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STATE OF INDIANA)
) ss:
COUNTY OF LAKE)

SUPERIOR COURT OF LAKE COUNTY
CRIMINAL DIVISION
CROWN POINT, INDIANA

STATE OF INDIANA.)

Plaintiff,)

v)

CAUSE 45G02-1410-MR-00009

BERNARD ARNEZ DILLON,)

RECEIVED

Defendant.)

DEC 14 2017

Michael B. Brown
CLERK LAKE SUPERIOR COURT

12-13-17

The State of Indiana appears by Deputy Prosecuting Attorney Timothy Brown. The defendant, Bernard A. Dillon, appears in person and by Attorney J. Michael Woods. 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 II, Neglect of a Dependent Resulting in Death, a Level I 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 IC 35-38-1-7.1, the Court now enters the following findings and sentence:

FINDINGS:

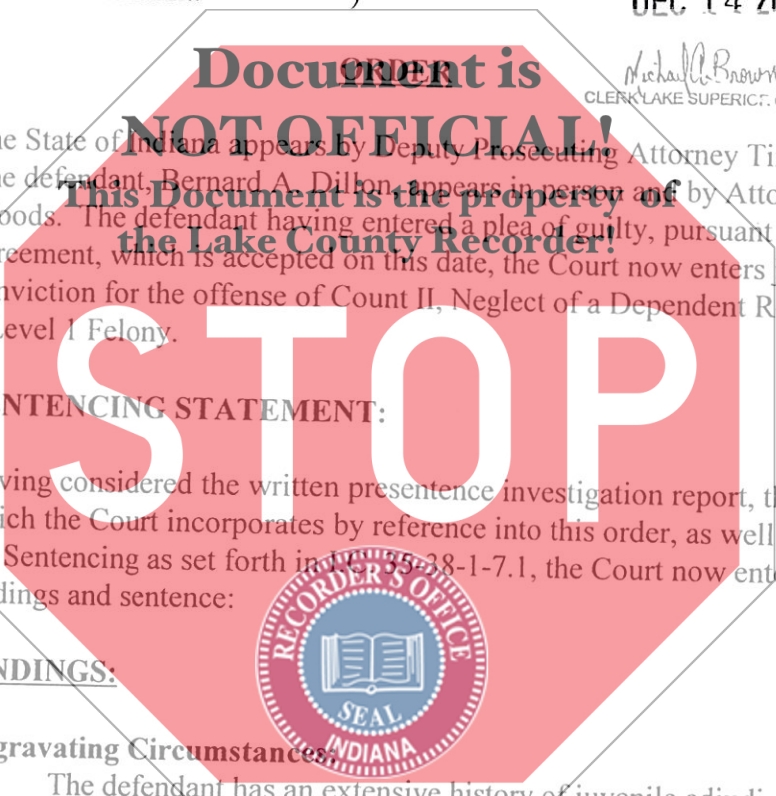
Aggravating Circumstances:

1. The defendant has an extensive history of juvenile adjudications, misdemeanor convictions and felony convictions.
2. The Court finds the nature and circumstances of the crime to be a significant aggravating factor in that the victim suffered extensive injury to his head, liver, kidneys and spleen. In addition, he had a ruptured stomach, a broken cervical spine, and a broken clavicle. The injuries were all in various stages of trauma. The defendant, who is the biological father, admitted that an iron had been used to discipline the victim to assist in potty training. It is the opinion of this judicial officer, based on all the available evidence, that this child was the victim of torture. The defendant is a depraved, sadistic individual.

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.

N/c
SS/ce



STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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MICHAEL B. BROWN
RECORDER

2017 089083

After presentation of evidence and hearing argument, the Court finds that the aggravating factors outweigh the mitigating factors and the agreed term as stipulated by the parties to be a reasonable and appropriate sentence based on the law and facts of the case.

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 forty (40) years, with five (5) years suspended and served on probation.

The defendant is placed on probation for five (5) years under the terms and conditions of the court's probation agreement. The Court imposes probation fees as determined and assessed by the Probation Department. Upon approval of the Problem Solving Court Coordinator, the defendant shall participate in a problem solving court as a condition of probation.

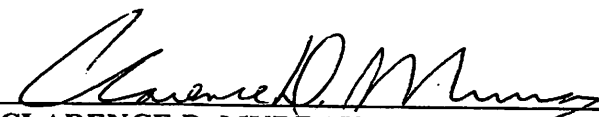
The defendant was incarcerated from September 30, 2014 to December 12, 2017 (or 1,170 days). The defendant is entitled to jail time credit and good time credit as provided by law for the above dates. The Court has not included today's date for the reason that the facility to which the defendant is sentenced is to consider today's date as the first date of the defendant's sentence, and therefore will be counted by them.

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 supervision of the Probation Department 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 Counts I, III, IV and V only, which is granted. The clerk is directed to prepare an electronic abstract of judgment and to notify the Sheriff of Lake County. Cause is disposed. (Erika L. Kelliher reporting.)

SO ORDERED: 
CLARENCE D. MURRAY, JUDGE, ROOM 11 (bbw)