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STATE OF INDIANA)
) ss:
COUNTY OF LAKE)

SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
CROWN POINT, INDIANA

STATE OF INDIANA,

RECEIVED

Plaintiff,

v

JAN 19 2017

45G02-1604-F5-00034 ✓

45G02-1601-F5-00010

45G02-1602-F5-00013

EDWARD LYNN BERRY JR,

Michael A. Brown
CLERK LAKE SUPERIOR COURT

Defendant

2017 008896

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ORDER
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01-19-17

The State of Indiana appears by Deputy Prosecuting Keith Anderson as defendant, Edward L. Berry Jr., appears in person and by Attorney Shauna O'Donnell. 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 I, Obtaining a Controlled Substance by Deceit, a Level 5 Felony in Cause No. 45G02-1604-F5-00034.

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORDER
2017 FEB 9 PM 4:20
MICHAEL A. BROWN
RECORDER

SENTENCING STATEMENT:

Having considered the written presentence investigation report, the contents of which the Court incorporates by into this order, as well as Criteria for Sentencing as set forth in I.C. 35-38-1-7.1, the Court now enters the following findings and sentence:



FINDINGS:

Aggravating Circumstances:

- 1. The defendant has an extensive history of felony convictions.

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 aggravating factors outweigh the mitigating factors and the agreed term as stipulated to by the parties to be a reasonable and appropriate sentence based on the law and facts of the case.

N/c
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SENTENCE:

Pursuant to the terms of the plea agreement, the Court now sentences the defendant as follows:

The defendant is now ordered committed to the custody of the Department of Correction for a period of three (3) years. The defendant may serve his Department of Correction sentence for not less than the earliest release date and not more than the maximum sentence.

The defendant was incarcerated from April 19, 2016 to January 19, 2017 (or 276 days). The defendant is entitled to jail time credit and good time credit as provided by law for the above dates.

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.

The defendant is remanded to 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 Nos. 45G02-1601-F5-00010 and 45G02-1602-F5-00013, which is granted. The clerk is directed to prepare an electronic abstract of judgment and to notify the Sheriff of Lake County. Causes are disposed. (Erika L. Kelliher reporting.)

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

State of Indiana vs. Edward L. Berry Jr.

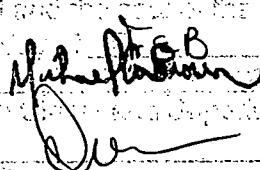
Cause Nos. 45G02-1604-F5-00034, 45G02-1601-F5-00010 & 45G02-1602-F5-00013

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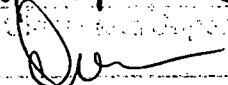
CERTIFICATION OF CLERK

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 _____ day of _____ 2017.

6  17

Clerk of the Lake County Superior Courts

By: 

Digitally signed by _____