

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-008318-002 DT

12/19/2013

HON. TERESA SANDERS

CLERK OF THE COURT
A. Schmidt
Deputy

STATE OF ARIZONA

SERENA COURTNEY POKRASS
JAMES W FRITZ

v.

KENRICK FONCETTE (002)
DOB: 1/12/1960

BRUCE E BLUMBERG

APO-SENTENCE IMPRISON-CCC
APPEALS-CCC
AZ DOC
COUNTY ATTORNEY-CIVIL SECTION
DISPOSITION CLERK-CSC
RFR

SENTENCE OF IMPRISONMENT

1:40 p.m.

Courtroom SCT 7C

State's Attorney: Serena Pokrass
Defendant's Attorney: Bruce Blumberg
Defendant: Present

Court Reporter, Antoinette Salazar, is present.

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

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Count(s) 1 and 2: The Defendant was found guilty after a trial by jury.

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

OFFENSE: Count 1 Possession of Marijuana for Sale
Class 2 Felony

801 A.R.S. § 13-3401, 13-3405, 13-3418, 13-301, 13-302, 13-303, 13-304, 13-701, 13-702, 13-

Date of Offense: 10/28/2010
Non Dangerous - Non Repetitive

OFFENSE: Count 2 Possession of Drug Paraphernalia
Class 6 Felony

702, 13-801 A.R.S. § 13-3401, 13-3405, 13-3415, 13-3418, 13-301, 13-302, 13-303, 13-304, 13-701, 13-

Date of Offense: 10/28/2010
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 1: 7 year(s) from 12/19/2013
Presentence Incarceration Credit: 62 day(s)
Aggravated

Count 2: 1 year(s) from 12/19/2013
Presentence Incarceration Credit: 62 day(s)
Presumptive

IT IS ORDERED Counts 1 and 2 shall run concurrently with each other.

IT IS FURTHER ORDERED the Defendant shall pay through the Clerk of the Superior Court:

FINE: Count 1 - Total amount of \$60,720.00, which includes surcharges of 84%.

ASSESSMENTS:

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Count 1: PROBATION SURCHARGE: \$20.00.

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

The Court will retain jurisdiction over restitution. A restitution hearing is set for 2/21/2014 at 9:30 a.m. (30 min) before this division. Defendant waives his presence. Let the record reflect the hearing is due to extradition costs.

IT IS ORDERED counsel for the Maricopa County Sheriff's Office shall appear at the Restitution Hearing.

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.

Community Supervision: Count 1 and 2 - Imposed pursuant to A.R.S. § 13-603(I).

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

IT IS FURTHER 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 FURTHER 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.

1:56 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.

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

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

/s/ HON. TERESA SANDERS
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)