

**COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO**

STATE OF OHIO

Plaintiff

vs.

LARRY LOUGH

Defendant

CASE NO. CR2009-12-2056

POWERS, J.

JUDGMENT OF CONVICTION ENTRY

On June 29, 2010 defendant's sentencing hearing was held pursuant to Ohio Revised Code Section 2929.19. Defense attorney, David Washington Jr. and the defendant were present and defendant was advised of and afforded all rights pursuant to Crim. R. 32. The Court has considered the record, the charges, the defendant's Guilty Finding by Jury, and findings as set forth on the record and herein, oral statements, any victim impact statement and pre-sentence report, the State of Ohio's Sentencing Memorandum, as well as the principles and purposes of sentencing under Ohio Revised Code Section 2929.11, and has balanced the seriousness and recidivism factors of Ohio Revised Code Section 2929.12 and whether or not community control is appropriate pursuant to Ohio Revised Code Section 2929.13. Further, the Court has considered the defendant's present and future ability to pay the amount of any sanction, fine or attorney's fees and the court makes no finding at this time of the defendant's ability to pay attorney fees.

The Court finds that the defendant has been found guilty of:

ILLEGAL DISPOSAL OF HAZARDOUS WASTE as to Count Five, a violation of Revised Code Section 3734.02(F) an unclassified felony. With respect to this Count, the defendant is hereby sentenced to:

Community Control for a period of 5 years.

Pay a fine in the amount of \$5,000.00 through the Butler County Adult Probation Department.

ILLEGAL STORAGE OF HAZARDOUS WASTE as to Count Six, a violation of Revised Code Section 3734.02(F) an unclassified felony. With respect to this Count, the defendant is hereby sentenced to:

Community Control for a period of 5 years.

Pay a fine in the amount of \$5,000.00, through the Butler County Adult Probation Department.

CAUSING POLLUTION OF WATERS OF THE STATE as to Count Seven, a violation of Revised Code Section 6111.04 an unclassified misdemeanor. With respect to this Count, the defendant is hereby sentenced to:

Community Control for a period of 5 years.

Pay a fine in the amount of \$5,000.00 through the Butler County Clerk of Courts. In lieu of \$2,500.00 of this fine, the Defendant may make an equivalent contribution to Butler County Metro Parks.

As to Count(s) Five, Six and Seven:

The defendant's sentence of COMMUNITY CONTROL shall be subject to the general supervision and control of the Adult Probation Department under any terms and conditions that they deem appropriate, including that the defendant shall be prohibited from leaving the state without permission of the Court or the Adult Probation Department. The defendant shall abide by all laws including, but not limited to, the laws related to firearms and dangerous ordnance.

The Court further ORDERS specific sanctions and conditions as follows:

- Basic Supervision: Five (5) years
- Supervision Fees: \$25.00 per month
- Obtain/Maintain Full-Time Employment
- Community Service: Environmentally related; 100 total hours to be completed by 7/2011
- Comply with all environmental laws and regulations
- Joint and several liability for all restitution and fines imposed upon Tri Technologies, LLC
- Pay the fines as ordered above within thee (3) years

Violation of any of this sentence shall lead to a more restrictive sanction, a longer sanction, or a prison term of two (2) years as to Count Five, two (2) years as to Count Six to be served concurrent with Count Five and a jail term of one (1) year as to Count Seven to be served concurrent with Count Five and Count Six. All said sentences shall be served consecutively to Butler County Court of Common Pleas Case No. CR2009-05-0802. Defendant is notified that if a prison term is imposed for violation of community control, the Parole Board may extend prison time up to ½ of the stated prison term in 15, 30, 60, or 90 day increments for certain violations committed while in prison. After prison release, if post release control is imposed, for violation of post release control conditions, the Adult Parole Authority or Parole Board could impose a more restrictive or longer control sanction, or return defendant to prison for up to nine months for each violation, up to a maximum of ½ of the stated prison term. If the violation is a new felony, defendant may receive a prison term of the greater of one year or the time remaining on post release control, in addition to any other prison term imposed for the new offense.

Defendant is hereby ORDERED to report to the Adult Probation Department.

Defendant is ORDERED to pay:

Costs of prosecution, supervision and any supervision fees permitted pursuant to Revised Code Section 2929.18(A)(4). Attorney fees are not to be assessed as court costs.

Restitution in the amount of \$6,942.00 to the Ohio Environmental Protection Agency, and restitution in the amount of \$2,221.33 to the Ohio Attorney General, both to be forwarded to Ohio Attorney General Environmental Enforcement Section, 30 E. Broad Street, 25th Floor, Columbus, OH 43215.

The Court further advised the defendant of all of his/her rights pursuant to Criminal Rule 32, including his/her right to appeal the judgment, his/her right to appointed counsel at no cost, his/her

right to have court documents provided to him/her at no costs, and his / her right to have notice of appeal filed on his behalf.

APPROVED AS TO FORM:

ENTER

**ROBIN N. PIPER
PROSECUTING ATTORNEY
BUTLER COUNTY, OHIO**

POWERS, J.

JHvrm
August 2, 2010

**COURT OF COMMON PLEAS
BUTLER COUNTY, OHIO**

STATE OF OHIO

Plaintiff

vs.

LARRY LOUGH

Defendant

CASE NO. CR2009-05-0802

POWERS, J.

JUDGMENT OF CONVICTION ENTRY

On June 29, 2010 defendant's sentencing hearing was held pursuant to Ohio Revised Code Section 2929.19. Defense attorney, David Washington, Jr. and the defendant were present and defendant was advised of and afforded all rights pursuant to Crim. R. 32. The Court has considered the record, the charges, the defendant's Guilty Finding by Jury, and findings as set forth on the record and herein, oral statements, any victim impact statement and pre-sentence report, the State of Ohio's Sentencing Memorandum, as well as the principles and purposes of sentencing under Ohio Revised Code Section 2929.11, and has balanced the seriousness and recidivism factors of Ohio Revised Code Section 2929.12 and whether or not community control is appropriate pursuant to Ohio Revised Code Section 2929.13. Further, the Court has considered the defendant's present and future ability to pay the amount of any sanction, fine or attorney's fees and the court makes no finding at this time of the defendant's ability to pay attorney fees.

The Court finds that the defendant has been found guilty of:

ILLEGAL TRANSPORTATION OF HAZARDOUS as to Count Two, a violation of Revised Code Section 3734.025(F) an unclassified felony. With respect to this Count, the defendant is hereby sentenced to:

Community Control for a period of 5 years.

Pay a fine in the amount of \$5,000.00 through the Butler County Adult Probation Department.

CRIMINAL DAMAGING OR ENDANGERING as to Count Five, a violation of Revised Code Section 2909.06(A)(1) a first degree misdemeanor. With respect to this Count, the defendant is hereby sentenced to:

Community Control for a period of 5 years.

Pay a fine in the amount of \$1,000.00 through the Butler County Adult Probation Department.

As to Count(s) Two and Five:

The defendant's sentence of COMMUNITY CONTROL shall be subject to the general supervision and control of the Adult Probation Department under any terms and conditions that they deem appropriate, including that the defendant shall be prohibited from leaving the state without permission of the Court or the Adult Probation Department. The defendant shall abide by all laws including, but not limited to, the laws related to firearms and dangerous ordnance.

The Court further ORDERS specific sanctions and conditions as follows:

- Basic Supervision: Five (5) years
- Supervision Fees: \$25.00 per month

PROSECUTING ATTORNEY, BUTLER COUNTY, OHIO
P.O. BOX 515, HAMILTON, OH 45012-0515

- Obtain/Maintain Full-Time Employment
- Community Service: Environmentally related; 100 total hours to be completed by 7/2011
- Comply with all environmental laws and regulations
- Joint and several liability for all restitution and fines imposed upon Tri E Technologies, LLC
- Pay all fines as ordered above within three (3) years

Violation of any of this sentence shall lead to a more restrictive sanction, a longer sanction, or a prison term of two (2) years as to Count Two and six (6) months in jail as to Count Four to be served concurrent to Count Two. Defendant is notified that if a prison term is imposed for violation of community control, the Parole Board may extend prison time up to ½ of the stated prison term in 15, 30, 60, or 90 day increments for certain violations committed while in prison. After prison release, if post release control is imposed, for violation of post release control conditions, the Adult Parole Authority or Parole Board could impose a more restrictive or longer control sanction, or return defendant to prison for up to nine months for each violation, up to a maximum of ½ of the stated prison term. If the violation is a new felony, defendant may receive a prison term of the greater of one year or the time remaining on post release control, in addition to any other prison term imposed for the new offense.

Defendant is hereby ORDERED to report to the Adult Probation Department.

Defendant is ORDERED to pay:

Costs of prosecution, supervision and any supervision fees permitted pursuant to Revised Code Section 2929.18(A)(4). Attorney fees are not to be assessed as court costs.

Restitution in the amount of \$16,310.00 to Scott Street Partners XV, LLC, 7755 Montgomery Road, Suite 400, P.O. Box 36381, Cincinnati, OH 45236.

The Court further advised the defendant of all of his/her rights pursuant to Criminal Rule 32, including his/her right to appeal the judgment, his/her right to appointed counsel at no cost, his/her right to have court documents provided to him/her at no costs, and his / her right to have notice of appeal filed on his behalf.

APPROVED AS TO FORM:

ENTER

**ROBIN N. PIPER
PROSECUTING ATTORNEY
BUTLER COUNTY, OHIO**

POWERS, J.

JH/rlm
July 27, 2010