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JUL 23 2008

STATE OF INDIANA)
COUNTY OF LAKE)

SUPERIOR COURT OF LAKE COUNTY)
CRIMINAL DIVISION)
TOWN POINT, INDIANA)

2808 066403

STATE OF INDIANA,)

Plaintiff,)

v)

CAUSE 45G02-0705-FD-00042 ✓
45G02-0706-FB-00048

ALBERT ALCOGER,)

D.O.B. 10-7-1961)
Defendant.)

MICHAEL A. BROWN
RECORDER

2008 SEP 24 AM 8:34

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

ORDER

7/23/08

The State of Indiana appears by Deputy Prosecuting Attorney Joseph Nugent. The defendant, Albert Alcocer, appears in person with Attorney Frederick Work. Marianna Runkle reporting.

The defendant having entered a plea of guilty pursuant to a plea agreement, which is accepted on this date, the Court now enters judgment of conviction for the offense of Count I, Resisting Law Enforcement, a Class (D) Felony in Cause No. 45G02-0705-FD-00042; and Count IV, Resisting Law Enforcement, a Class (D) Felony in Cause No. 45G02-0706-FB-00048.

SENTENCING STATEMENT:

Having considered the written pre-sentence investigation report, as well as, I.C. 35-38-1-7.1, and I.C. 35-38-1-1.3, the Court now enters the following findings and sentence:

FINDINGS:

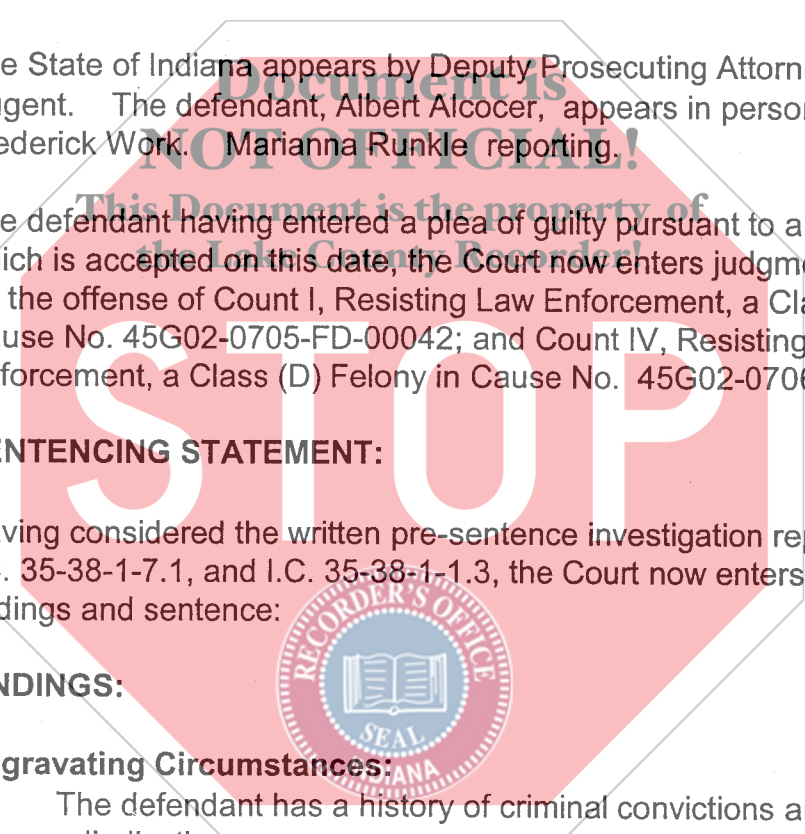
Aggravating Circumstances:

1. The defendant has a history of criminal convictions and juvenile adjudications.
2. The defendant committed multiple offenses within a very short time frame.

Mitigating Circumstances:

1. The defendant admitted his guilt by way of a plea agreement, thus saving the Court and the State of Indiana the time and expense of a trial.

N/C



FINDINGS: After presentation of evidence and hearing argument, the Court finds that the aggravating factors outweigh the mitigating factors.

SENTENCE: The Court now sentences the defendant as follows:

The defendant is now ordered committed to the custody of the Department of Correction for classification and confinement in a medium security facility for a period of twenty-seven (27) months in Count I in Cause No. 45G02-0705-FD-00042; and twenty-seven (27) months in Count IV in Cause No. 45G02-0706-FB-00048. The sentence of imprisonment is to be served concurrently to each other because the offenses share a causal and temporal nexus.

The defendant is to receive credit for four hundred twenty-two (422) days spent in confinement as a result of this charge, plus four hundred twenty-two (422) days of good time credit as provided by law for a total of eight hundred forty-four (844) days credit toward the aggregate sentence of imprisonment.

The Court finds that the defendant has served the executed sentence and the defendant is ordered released from custody **Instantly**.

The defendant shall pay a court costs fee in both cases which the Court orders reduced to a judgment against the defendant.

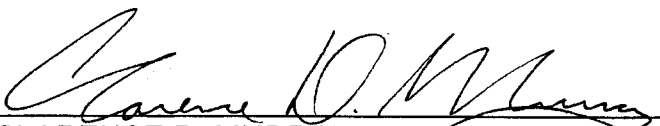
The defendant has been advised of his post-conviction relief rights and appeal rights and advises the Court that he does not wish to appeal.

The defendant is remanded to the custody of the Sheriff of Lake County for execution of the judgment of the Court.

Pursuant to the terms of the plea agreement, the State of Indiana files a Motion To Dismiss Counts II, III, IV and V in Cause No. 45G02-0705-FD-00042; and Counts I, II and III in Cause No. 45G02-0706-FB-00048, which is granted.

The Clerk is directed to notify the Sheriff of Lake County. Cause disposed.

SO ORDERED:


CLARENCE D. MURRAY, JUDGE, ROOM II nlw