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

STATE OF INDIANA,
)
Plaintiff,
v
) CAUSE 45G02-0901-FB-00002
JOHNNY JERNIGAN,
)

BD: H-04-1973 Defendant.
)
ORDER

07-26-12

The State of Indiana appears by Deputy Prosecuting Attorney Aleksandra.

Dimitrijevic. The defendant, Johnny Jernigan, appears in person and with Attorney Richard Maroc. 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, Burglary, a Class C Felony in Cause No. 45G02-0901-FB-00002.

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 a history of misdemeanor and felony convictions, one prior misdemeanor and five prior felony convictions.
- 2. The defendant has previously violated the parole in Cook County and pretrial release granted to the defendant by this court.

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 agreed cap as stipulated to by the parties to be a reasonable and appropriate sentence based on the law and facts of the case.

SENTENCE:

The Court now sentences the defendant as follows:

N/C SS 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 four (4) years.

The sentence of imprisonment is to be served consecutively to the sentence in the Illinois Cause No. 09C66088402 for the reason that it is mandatory pursuant to I.C. 35-50-1-2.

The defendant is to receive credit for 50 days spent in confinement as a result of this charge, plus 50 days of good time credit as provided by law for a total of 100 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 bond in Cause No. 45G02-0801-FB-00002 is ordered released to person posting same, upon payment of public defender fees in the amount of \$435.00.

The defendant has been advised of his 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. The Court orders the defendant transported back to Jacksonville Correctional Center in Jacksonville, Illinois to complete his sentence. The Court further orders a detainer warrant issued for the defendant.

Pursuant to the terms of the plea agreement, the State of Indiana files a motion to dismiss Count I in Cause No. 45G02-0901-FB-00002 and Cause No. 45G02-0801-FB-00002, which is granted. The clerk is directed to notify the Lake County Sheriff. Cause is disposed. (Anita L. Gladdis reporting.)

SO ORDERED: KATHLEEN A. SULLIVAN, JUDGE Pro Tempore (Sjm)

State of Indiana v JOHNNY JERNIGAN
Cause No. 45G02-0901-FB-00002
Cause No. 45G02-0801-FB-00002

Court Cost-\$16600

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 band and the seal of the court this day of Clerk of the Lake Circuit and Superior Courts

By:

Deputy Clerk