

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-153890-001 DT

09/06/2013

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
C. McCain
Deputy

STATE OF ARIZONA

KAREN E KOMRADA

v.

NICHOLAS ANDREW LINSK (001)
DOB: 11/14/1979

CLARK L DERRICK

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
FINANCIAL SERVICES-CCC
RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

1:59 p.m.

Courtroom SCT5C

State's Attorney: Karen Komrada
Defendant's Attorney: Clark Derrick
Defendant: Present

Court Reporter, Marla Arnold, is present.

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

LET THE RECORD RELFECT family and friends provide statement to the Court on behalf of the victim.

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LET THE RECORD REFLECT family and friends provide statements to the Court on behalf of the defendant.

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

OFFENSE: Count 1 Leaving the Scene of a fatal Injury Accident
Class 2 Felony
A.R.S. § 28-661, 3001, 3304, 3305, 3315, 13-701, 702, 801
Date of Offense: 10/14/2012
Non Dangerous - Non Repetitive

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: 5 years

To begin 09/06/2013.

Condition 5 - If deported or processed through voluntary departure, will not return to the United States without legal authorization during the term of probation, and all conditions remain in effect except for

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:

RESTITUTION: Count 1 - \$18,390.40 payable \$200.00 per month, beginning 11/01/2013, to the following persons:

Bertha Maalouf	(Individual)	\$8,660.77
Laila Maalouf	(Individual)	\$6,804.63
Nicole Absi	(Individual)	\$2,925.00

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

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PROBATION SURCHARGE: Count 1 - \$20.00, payable at \$5.00 per month payable on 11/01/2013.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00, payable \$5.00 per month, beginning 11/01/2013.

All amounts payable through the Clerk of the Superior Court.

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

Condition 17 - Count 1: Complete a total of 500 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

Condition 18 - Count 1: Be incarcerated in the county jail for 90 FLAT day(s), beginning 09/06/2013 with credit for 0 day(s) served.

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

Defendant is eligible for Work Release.

IT IS ORDERED revoking the defendant's drivers license as required by Arizona law.

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:

Mental Health

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

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1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

Count(s) 1: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff.

IT IS ORDERED exonerating any bond previously posted in this matter to the party posting same.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

Exhibit #'s 1 and 2 are marked and received in evidence.

4:22 p.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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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)