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STATE OF INDIANA )  
 ) ss:  
COUNTY OF LAKE )

SUPERIOR COURT OF LAKE COUNTY  
CRIMINAL DIVISION  
CASE 45G02-0809-FB-00075

STATE OF INDIANA,

Plaintiff,

v.

THOMAS ANTHONY DAUKSZA-BRZINSK JR.,

Defendant.

08/27/09

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AUG 28 2009

Thomas R. O'Leary  
CLERK LAKE SUPERIOR COURT

2009 063714

**ORDER**

08-27-09

The State of Indiana appears by Deputy Prosecuting Attorney Jamise Perkins. The defendant, Thomas A. Dauksza-Brzinsk Jr., appears in person and with Attorney Corinth Bishop.

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 II, Sexual Misconduct With a Minor, a Class C Felony.

**SENTENCING STATEMENT:**

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

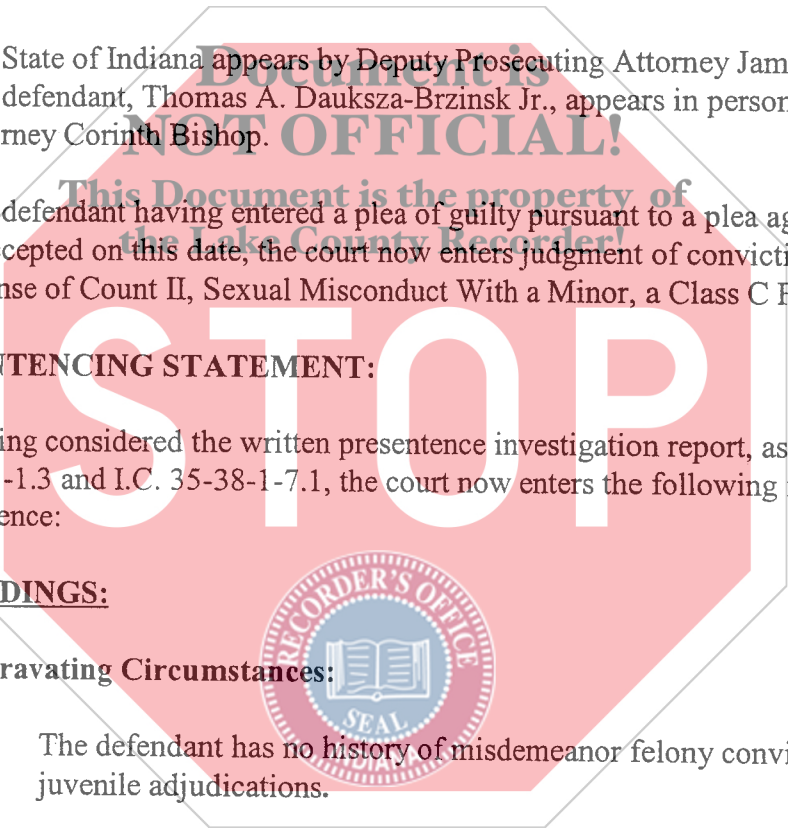
**FINDINGS:**

**Aggravating Circumstances:**

- 1. The defendant has no history of misdemeanor felony convictions and juvenile adjudications.

**Mitigating Circumstances:**

- 1. The defendant is likely to respond affirmatively to short term imprisonment.



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2. The defendant admitted his guilt by way of a plea agreement, thus saving the citizens of Lake County, Indiana the time and expense of a trial.

After presentation of evidence and hearing argument, the court finds that the aggravating factors equally balance the mitigating factors and the agreed term as stipulated to by the parties to be a reasonable and appropriate sentence based on the law and facts fo the case.

**SENTENCE:**

Pursuant to the terms of the plea agreement, 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 maximum security facility for a period of two (2) years.

The sentence of imprisonment is to be served consecutively to the sentence in Cause No. 1:03-Cr-53-3 in the United States District Court - Northern District of Indiana for the reason that it is mandatory pursuant to I.C. 35-50-1-2.

The defendant is to receive credit for 353 days spent in confinement as a result of this charge, plus 353 days of good time credit as provided by law for a total of 706 days credit toward the sentence of imprisonment.

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

The defendant has been advised of his postconviction relief rights and appeal rights.

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 I only, which is granted. Cause is disposed. (Anita Gladdis reporting.)

**SO ORDERED:**

  
CLARENCE D MURRAY, JUDGE, ROOM II (pah)

**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

16th day of September 2007

Thomas Philpot

Clerk of the Lake Circuit and Superior Courts

By: Kathy Anderson  
Deputy Clerk



2009 063714

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORDER

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MICHAEL A. BROWN  
RECORDER