

STATE OF INDIANA)

COUNTY OF LAKE)

SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
CROWN POINT, INDIANA

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STATE OF INDIANA,)

Plaintiff)

v)

ANTHONY DARNELL GREEN,)

BP: 1-15-1988)

Defendant.)

CAUSE 45G02-1209-FB-00093 ✓

45G02-1103-FB-00016

2013 021402

ORDER

03-14-14

The State of Indiana appears by Deputy Prosecuting Attorney Sabrina Haney. The defendant, Anthony D. Green, appears in person and with Attorney Susan Severtson. 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, Possession of a Controlled Substance, Class C Felony in Cause No. 45G02-1209-FB-00093.

The defendant admits to the violations alleged in the Petition to Revoke Probation in Cause No. 45G02-1103-FB-00016.

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 felony convictions. He has a prior felony conviction in this Court for Possession of Cocaine or Narcotic Drug, a Class C Felony and was on probation for said offense at the time he committed the instant offense.
2. The Court finds the nature and circumstances of the crime to be a significant aggravating factor in that this is the second drug related offense committed by the defendant within two years of each other.
3. The IRAS score places him at a high risk of re-offending.

Mitigating Circumstances:

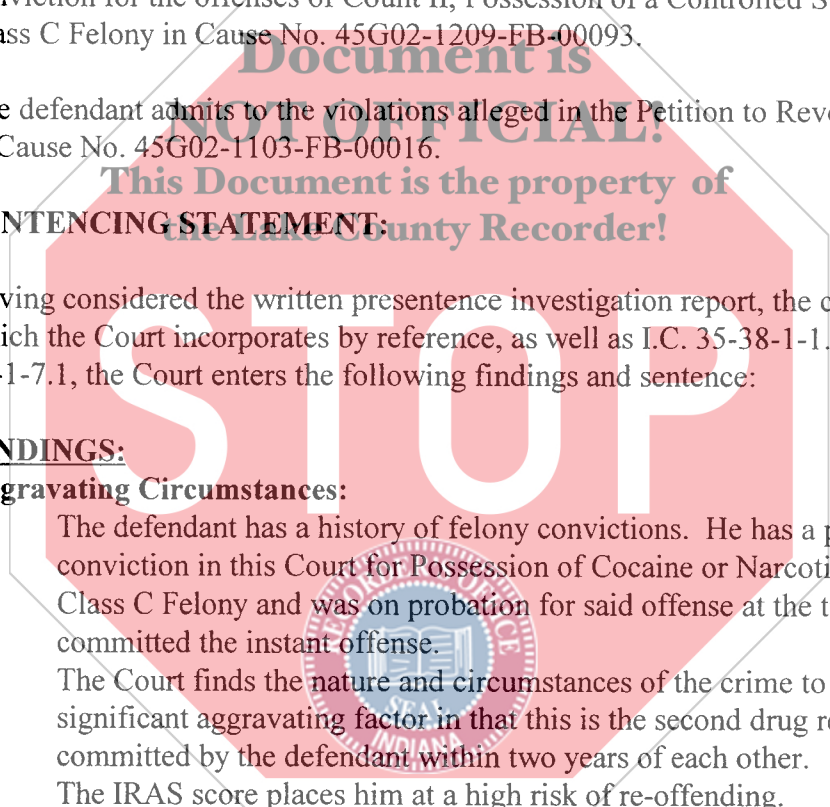
1. The defendant admitted his guilt by way of plea agreement, thus saving the Court and tax payers of this county the time and expense of trial.

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

STATE OF INDIANA
LAKE COUNTY
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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 three (3) years for Cause No. 45G02-1209-FB-00093.

The sentence of imprisonment in the instant cause is to be served consecutively to the sentence in Cause No. 45G02-1103-FB-00016 in which the Court now revokes the defendant's probation and orders the suspended sentence of three (3) years executed and served in the Department of Correction. The Court awards 442 actual days toward said sentence, plus day for day credit for a total of 884 days credit toward said sentence. The defendant is ordered discharged unsatisfactorily from probation.

The Court recommends to the Warden of the Placement Facility that the defendant receive drug and alcohol counseling and treatment.

The defendant is to receive credit for 0 days spent in confinement as a result of this charge, plus 0 days of good time credit as provided by law for a total of 0 days credit toward the sentence of imprisonment.

Pursuant to I.C. 33-37-4-1, the defendant is assessed a Drug Abuse, Prosecution, Interdiction and Correction Fee of \$200.00 which the Court orders reduced to a judgment against the defendant.


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 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 Count I in Cause No. 45G02-1209-FB-00093, which is granted. The clerk is directed to notify the Sheriff of Lake County and to prepare an Abstract of Judgment. Cause is disposed. (Marianna Runkle reporting)

SO ORDERED:


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

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Court cost - \$166.00
DAPIC - \$200.00



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

19th day of March 2013.

Clerk of the Lake Circuit and Superior Courts

By: *[Signature]*
Clerk