

STATE OF INDIANA)
) ss:
COUNTY OF LAKE)

SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
CROWN POINT, INDIANA

STATE OF INDIANA,)
)
Plaintiff,)
v)
MICHAEL JAMES DAVIS,)
)
Defendant.)

CAUSE 45G02-8512-CR-00195

RECEIVED

NOV 16 2017

Michael B. Brown
CLERK LAKE SUPERIOR COURT

ORDER

11-15-17

The State of Indiana appears by Deputy Prosecuting Attorney James Dillon. The defendant, Michael J. Davis, appears in person and by Attorney J. Michael Woods.

The defendant having been found guilty by a jury on the 8th day of April, 1986, the Court having entered judgment on the verdict for conviction of the offense of Criminal Deviate Conduct, a Class A Felony.

SENTENCING STATEMENT:

Having considered the written presentence investigation report, the contents of which the Court incorporates by reference into this order, as well as the Criteria for Sentencing as set forth in 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 convictions, and felony convictions.
2. The defendant was in a position of having care, custody, or control of the victim of the offense.
3. The Court finds the nature and circumstances of the crime to be a significant aggravating factor in that the defendant was the bus driver who was called to transport the victim to the hospital from Haven House after she became ill. Haven House was a type of shelter for women. Instead, he drove her to a parking lot, produced a knife and removed her clothing. She was then forced to perform oral sex on him. The defendant was in a position of trust and held the victim captive.

Mitigating Circumstances:

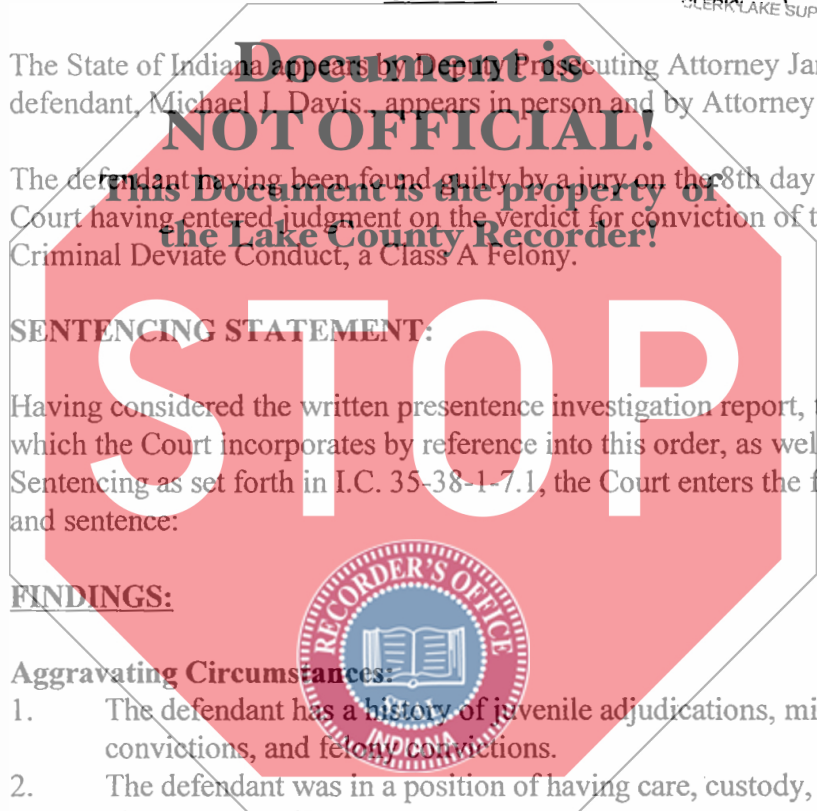
None.

STATE OF INDIANA
LAKE COUNTY
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MICHAEL B. BROWN
RECORDER

2017 083740



Me
S/E

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 thirty (30) 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 December 2, 1985 to December 11, 1985; and October 19, 2017 to November 15, 2017 (or 38 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 which the Court orders reduced to a judgment against the defendant.

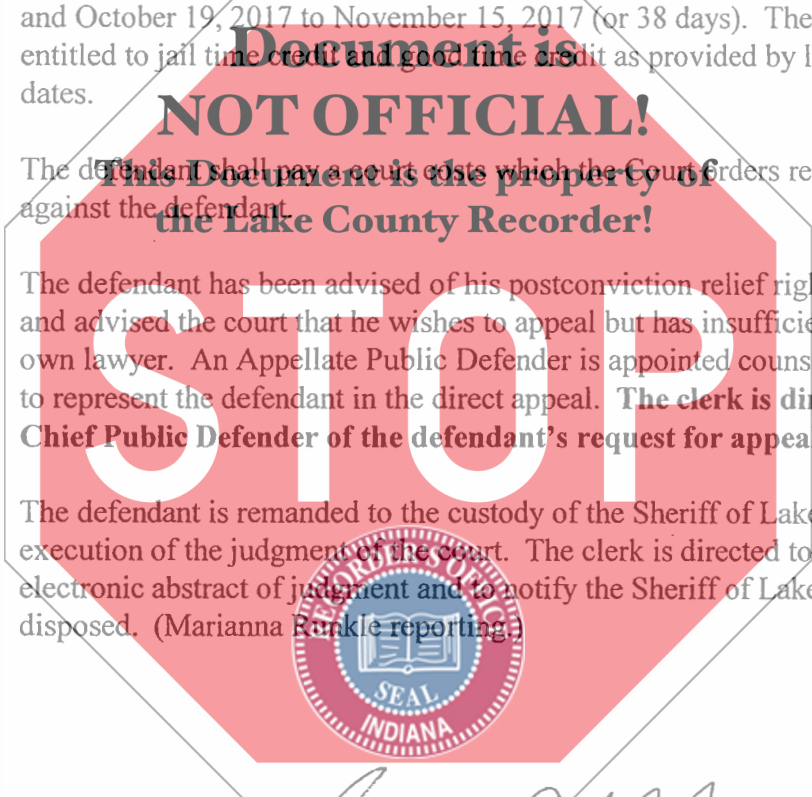
The defendant has been advised of his postconviction relief rights and appeal rights and advised the court that he wishes to appeal but has insufficient funds to hire his own lawyer. An Appellate Public Defender is appointed counsel at public expense to represent the defendant in the direct appeal. **The clerk is directed to notify the Chief Public Defender of the defendant's request for appeal.**

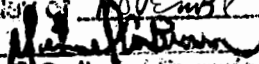

The defendant is remanded to the custody of the Sheriff of Lake County for execution of the judgment of the court. The clerk is directed to prepare an electronic abstract of judgment and to notify the Sheriff of Lake County. Cause is disposed. (Marianna Runkle reporting)

SO ORDERED:



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



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 30 day of NOVEMBER 2017.

Clerk of the Lake Circuit and Superior Courts
By: 
Deputy Clerk