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STATE OF INDIANA
COUNTY OF LAKE

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SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
CROWN POINT, INDIANA

STATE OF INDIANA,

[Signature]
CLERK LAKE SUPERIOR COURT

Plaintiff,

v

JONATHAN EDWARD CARPENTER,

Defendant.

CAUSE 45G02-1305-FC-00062 ✓
45G02-1307-FD-00129
45G02-1104-FD-00091

2014 000474

ORDER

10-04-13

The State of Indiana appears by Deputy Prosecuting Attorney David R. ... The defendant, Jonathan E. Carpenter, appears in person and with Attorney ... Gross. Probation Officer Erin Stokes appears for probation. The defendant has 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 Possession of Cocaine, a Class C Felony in Cause No. 45G02-1305-FC-00062.

The defendant admits to violating his probation in Cause No. 45G02-1104-FD-00091.

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SENTENCING STATEMENT:

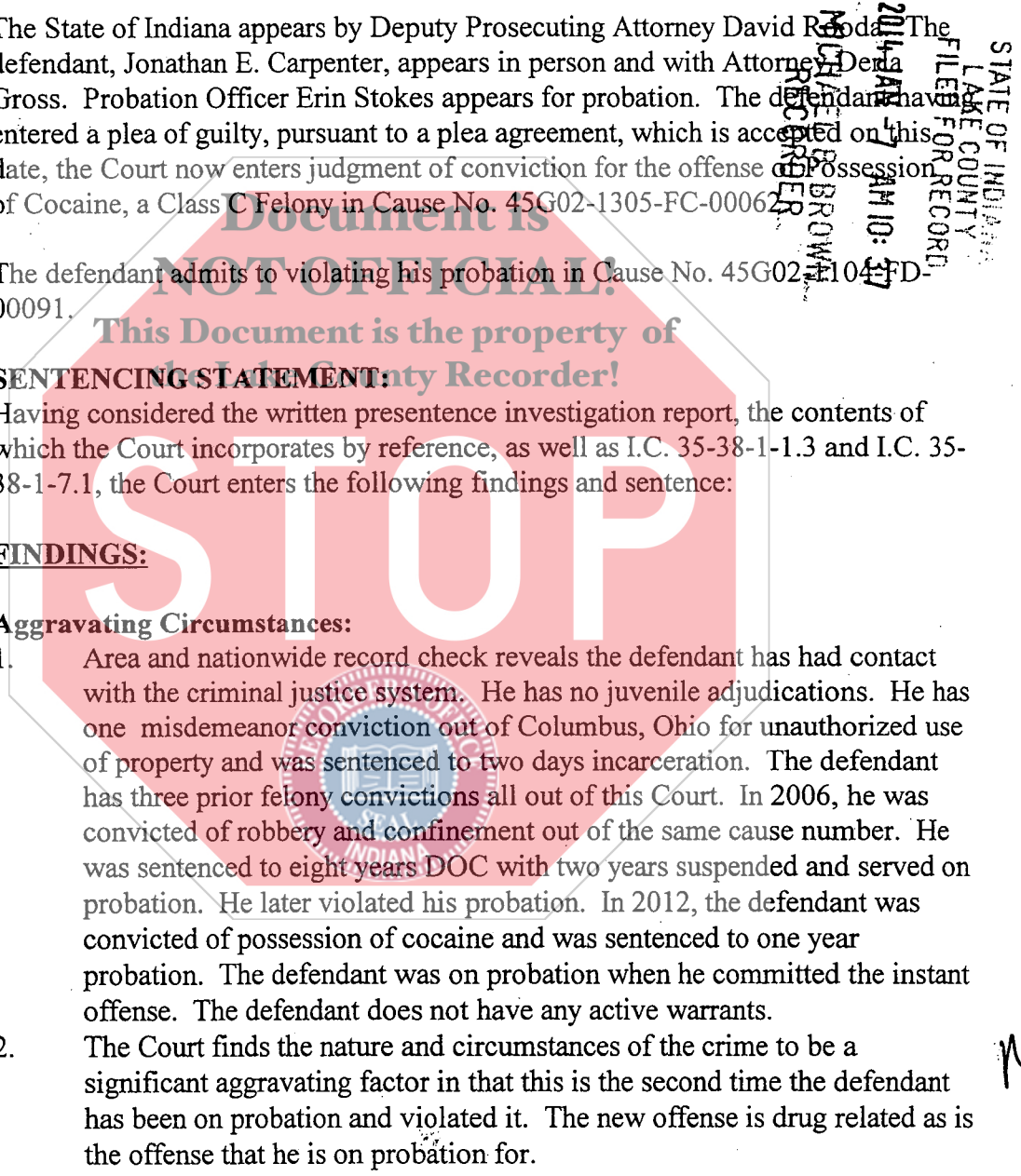
Having considered the written presentence investigation report, the contents of which the Court incorporates by reference, as well as I.C. 35-38-1-1.3 and I.C. 35-38-1-7.1, the Court enters the following findings and sentence:

FINDINGS:

Aggravating Circumstances:

1. Area and nationwide record check reveals the defendant has had contact with the criminal justice system. He has no juvenile adjudications. He has one misdemeanor conviction out of Columbus, Ohio for unauthorized use of property and was sentenced to two days incarceration. The defendant has three prior felony convictions all out of this Court. In 2006, he was convicted of robbery and confinement out of the same cause number. He was sentenced to eight years DOC with two years suspended and served on probation. He later violated his probation. In 2012, the defendant was convicted of possession of cocaine and was sentenced to one year probation. The defendant was on probation when he committed the instant offense. The defendant does not have any active warrants.
2. The Court finds the nature and circumstances of the crime to be a significant aggravating factor in that this is the second time the defendant has been on probation and violated it. The new offense is drug related as is the offense that he is on probation for.

*n/c
see*



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CLERK LAKE SUPERIOR COURT

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.
2. The defendant completed the 12 - Step Program "Conquering Chemical Dependency: while incarcerated.

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 four (4) years. The Court recommends defendant for the Purposeful/Incarceration Program.

The sentence is to be served consecutive to the sentence in Cause No. 45G02-1104-FD-00091 in which the Court now revokes the defendant's probation and orders the suspended sentence of one (1) year executed and served in the Department of Correction. The Court awards 98 actual days credit from the instant PTR case, plus day for day credit for a total of 196 days. The Court adds 15 actual days credit from the instant Cause No. 45G02-1305-FC-00062, plus day for day credit for a total of 30 days. Total actual credit days awarded from both causes are 113 days. Grand total credit days awarded inclusive of day for day credit are 226 days. The defendant is ordered discharged unsatisfactorily from probation.

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. All credit days have been awarded on the petition to revoke probation in Cause No. 45G02-1104-FD-00091.

The defendant shall pay a court costs fee in Cause No. 45G02-1305-FC-00062, 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 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 Cause No. 45G02-1307-FD-00129, which is granted. The clerk is directed to notify Lake County Sheriff and to prepare an Abstract of Judgment. Cause is disposed. (Debra S. Banach reporting.)

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

State of Indiana v JONATHAN EDWARD CARPENTER
Cause No. 45G02-1305-FC-00062
Cause No. 45G02-1307-FD-00129
Cause No. 45G02-1104-FD-00091



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