

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-138856-001 DT

11/16/2017

HONORABLE ERIN O'BRIEN OTIS

CLERK OF THE COURT
K. Shafer
Deputy

STATE OF ARIZONA

JEANNETTE GALLAGHER
JAY ROBERT RADEMACHER
COLLEEN CLASE

v.

JOHN MICHAEL ALLEN (001)

GARY B BEREN
ROBERT E REINHARDT

DOB: 7/19/1988

AZ DOC
DISPOSITION CLERK-CSC

SENTENCE OF IMPRISONMENT

4:07 p.m.

Courtroom SCT-5A

State's Attorney: Jeannette Gallagher & Jay Rademacher
Defendant's Attorney: Gary Beren & Robert Reinhardt
Defendant: Present

Court Reporter, Kristi Week, is present.

A record of the proceedings is also made digitally.

Count(s) 2, 3, 4 and 6: The Defendant was found guilty after a trial by jury.

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

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-138856-001 DT

11/16/2017

OFFENSE: Count 2 Conspiracy to Commit Child Abuse
Class 2 Felony & DCAC
A.R.S. § 13-1003, 3623(A)(C)(F), 705, 3601, 701, 702 and 801
Date of Offense: On or between 7/11/11 and 7/12/11
Non Dangerous - Non Repetitive

OFFENSE: Count 3 Child Abuse
Class 2 Felony & DCAC
A.R.S. § 13-3623(A)(C)(F), 705, 301, 302, 303, 304, 3601, 701, 702 and 801
Date of Offense: On or between 7/11/11 and 7/12/11
Non Dangerous - Non Repetitive

OFFENSE: Count 4 Child Abuse
Class 4 Felony with one prior
A.R.S. § 13-3623(F)(B)(C), 301, 302, 303, 304, 3601, 701, 702, 703 and 801
Date of Offense: On or between 7/11/11 and 7/12/11
Non Dangerous - Repetitive

OFFENSE: Count 6 (renumbered as Count 5 for Trial) Reckless Child Abuse
Class 3 Felony
A.R.S. § 13-3623(A)(2), 3601, 701, 702 and 801
Date of Offense: On or between 1/1/11 and 6/30/11
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 2: 24 CALENDAR year(s) from 11/16/17
Presentence Incarceration Credit: 2,303 day(s)
Aggravated
Sentence is concurrent with Count 1.

Count 3: 24 CALENDAR year(s) from completion of sentence in Counts 1 and 2
Presentence Incarceration Credit: ZERO day(s)
Aggravated
This sentence is to be consecutive to Counts 1 and 2.

Count 4: 3.75 year(s) from completion of sentence in Count 3
Presentence Incarceration Credit: ZERO day(s)

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-138856-001 DT

11/16/2017

Aggravated

This sentence is to be consecutive to Count 3.

Count 6 (renumbered for Trial as Count 5): 8.75 year(s) from completion of sentence in
Count 4

Presentence Incarceration Credit: ZERO day(s)

Maximum

This sentence is to be consecutive to Count 4.

Pursuant to A.R.S. § 13-604 and 13-703(H), the Court finds that the Defendant has been convicted of the following prior felony offenses:

Reckless Child Abuse, a class 3 felony committed on or between 1/1/11 and 6/30/11 and convicted on this date.

Community Supervision: Count 2 - Imposed pursuant to A.R.S. § 13-603(I).

Community Supervision: Count 3 - Imposed pursuant to A.R.S. § 13-603(I).

Community Supervision: Count 4 - Imposed pursuant to A.R.S. § 13-603(I).

Community Supervision: Count 6 - Imposed pursuant to A.R.S. § 13-603(I).

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

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

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.

Defendant has waived the preparation of a presentence report.

4:23 p.m. Matter concludes.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-138856-001 DT

11/16/2017

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-138856-001 DT

11/16/2017

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

/s/ HONORABLE ERIN O'BRIEN OTIS
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)