

12-9-2020

GARY L. HARRISON, Clerk

T. Brayton

Deputy

ARIZONA SUPERIOR COURT, PIMA COUNTY

HON. KIMBERLY H. ORTIZ

COURT REPORTER: Katherine Stride
Courtroom - 386

STATE OF ARIZONA

VS.

(-001)

Defendant

DATE OF BIRTH: 4/2/1998

CASE NO. CR20202137-001

DATE: December 07, 2020

DEC - 9 2020

Teresa (Tracy) A Miller, Esq. counsel for State

Jacob M Amaru, Esq. counsel for Defendant

MINUTE ENTRY

SENTENCE OF PROBATION WITH JAIL

Defendant present, out of custody.

The Defendant is advised of the charge and the determination of guilt, and all parties are given the opportunity to make recommendations/statements to the Court.

Pursuant to A.R.S. § 13-607, the Court finds as follows:

WAIVER OF TRIAL--The Defendant knowingly, intelligently, and voluntarily waived her right to a trial with or without a jury, her right to confront and cross-examine witnesses, her right to testify or remain silent, her right to present evidence and call her own witnesses, and her right to review after having been advised of these rights. The determination of guilt was based upon a plea of guilty.

Upon due consideration of the offense, and the facts, law and circumstances involved in this case, and having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT OF THE COURT that the Defendant is guilty of AMENDED COUNT ONE: NEGLIGENT HOMICIDE, a Class Four Felony, nondangerous, nonrepetitive offense, in violation of A.R.S. §§ 13-1102, 13-603 committed on May 5, 2020.

THE COURT FINDS that the Defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

THE COURT FURTHER FINDS that the term of probation should include incarceration in the Pima County Jail.

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation for a

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period of EIGHT (8) YEARS, commencing on December 7, 2020, under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order signed by the Court suspending sentence and imposing terms of probation.

IT IS ORDERED as a condition of probation that the Defendant be incarcerated in the Pima County Jail for a period of four weekends per year for the next three years. Due to the pandemic, the specific dates and times that the Defendant will self-report to the Pima County Jail will be determined at a future review hearing that will be set from chambers. The Defendant shall be given credit for ZERO (0) DAYS time served.

IT IS ORDERED that the Defendant abide by all conditions of probation as set forth in the Uniform Conditions of Supervised Probation.

IT IS ORDERED that the Defendant shall pay the following:

1. Monthly probation services fee at the rate of \$65.00.
2. Probation Assessment in the amount of \$20.00.
3. Surcharge Assessment in the amount of \$13.00.
4. Victim Rights Enforcement Fund Fee in the amount of \$2.00.
5. Victim Rights Assessment in the amount of \$9.00.

The Court retains jurisdiction over the issue of restitution in this matter for a period of twelve months.

The Court retains jurisdiction of the case for purposes of ordering, modifying and enforcing the manner in which court-ordered payments are made until paid in full or until the Defendant's sentence expires, such payment to include but not limited to: A restitution order in favor of any person entitled to such; along with fines, costs, incarceration costs, fees, surcharges or assessments imposed.

The written terms and conditions of probation are handed to the Defendant for explanation, acceptance, and signature. The Defendant is advised concerning the consequences of failure to abide by the conditions of probation.

IT IS ORDERED that any outstanding bond that has not been previously referred for a bond forfeiture proceeding is hereby exonerated.

IT IS ORDERED, pursuant to the plea, that all remaining counts and allegations shall be dismissed as to this cause number only.

The Defendant is advised of her Notice of Rights of Review and Notice of Right to Apply to Have Conviction Set Aside, signs, and receives a copy of same.

Let the record reflect that the Defendant's fingerprint is permanently affixed to the signature page of this

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sentencing order in open court.

FILED IN COURT: Uniform Conditions of Supervised Probation; Financial Judgment and Order; Notice of Rights of Review; Notice of Right to Apply to Have Conviction Set Aside; Presentence Report; Supervision Performance Report



Kimberly H. Ortiz /s/
HON. KIMBERLY H. ORTIZ
(ID: db336981-2afb-467d-85b6-d3cb68886cf2)

cc: Hon. Kimberly H. Ortiz
Jacob M Amaru, Esq.
Teresa (Tracy) A Miller, Esq.

Adult Probation
Clerk of Court - Accounting Unit
Clerk of Court - Appeals Unit
Clerk of Court - Criminal Unit
County Attorney - Victim Notification
Office of Court-Appointed Counsel
Pretrial Services
Sheriff of Pima County (1 certified)

T. Brayton
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