

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2004-014508-002 DT

08/03/2004

HON. AIMEE L. ANDERSON

CLERK OF THE COURT
J. Greer
Deputy

FILED: 08/10/2004

STATE OF ARIZONA

JONELL L LUCCA

v.

CURTIS E KILCOIN (002)

JOSEPH A DUARTE

APO-PLEAS-CCC
JUDGE SCHNEIDER
VICTIM SERVICES DIV-CA-CCC

PLEA AGREEMENT/CHANGE OF PLEA

This is the time set for Change of Plea.

State's Attorney: Tiffani Lucero for Jonell Lucca
Defendant's Attorney: Joseph Duarte
Defendant: Present

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

The parties advise the Court that they wish to proceed with a Change of Plea in this matter.

The Court reviews the Plea Agreement with Defendant. The Court advises Defendant of the range of possible sentence and the availability of probation, and any special conditions of sentencing and probation. The Court advises Defendant of all pertinent constitutional rights and rights of review.

Defendant enters a plea of Guilty to the following:

OFFENSE: Count 5, as amended, Possession of Burglary Tools
Class 6 Undesignated felony

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A.R.S. § 13-1505, 13-1501, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13702.01, 13-707, 13-801 and 13-802

Date of Offense: May 10, 2004

Non Dangerous - Non Repetitive

OFFENSE: Count 1 Burglary in the Third Degree

Class 4 Felony

A.R.S. § 13-1506, 13-1501, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-702.01 and 13-801

Date of Offense: May 16, 2004

Non Dangerous - Non Repetitive

IT IS ORDERED accepting the plea.

IT IS ORDERED setting time for sentencing on September 7, 2004 at 8:30 a.m. before Judge Schneider.

IT IS FURTHER ORDERED that the following will be deemed submitted at the time of sentencing: Motion To Dismiss Counts 2, 3, 4, 6, 7 and 8; Maricopa County Attorney's Office agrees not to file possession of burglary tools, criminal damage, burglary, criminal trespass, or theft charges stemming from MCSO DR Nos. 04-071022, 04-072226-, 04-074718, 04-074752, 04-075449, 04-080392, 04-078039 and -04-080490 as reflected in the Plea Agreement.

IT IS ORDERED the Adult Probation Department shall prepare a Presentence Report, and that Defendant shall report to the Adult Probation Department if not in custody.

ISSUED: Green Slip.

IT IS ORDERED vacating any pending dates.

IT IS FURTHER ORDERED affirming prior Release orders.

Matter concludes.