

CASE ACTION SUMMARY CONTINUATION

Case Number

DC 94 912
ID YR Number

Form - OLJ PLEA 1

Style: JANICE MORRIS

Page Number of Pages

DATE

ACTIONS, JUDGEMENTS, CASE NOTES

PLEA

MAR 02 1994

The defendant being called before the Court accompanied by counsel, and the defendant, counsel, and the Court, having then and there executed "Court's Exhibit A, (an Explanation of Defendant's Rights) 6, and the Plea Bargain Agreement," which said Exhibits and Agreement are hereby incorporated herein and made a part hereof as if fully set forth at length herein and the defendant now stating to the Court that defendant has read said Exhibits and Agreement or has had same read to defendant by defendant's counsel and that defendant fully understands said Exhibits and has no questions about same. The court finds that the defendant is represented by competent counsel and that defendant has a full understanding of a plea of guilt and is intelligently and voluntarily entering a plea of guilt with a full understanding of the nature of the charge and the consequences of his plea. The Court finds that there is a factual basis for defendant's entering a plea and for the Court accepting the defendant's plea. Defendant admits to 0 prior felony convictions. Defendant waives a jury trial and pleads guilty to THEFT OF PROPERTY BY DECEPTION IN THE FIRST DEGREE

as charged in the information filed by the District Attorney. The Court accepts defendant's plea, and defendant is adjudged to be guilty as charged. The defendant being called before the Court for sentence and asked whether defendant has anything to say as to why sentence should not be pronounced against defendant says No Sir

It is the judgement and sentence of the Court that the defendant be imprisoned in the penitentiary for a term of 2 years as / an habitual offender with 0 prior felony convictions / on the recommendation of Deputy District Attorney D. Huddleston, and it is ordered that defendant be credited with all time spent incarcerated in the Jefferson County Jail pending trial unless defendant was serving time for another offense. Defendant ordered to pay a fine of \$ 0, and defendant ordered to pay a fine of \$ 100 payable to the Clerk for and on behalf of the Alabama Crime Victim's Compensation Commission, and a fine \$ 25 payable to the Clerk for and on behalf of the Office of Prosecution Services, and defendant ordered to pay court costs, for which let execution lie. This offense occurred on Jan 1, 1991 through July 18, 1993. This plea recorded by Tape Recorder (Court Reporter). After conviction or

plea of guilty, you have the right to appeal.

I, Polly Conradi, Clerk of the District Court of Jefferson County, do hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in said Court.

WITNESS my hand and seal of said Court, this

the 13th day of June, 1994, the recommendation of Deputy District Attorney [Signature], the sentence in this case is ordered run Concurrent / Consecutive / Co-terminus with the sentence in case numbers [Blank]

District Judge

District Judge

06/24/1998-23452
03:58 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
13:50

Inst # 1998-23452

7-17-96 pd par to 8-21-96

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APR 02 1994

DEFENDANT WILL APPLY FOR PROBATION

The defendant in open Court gives notice that defendant will apply for probation in this cause. It is ordered that this cause be referred to the State Probation Office for an investigation. The said Probation Officer will make a report to this Court on the 15 day of April, 1994 at 1:30 P.M.

O. J. J.
District Judge

Case passed to 5-6-94

at 11:00, A.M. M. R. Jones O. J. J.

APR 15 1994

MAY 06 1994

PROBATION DENIED. SENTENCE PLACED INTO EFFECT.

District Judge

PROBATION GRANTED

~~This cause having been referred to the State Probation Office for investigation, and the report of the investigation having been made to and considered by the Court, the sentence in this case is suspended and defendant is placed on supervised / unsupervised probation for a term of _____ years pending the good behavior of the defendant. As a condition of probation, defendant is ordered to participate in TASC.~~

District Judge

SPLIT SENTENCE

Under the provision of Section 15-18-6 Code of Alabama, 1975, defendant is sentenced to 2 years, 180 days to be actually served in / a jail type institution or treatment institution / Boot Camp, and the execution of the remainder of said sentence is suspended and defendant is placed on supervised probation for _____ years. As a condition of

probation, defendant is ordered to participate in TASC. Defendant place 5 years Probation. Supervised Probation. Defendant order to serve sentence from 6:00 P.M. on Friday to 6:00 P.M. on Sunday for 90 consecutive weekdays beginning May 13, 1994.

O. J. J.
District Judge

MAY 06 1994

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SENTENCE-FELONY

The defendant has been sentenced to a class B 2 felony.

O. J. J.
District Judge

Inst # 1998-23452

06/24/1998-23452
03:58 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 HEL

COURT COSTS

Partial payment of fines and Court costs is allowed. Case passed to June 10, 1994
for payment. / Payment due when defendant released from prison.

O. J. J.
District Judge

RESTITUTION

The defendant is ordered to make restitution in this case in the amount of \$ 139,656.94
for which let execution lie. The clerk of the court is ordered to accept restitution and
in turn to pay it to the victim.

Name of Victim: Dr. Nola D. Downs

Address: 1957 Hoover Ct Ste 210 / Hoover, AL

Payment to be: Partial Payment allowed

O. J. J.
District Judge

INDIGENT DEFENSE FUND

Defendant is ordered to pay as a part of court costs \$ 0 to be paid by
the clerk to the Indigent Defense Fund of the State of Alabama, for which let execution
lie.

COMMUNITY WORK

Defendant ordered to perform 200 hours of community work as a condition
of probation.

O. J. J.
District Judge

MAR 02 1994

MAY 06 1994

MAY 06 1994