

STATE OF INDIANA )  
 ) ss:  
COUNTY OF LAKE )

SUPERIOR COURT OF LAKE COUNTY  
CRIMINAL DIVISION  
CROWN POINT, INDIANA  
CASE 45G03-1511-F3-00043

STATE OF INDIANA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
GERARDO HERNANDEZ, )  
 )  
Defendant. )

RECEIVED

JAN 05 2017

Michael A. Brown  
CLERK LAKE SUPERIOR COURT

2017 002166

01-04-17

The State of Indiana appears by Deputy Prosecuting Attorney Judge Michael A. Brown and the defendant appears in person with Attorney Eduardo Fontanez.

Cause submitted for acceptance of plea and sentencing hearing. Court now accepts said plea agreement and finds the defendant guilty to the charge in **Count II: Battery by Means of a Deadly Weapon, a Level 5 Felony.** The parties offering no objections, accepts same of record. Evidence presented. Arguments of counsel heard.

Having considered the written pre-sentence investigation report, as well as I.C. 35-38-1-7.1, the Court now enters the following findings and sentence:

**Mitigating Circumstances:**

The defendant's youthful age.

**Aggravating Circumstances:**

The nature and circumstances of the crime committed.

Cause submitted for **SENTENCING.** After considering the above along with the pre-sentence investigation report, the Court now finds the defendant guilty of the charge in **Count II: Battery by Means of a Deadly Weapon, a Level 5 Felony,** and sentences the defendant to four (4) years in the Indiana Department of Correction to be served as follows: two (2) years are to be executed in the Indiana Department of Correction and the remaining two (2) years of the sentence are to be served in the Lake Community Corrections Program.



2017 JAN 11 PM 3:10  
MICHAEL A. BROWN  
RECORDER  
STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

nc  
op

Pursuant to the plea agreement, the defendant must execute 75% of his sentence, as the conviction is a Level 5 Felony.


The defendant is to receive credit for two (2) days spent in confinement as a result of this charge, plus zero (0) days of good time credit as provided by law for a total of 2 credit days.

The defendant is remanded to the Lake County Sheriff for transportation to the Indiana Department of Correction for transportation to the Indiana Department of Correction to complete his two (2) year sentence, and then to Lake County Community Corrections for execution of judgment of the Court.

A judgment is entered against the defendant, in favor of the victim, Angelo Guerrero, in the amount of Two Thousand Four Hundred Dollars (\$2,400.00). *The Lake County Clerk is directed to notify the parties.*

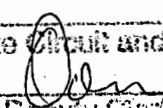
Pursuant to the plea agreement, the State files a Motion to Dismiss Count I, only. Granted. *The Lake County Clerk is directed to prepare an electronic Abstract of Judgment.* Cause ordered disposed. (Christine L. Jones reporting)

SO ORDERED:

  
DIANE ROSS ROSWELL, Judge, Room III (rkf/04)



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**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  
JANUARY day of 5<sup>TH</sup> 2017.  
Clerk of the Lake Circuit and Superior Courts  
By:   
Deputy Clerk