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STATE OF INDIANA
COUNTY OF LAKE

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JAN 04 2010

Michael A Brown

SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
CROWN POINT, INDIANA

STATE OF INDIANA,
Plaintiff,
v
MITCHELL SCOTT JR.,
Defendant.

CAUSE 45G02-0810-FB-00085

D.O.B. 8/22/1979

ORDER

12-30-09

The State of Indiana appears by Deputy Prosecuting Attorney Evelyn Scott. The defendant, Mitchell Scott Jr., appears in person and with Attorney Stephen Scheele.

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, Battery, 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 enters the following findings and sentence:

FINDINGS:

Aggravating Circumstances:

1. The defendant has an extensive history of misdemeanor and felony convictions.

Mitigating Circumstances:

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

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

SENTENCE:

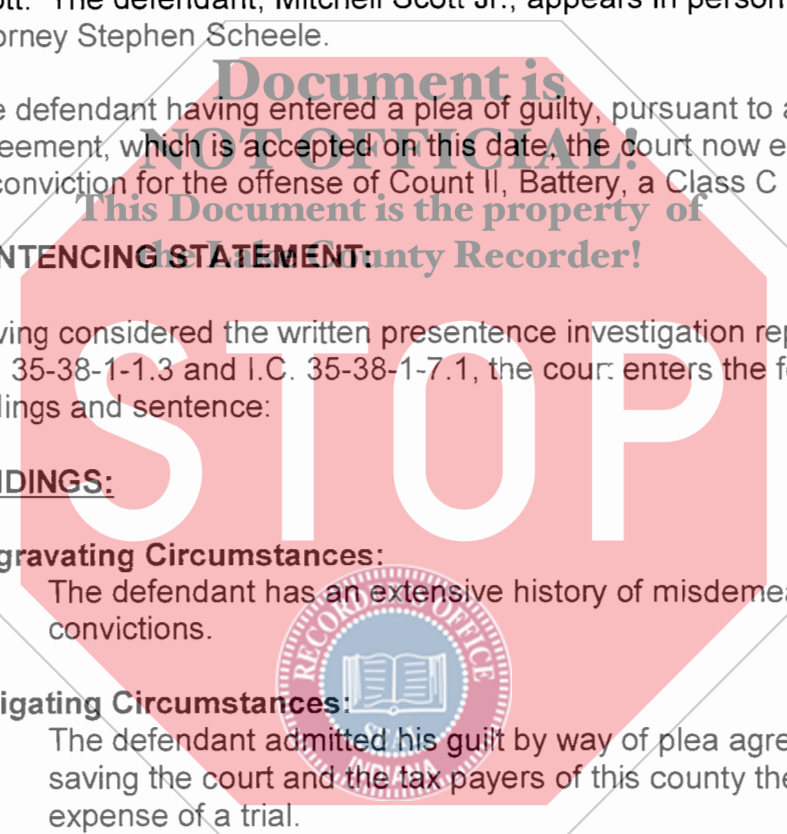
The court now sentences the defendant as follows:

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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

MITCHELL SCOTT JR.
RECORDED



NC RM

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 six (6) years.

The sentence of imprisonment is to be served consecutively to the sentence in Cause No. 45H03-9911-CM-4088 and 45H03-0505-CM-1834 for the reason that it is mandatory pursuant to I.C. 35-50-1-2.

The defendant is to receive credit for **211** days spent in confinement as a result of this charge, plus **211** days of good time credit as provided by law for a total of **422** days credit toward the sentence of imprisonment.


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

The defendant has been advised of his postconviction relief rights and appeal rights and advised 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 I and III, 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 11 (Sjm)

State of Indiana v MITCHELL SCOTT JR.
Cause No. 45G02-0810-FB-00085



<p>CERTIFICATION OF CLERK As legal custodian I hereby certify that the above and foregoing is a true and correct copy of the original on file with me for the cause stated therein. Witness my hand and seal of the court this <u>7th</u> day of <u>MARCH</u> 20<u>10</u> <u>Mike A. Brown</u> Clerk of the Lake County Superior Courts By: <u>Kathy Anderson</u> Deputy Clerk</p>

total \$144