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STATE OF INDIANA )  
COUNTY OF LAKE )

**RECEIVED**

SUPERIOR COURT OF LAKE COUNTY  
CRIMINAL DIVISION  
CROWN POINT, INDIANA

MAR 12 2013

STATE OF INDIANA, )

Plaintiff, )

*Reginald Binion*  
CLERK LAKE SUPERIOR COURT

v )

CAUSE 45G02-1111-FA-00050 )

REGINALD BINION, )

BD: 9-17-1991 )

Defendant. )

**ORDER**

03-11-13

The State of Indiana appears by Deputy Prosecuting Attorney Aleksandra Dimitrijevic. The defendant, Reginald Binion, appears in person and with Attorney Roxanne Mendez Johnson. 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, Attempted Robbery, a Class B Felony.

**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:**

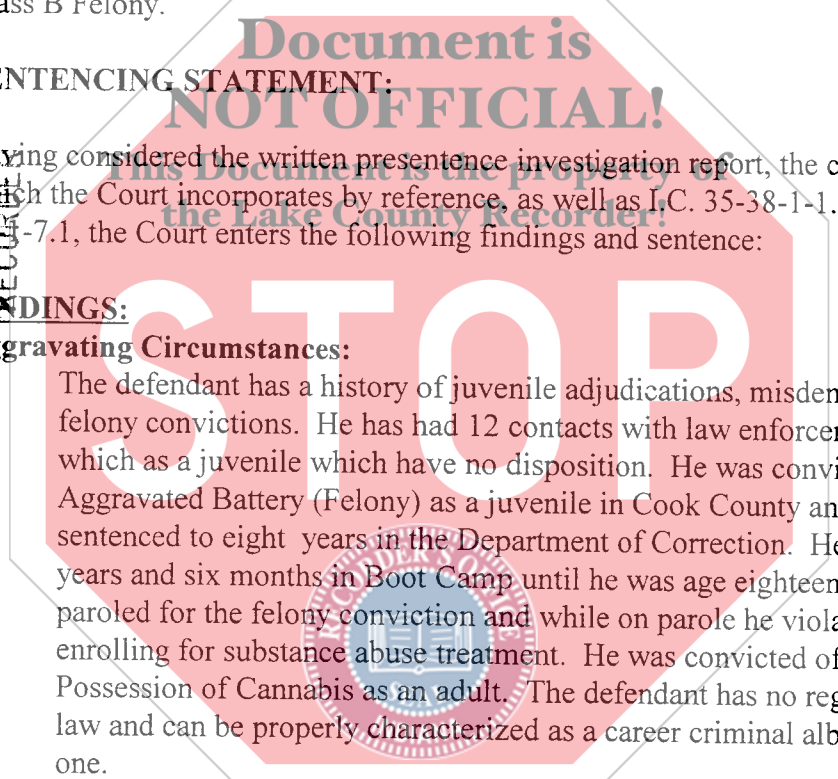
1. The defendant has a history of juvenile adjudications, misdemeanor and felony convictions. He has had 12 contacts with law enforcement, nine of which as a juvenile which have no disposition. He was convicted of Aggravated Battery (Felony) as a juvenile in Cook County and was sentenced to eight years in the Department of Correction. He served four years and six months in Boot Camp until he was age eighteen. He was paroled for the felony conviction and while on parole he violated it by not enrolling for substance abuse treatment. He was convicted of Misdemeanor Possession of Cannabis as an adult. The defendant has no regard for the law and can be properly characterized as a career criminal albeit a young one.
2. The Court finds the nature and circumstances of the crime to be a significant aggravating factor in that the crime posed a serious threat to public safety in that it occurred during store hours at a time when people were frequenting the business.

**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.

*N/C  
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LAKE COUNTY  
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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:

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 fifteen (15) years.

The defendant is to receive credit for 495 days spent in confinement as a result of this charge, plus 495 days of good time credit as provided by law for a total of 990 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 and advised the Court that he wishes to appeal and has insufficient funds to hire his own lawyer. An Appellate Public Defender is appointed as counsel at public expense to represent the defendant in the direct appeal. The clerk is directed to notify the Chief Public Defender of the defendant's request for appeal.**

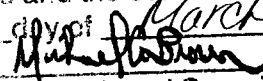
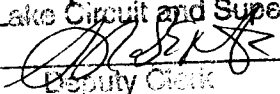
The defendant is remanded to the custody of the Sheriff of Lake County for execution of the judgment of the Court.

Pursuant to the terms of the plea agreement, the State of Indiana files a motion to dismiss Count I, which is granted. The clerk is directed to notify the Lake County Sheriff and to prepare an Abstract of Judgment. Cause is disposed. (Anita L. Gladdis reporting.)

SO ORDERED:   
CLARENCE D. MURRAY, JUDGE, ROOM II (Sjm)

State of Indiana v REGINALD BINION  
Cause No. 45G02-1111-FA-00050

*Court cost - \$166<sup>00</sup>*

<p><b>CERTIFICATION OF CLERK</b> 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 <u>13<sup>th</sup></u> day of <u>March</u> 20<u>13</u>.  Clerk of the Lake Circuit and Superior Courts By:  Deputy Clerk</p>
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