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STATE OF INDIANA
COUNTY OF LAKE

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JUL 22 2010

SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
CROWN POINT, INDIANA

STATE OF INDIANA,

Plaintiff *David Olson*
CLERK LAKE SUPERIOR COURT

v

JAMEL CURTIZ SCOTT,

Defendant.

CAUSE 45G02-0912-FC-00147

2010 056661

D.O.B. 5/25/1971

ORDER

07-21-10

The State of Indiana appears by Deputy Prosecuting Attorney Karyn Boswell. The defendant, Jamel Curtiz Scott, appears in person and with Attorney David Olson.

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 Count II, Theft, a Class D Felony.

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
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SENTENCING STATEMENT:

Having considered the written presentence investigation report, the contents of which the Court incorporates by reference, 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 convictions. The court notes that some of the prior arrest resulted when the defendants mother contacted police out of concern for his behavior. The defendant suffers from mental illness.

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. However, the court does not consider this to be a significant mitigating factor in that the evidence favoring guilt was very strong.

NC
RM

2. The defendant suffers from schizo - affective disorder and is prescribed medicine for this condition. This condition can impair judgement and likely was a contributing factor in the commission of the offense.

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

SENTENCE:

The court now sentences the defendant as follows:

The defendant is now ordered committed to the custody of the confinement in a medium security facility, Lake County Jail for a period of eighteen months (18).

The sentence of imprisonment is suspended.

The defendant is placed on probation for eighteen (18) months under the terms and conditions of the court's probation agreement. The court imposes probation fees as determined and assessed by the Probation Department. Additional conditions of probation are as follows:

1. 11:00 pm. to 6:00 am. curfew daily with exception for employment only (for the first year of probation only);
2. obtain/maintain gainful employment;
3. reside with his mother at 300 Taft St., Gary, IN during probation period.
4. Enroll in the Assertive Community Treatment (ACT) Program at Edgewater Systems.

The Court will consider judgment of conviction as a Class A Misdemeanor, upon satisfactory completion of the probation upon the filing of the appropriate petition.

The defendant is to receive credit for **103** days spent in confinement as a result of this charge, plus **103** days of good time credit as provided by law for a total of **206** days credit toward the sentence of imprisonment.

The defendant shall pay a court costs fee which the Court orders reduced to a judgement 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 supervision of the Probation Department for execution of the judgment of the court. **The defendant is ordered released from custody INSTANTER, subject to any outstanding holds or warrants.**

JUDGMENT = \$164

Pursuant to the terms of the plea agreement, the State of Indiana files a motion to dismiss Counts I Escape a Class C Felony, which is granted. Cause is disposed. (Anita L. Gladdis reporting.)

SO ORDERED:


CLARENCE D. MURRAY, JUDGE, ROOM II (JF21)

State of Indiana v JAMEL CURTIZ SCOTT
Cause No. 45G02-0912-FC-00147

2010 056661

2010 SEP 29 PM 3:02

MICHAEL A. HANMAN
RECORDER

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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

28th day of SEPTEMBER 2010

Michael J. Bloom
Clerk of the Lake Circuit and Superior Courts

By: Kathy Crocker
Deputy Clerk