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STATE OF INDIANA)
) ss:
COUNTY OF LAKE)

SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
CASE 45G01-0710-FD-00080

STATE OF INDIANA,)
)
Plaintiff.)
)
V.)
)
REYNALDO FORELO PINLAC,)
)
Defendant.)

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APR 8 9 2009

William L. Chaloux
CLERK LAKE SUPERIOR COURT

2009 034203

D.O.B. 10/12/1958

ORDER

04-08-09

The defendant, Reynaldo Forelo Pinlac, appears in person with his attorney and Godshalk. The State of Indiana appears by Deputy Prosecuting Attorney Shante Henry. The Court accepts the plea of guilty tendered on January 15, 2009 and enters judgment for the crime of Count I: Theft, Class D felony. The court considers the written presentence report and sentences the defendant to a term of two and one half (2 1/2) years. The court suspends eighteen (18) months of said sentence. The court orders the defendant committed to the Department of correction for a term of one (1) year. Misdemeanor treatment is specifically excluded as such treatment would depreciate the seriousness of the crime. As an additional condition of this sentence, the defendant is ordered to pay restitution in the amount of \$55,340.94, less the bond posted. The balance of the restitution is ordered entered as a judgment against the defendant and is to be recorded as a lien. After his release from incarceration, the defendant is placed on probation for a term of eighteen (18) months. As a condition of probation, the defendant is ordered to pay probation user's fee as assessed. As an additional condition of probation, the defendant is ordered to 1) pay court costs; and 2) make payments, at a rate of no less than \$1,000 a month, towards the restitution owed.

SENTENCING CONSIDERATIONS:

The nature and circumstances of the crime committed are as follows: pursuant to the stipulated factual basis for the plea agreement including the substantial amount misappropriated by the defendant.

MITIGATING CIRCUMSTANCES: the Court considers the following factors as mitigating circumstances or as favoring suspending the sentence and imposing probation:

STATE OF INDIANA
LAKE COUNTY
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MICHAELE A. BOONIN
CLERK

N/C

C/A

1. The defendant has no history of delinquency or criminal activity.
2. The defendant has pled guilty and admitted responsibility, which minimal weight is given since the defendant received the benefit of a dismissed Class C felony pursuant to the plea agreement.

AGGRAVATING CIRCUMSTANCES: the Court considers the following factors as aggravating circumstances or as favoring imposing consecutive terms of imprisonment:

1. The defendant's character is highly manipulative.
2. The defendant was President of the victim, Phillipine Professionals Association. As such he violated a position of trust and authority granted him.
3. The defendant became authorized to sign checks on January 24, 2006, one day later he stole his first amount.

The court finds that each aggravating factor, standing alone, outweighs any mitigating factor.

The defendant is to receive credit for 2 days spent in confinement as a result of this charge, plus 2 days of good time credit as provided by law, for a total of 4 days credit. The court now advised the defendant of his right to appeal his sentence according to law. The defendant waives the reading of the general rules of probation terms in open court. The State of Indiana, by Deputy Prosecuting Attorney Shante' Henry, files motion to dismiss Counts II, III, IV and V, which is granted. The defendant is remanded to the custody of the Sheriff for execution of the judgment of this court.

Court costs are assessed and made payable during the defendant's probationary term. The bond is ordered released and made payable towards the restitution owed by the defendant. Case disposed. (Christine Orr reporting).

SO ORDERED: SALVADOR VASQUEZ, Judge, Room I (nm)

State of Indiana v Reynaldo Forelo Pinlac
Case 45G01-0710-FD-00080

Judgment - \$54,559.94

CERTIFICATION OF CLERK

As legal custodian I hereby certify that the above and foregoing is a true and complete copy of the original on file with this office in the cause stated thereon.

Witness my hand and the seal of the court this

12th day of MAY, 2009

Thomas R. Philpitt by ~~Kathy Anderson~~

Clerk of the Lake Circuit and Superior Courts

By: Kathy Anderson
Deputy Clerk