

COURT OF COMMON PLEAS, BUTLER COUNTY, OHIO

STATE OF OHIO

CASE NO. CR 2009-05-0778

FILED

Plaintiff

2010 JAN 20

PLEA OF GUILTY AND JURY WAIVER

vs.

LINDY CARPENTER
BUTLER COUNTY
CLERK OF COURTS

RAY A. SKINNER II

Defendant

: : : : : : : : : : :

I withdraw my former not guilty plea and enter a plea of guilty to the following offense(s):

<u>Count or Specification Level</u>	<u>Offense/Specification</u>	<u>ORC Section</u>
A- <u>6 F-3</u>	<u>Aggravated Trafficking in Drugs</u>	<u>2925.03(A)(1)</u>
B- <u>7 F-5</u>	<u>Permitting Drug Abuse</u>	<u>2925.13(B)</u>
C- <u>8 F-4</u>	<u>Aggravated Trafficking in Drugs</u>	<u>2925.03(A)(1)</u>
D- <u>4</u>	<u>ILLEGAL STORAGE OF HAZARDOUS WASTE</u>	<u>3734.02(A)(1)</u>
E-		

Maximum Penalty: I understand that the maximum penalty as to each count is as follows:

<u>Offense/Specification</u>	<u>Maximum Stated Prison Term (yrs/mos)</u>	<u>Maximum Fine</u>	<u>Mandatory Fine</u>	<u>License Suspension</u>	<u>Prison Term is Mandatory/Consecutive</u>	<u>Prison Term is Presumed Necessary</u>
A- <u>6</u>	<u>5 yrs</u>	<u>\$10,000</u>	<u>\$5,000</u>	<u>6 mo's - 5 yrs</u>	<u>No</u>	<u>No</u>
B- <u>7</u>	<u>12 mo's</u>	<u>\$2500</u>	<u>\$0</u>	<u>6 mo's - 5 yrs</u>	<u>No</u>	<u>No</u>
C- <u>8</u>	<u>18 mo's</u>	<u>\$5000</u>	<u>\$0</u>	<u>6 mo's - 5 yrs</u>	<u>No</u>	<u>No</u>
D- <u>4</u>	<u>4 yrs</u>	<u>\$2500</u>	<u>\$0</u>	<u>AD</u>	<u>No</u>	<u>NO</u>
E-						

My counsel has advised me of, and I fully understand, the following:

By this pleading **GUILTY**, I understand the Court will decide my guilt based upon a statement by the prosecutor about the evidence which would have been presented at trial. The judge will accept the statement of evidence as true.

Prison terms for multiple charges may be imposed consecutively by the Court, even if consecutive sentences are not mandatory. If I am now on felony probation, parole, under a community control sanction, or under post release control from prison, this plea may result in revocation proceedings and any new sentence could be imposed consecutively.

Court costs, restitution and other financial sanctions including fines, day fines, and reimbursement for the cost of any sanctions may also be imposed.

Any prison term that I receive as a result of this plea will be served without good time credit.

Post Release Control: In addition, a period of supervision by the Adult Parole Authority after release from prison is ~~mandatory~~ optional in this case. If I am sentenced to prison for a felony 1 or felony sex offense, after my prison release I will have mandatory post release control of 5 years under conditions determined by the Parole Board. If I am sentenced to prison for a felony 2 or a felony 3 which involved causing or threatening physical harm, I will have mandatory post release control of 3 years. If I receive a sentence to prison for a felony 3, 4, or 5, I may be given up to 3 years of post release control.

If I violate any post release control rule or condition, I can receive a more restrictive sanction while I am under post release control and increased duration of supervision or control up to the maximum term. If I violate conditions of supervision

while under post release control, the Parole Board can return me to prison for up to nine months for each violation up to a maximum of 1/2 my original stated prison term, even though I have already served the entire stated prison term imposed upon me by this Court. If the violation is a new felony, I could 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.

Community Control: If this Court is not required by law to impose a prison sanction, it may impose community control sanctions or non-prison sanctions upon me. I understand that if I violate the terms or conditions of a community control sanction, the Court may extend the time for which I am subject to this sanction up to a maximum of 5 years, impose a more restrictive sanction, or imprison me for up to the maximum stated term allowed for the offense(s) of which I am found guilty. I understand that I have been ordered to pay a \$25 monthly probation fee and that failure to do so may result in revocation of community control/probation.

I understand the nature of these charges and the possible defenses I might have. I am satisfied with my attorney's advice and competence. I am not under the influence of drugs or alcohol. No threats have been made to me. No promises have been made except as part of this plea agreement stated entirely as follows:

**20,000 suspended
Payment of fine upon
RESTITUTION 7150*
COUNT 4 2 YEARS, ^{SUSPENDED} COMMUNITY CONTROL, RESTITUTION
COMMUNITY SERVICE; follow all environmental laws &
regulations; Merge 3 & 5 with respect to Ray Skinner

I understand by pleading **GUILTY**, I give up my right to a jury trial or court trial, where I could confront and have my attorney question witnesses against me, and where I could use the power of the court to call witnesses to testify for me. I know at trial I would not have to take the witness stand and could not be forced to testify against myself and that no one could comment if I chose not to testify. I understand I waive my right to have the prosecutor prove my guilt beyond a reasonable doubt on every element of each charge. I know that the jury verdict would have to be unanimous before the jury could find me guilty of any offense.

I understand my right to appeal a maximum sentence, my other limited appellate rights and that any appeal must be filed within thirty (30) days of my sentence. I understand the consequences of a conviction upon me if I am not a U.S. citizen. I enter this plea voluntarily.

Ray Skinner
Signature of Defendant

[Signature]
Attorney for Defendant

[Signature]
Prosecuting Attorney
Karla Helal Pe

JUDGMENT ENTRY OF GUILTY

The Court finds that this day the defendant, in open court, was advised of all applicable Constitutional rights and made a knowing, intelligent, and voluntary waiver of those rights pursuant to Crim. R. 11. The plea is accepted and is ordered filed. The Court finds the defendant guilty of each offense to which defendant has entered this plea. A sentencing hearing is scheduled on FEBRUARY 23, 2010 at 1:00 PM. Bond is CONTINUED.

19 JANUARY 2010
Date

P.S.I. is/ is not ordered. 9/01

[Signature]
Judge