

IN THE COURT OF COMMON PLEAS

09 OCT 19 AM 10:59

Clinton County, Ohio

CLINTON COUNTY
CYNTHIA R. BAILEY, CLERK

THE STATE OF OHIO

PLAINTIFF

-vs.

Case No: CRI 2009 -5214

JAMES CONLEY

DEFENDANT

Judgment Entry of Sentence

Defendant appeared in open court October 19, 2009, in person, as ordered, for sentencing. Special prosecuting attorney Aaron Farmer and Robert Cheugh represented the State of Ohio. Defense counsel Richard S. Skelton represented the defendant. The hearing was continued from August 31, 2009 by agreement of the parties to provide additional time to prepare.

The record reflects Defendant was convicted upon his *Alford plea of guilty* after hearing on August 13, 2009 of violating:

RC §3704.05 (A) and RC §3704.99, an unclassified misdemeanor, Prohibited Acts:

Causing Emission of an Air Contaminant

The Court finds this offense to be as an unclassified misdemeanor for which the possible penalties include a fine of not more than \$25,000 or a term of incarceration of not more than one year or both. The hearing was continued from August 31, 2009 as jointly requested by the parties to allow a final inspection of the property to be completed.

Consistent with Criminal Rule 32 and ORC §2929.21, *et. seq*, the court provided all parties an opportunity to be heard this date. After hearing from the parties and after considering the factors for misdemeanor sentencing outlined in Title 29, RC, the court imposes the following sentence:

1. Defendant is sentenced to 12-months in jail. Credit is given for zero days in jail served. The remainder of the jail term is suspended.
2. Defendant is fined \$1,000.00 plus all court costs of the action.
3. Defendant is placed upon community control supervision for 1-year to be monitored by the Clinton County Common Pleas Court's Adult Probation Department, the Monitored Time Supervision module. Defendant must comply with all rules and regulations of the Probation Department with respect to monitored time. Defendant shall abide by all laws of this state, remain of general good behavior, and pay all imposed fees.
4. The defendant shall pay a probation services fee of Ten Dollars (\$10.00) per month to commence immediately payable through the Clerk of Courts for the Clinton County Adult Probation Department.
5. Priority in paying all financial sanctions and the rates of payment shall be under the direction of the supervising probation officer.

Defendant was advised that he had a right to appeal the court's final order. However, any appeal must be prosecuted within 30-days or the appeal right may be lost. Counsel might be appointed if he could not afford counsel. All Bond terms are now released of record.

Defendant shall report to the Court's probation department within 72-hours of his release.

October 19, 2009



John W. Rudduck, Judge

A copy of this Entry was served upon Defendant / Defense Counsel this date by: _____

