1, 2002.

FINE: Total amount of \$750.00, Payable \$60.00 per month beginning September 1, 2002. Surcharges are waived.

Fine is to be paid to the Arizona Drug Enforcement Fund.

ASSESSMENT in the amount of \$20.00 as follows:

Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 due on September 1, 2002.

All amounts payable through the Clerk of the Superior Court.

Condition 7, IT IS ORDERED the Defendant appear for Compliance Hearing on **November 14, 2002 at 8:30 a.m.**, in this division.

Abide by the Judgment and any Orders for Restitution, Fines and Fees in this case. (Probation shall be automatically extended for nonpayment of restitution.)

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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IT IS ORDERED granting the Motion To Dismiss Count 2.

Defendant has waived the preparation of a presentence report.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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

/s/ JUDGE PRO TEM BERNARD C. OWENS
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)