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STATE OF INDIANA) SUPERIOR COURT OF LAKE COUNTY
) ss: CRIMINAL DIVISION
COUNTY OF LAKE) CROWN POINT, INDIANA

JAN 2 - 2010

2010 012465

STATE OF INDIANA,

M. Bishop
CLERK LAKE COUNTY COURT

Plaintiff,

v

CAUSE 45G02-0909-FD-00102
45G02-0909-FB-00095

MARSHALL LASHAWN ALFRED,

Defendant.

D.O.B. 10/28/1985

ORDER

01-28-10

The State of Indiana appears by Deputy Prosecuting Attorney Evelyn Scott. The defendant, Marshall L. Alfred, appears in person and with Attorney Cortina 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 offenses of Theft, a Class D Felony in Cause No. 45G02-0909-FD-00102 and Count II, Burglary, a Class C Felony in Cause No. 45G02-0909-FB-00095.

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 enters the following findings and sentence:

FINDINGS:

Aggravating Circumstances:

1. The defendant has a history of juvenile adjudications, misdemeanor and felony convictions.

Mitigating Circumstances:

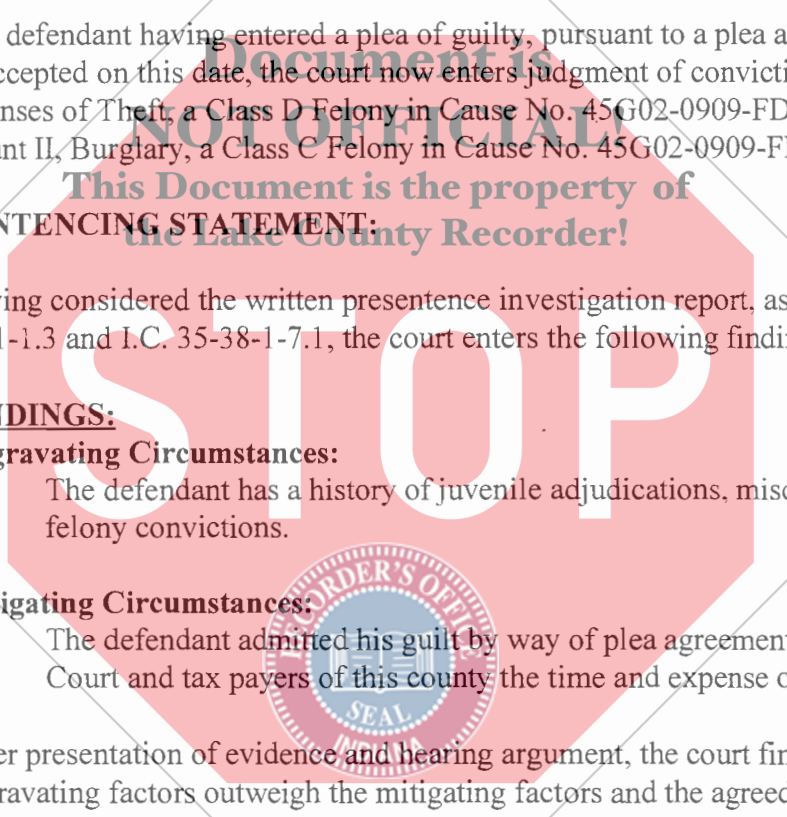
1. The defendant admitted his guilt by way of plea agreement, thus saving the Court and tax payers of this county the time and expense of trial.

After presentation of evidence and hearing argument, the court finds that the aggravating factors outweigh 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 of the case.

SENTENCE:

Pursuant to the terms of the plea agreement, the court now sentences the defendant as follows:

2010 MAR - 8 AM 11:15
MICHELLE M. SCOTT
RECORDER
STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD



N/C
LP

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 two (2) years in Cause No. 45G02-0909-FD-00102 and six (6) years in Cause No. 45G02-0909-FB-00095.

The sentences of imprisonment are to be served consecutively to each other.

The Court will not enter judgment of conviction as a Class A Misdemeanor for Cause No. 45G02-0909-FD-00102.

The defendant is to receive credit for 151 days spent in confinement as a result of this charge, plus 151 days of good time credit as provided by law for a total of 302 days credit toward the sentence of imprisonment.


The defendant shall pay a court costs fee in both causes, 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 Count I in Cause No. 45G02-0909-FB-00095, which is granted. The clerk is directed to notify the Sheriff of Lake County. Cause is disposed. (Anita L. Gladdis reporting.)

SO ORDERED:


CLARENCE D. MURRAY, JUDGE, ROOM II (Sjm)

State of Indiana v MARSHALL LASHAWN ALFRED
Cause No. 45G02-0909-FD-00102
Cause No. 45G02-0909-FB-00095



25th FEBRUARY 10
Michael A. Bowen
Latty Anderson

#164