

2. Pursuant to 12 U.S. C. § 1785(d)(1)(B) and 12 U.S.C. § 1829(a)(1)(B), no insured depository institution may permit Harris to engage in any conduct or continue in any relationship prohibited in paragraph 1 above;

3. Pursuant to 12 U.S.C. § 1785(d)(3) and 12 U.S.C. § 1829(b), whoever knowingly violates paragraph 1 or 2 above is subject to a fine of not more than \$1 million for each day such prohibition is violated, or imprisonment for not more than five (5) years, or both;

4. The sentencing record documents, Case No. 2013CR442, are made a part hereof and incorporated herein by reference; and

5. This Notice of Prohibition shall be effective and enforceable on the date set forth below.

IT IS SO ORDERED this 28th day of March, 2014.

NATIONAL CREDIT UNION ADMINISTRATION BOARD

By: Tracy Bombardier
for C. Keith Morton
Regional Director
NCUA Region IV

For Court Use Only (Seal)

FILED
DOUGLAS COUNTY
DISTRICT COURT

OCT 12 A 10:19

FY SW

2012 KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT

Please use Journal Entry based on OFFENSE DATE

SECTION I. CASE IDENTIFYING INFORMATION		1. Transaction No. 302311302214	
2. STATE v. Aaron Kyle Harris		<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	3. Court O.R.I. Number 023015J
4. K.B.I. Number 21146150		5. County Douglas	6. Court Case Number 2013CR442
7. Sentencing Judge Michael J Malone		8. Sentencing Date October 11, 2013	
9. Defense Counsel: <input type="checkbox"/> Appointed <input checked="" type="checkbox"/> Retained <input type="checkbox"/> Self <input type="checkbox"/> Waived Orally <input type="checkbox"/> Waived in Writing Counsel Name (please print) <u>Sarah Geneva Swain</u>			
10. Type of Proceeding (Trial) <input type="checkbox"/> Bench Trial (includes a plea on stipulated facts) <input type="checkbox"/> Jury Trial <input type="checkbox"/> Guilty Plea <input checked="" type="checkbox"/> Nolo contendere Plea			
11. Date of Conviction: <u>August 20, 2013</u>			
12. Pre-Trial Status of Offender <input type="checkbox"/> In Custody <input checked="" type="checkbox"/> Released on Bond <input type="checkbox"/> Other Release			
SECTION II. CRIMINAL HISTORY CLASSIFICATION			
1. Offender's Overall Criminal History Classification as Found by the Court: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input checked="" type="checkbox"/> I			
2. Objection to Criminal History? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, By: <input type="checkbox"/> Defendant or <input type="checkbox"/> State Court's Ruling on Objection: <input type="checkbox"/> Criminal history was amended <input type="checkbox"/> Criminal history was not amended			
SECTION III. CURRENT CONVICTION INFORMATION			
1. Name of PRIMARY Offense of Conviction: <u>Unlawful Acts Concerning Computers</u> Count No.: <u>01</u> Date of Offense: <u>December 19, 2012</u> <input type="checkbox"/> Designated by court as domestic violence case based upon special finding (see #13 this section)			
2. K.S.A. Title, Section, Subsection(s): <u>21-5839 (a)(1)</u> <input type="checkbox"/> Attempt (K.S.A. 2011 Supp. 21-5301) <input type="checkbox"/> Conspiracy (K.S.A. 2011 Supp. 21-5302) <input type="checkbox"/> Solicitation (K.S.A. 2011 Supp. 21-5303)			
3. Grade of Offense: (Check one in each row.) <input checked="" type="checkbox"/> Felony, Severity Level <u>8</u> <input type="checkbox"/> Misdemeanor, Class _____ <input type="checkbox"/> Person <input checked="" type="checkbox"/> Nonperson			
4. Offense Category: <input checked="" type="checkbox"/> Nondrug <input type="checkbox"/> Drug <input type="checkbox"/> Off-grid <input type="checkbox"/> Nongrid			
5. Presumptive Sentencing Range: (Enter terms from appropriate grid.) Aggravated <u>9</u> Standard <u>8</u> Mitigated <u>7</u> Check applicable box(es) <input type="checkbox"/> Presumptive Prison <input checked="" type="checkbox"/> Presumptive Probation <input type="checkbox"/> Border Box <input type="checkbox"/> Drug Treatment for up to 18 months. K.S.A. 2011-Supp. 21-6824 <input type="checkbox"/> Special Rule Applies (Complete Special Rules Supplemental Page and Attach)			
THIS FORM MUST BE ACCOMPANIED BY A COPY OF THE PRESENTENCE INVESTIGATION FORM PURSUANT TO K.S.A. 2011 Supp. 22-3439 AND A DOCUMENT CONTAINING INFORMATION REQUIRED BY K.S.A. 2011 Supp. 22-3426. PLEASE USE AN ADDITIONAL OFFENSES PAGE FOR ADDITIONAL OFFENSES OF CONVICTION.			

6. SPECIAL RULE APPLICABLE: Yes No If Yes, enter the number(s) and brief description(s) corresponding to the applicable special rule. (Complete Special Rules Supplemental Page and Attach):

7. SPECIAL FINDING that the crime was SEXUALLY MOTIVATED pursuant to the KS Offender Registration Act
 7a. Did the court make a special finding that the crime was sexually motivated? Yes No
 7b. IF YES to 7a, did the court find that the act involved non-forcible sexual conduct, the victim was at least 14 and the offender was no more than 4 years older than the victim? (K.S.A. 2011 Supp. 22-4902(c)(15)) Yes No
 7c. IF YES to 7a and NO to 7b, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

8. Was offender determined by the Court to be an AGGRAVATED HABITUAL SEX OFFENDER? (K.S.A. 2011 Supp. 21-6626) IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY. Yes No

9. Is offender being sentenced pursuant to K.S.A 2011 Supp. 21-6627 where offender is 18 years of age or older and the victim is less than 14 years of age? IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY. Yes No

10. Downward departure (K.S.A. 2011 Supp. 21-6818(a)) for a crime of extreme sexual violence (K.S.A. 2011 Supp. 21-6816)? IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY. Yes No

11. Did offender, as determined by the court, commit the current crime with a deadly weapon? IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY. Yes No

12. Was offender convicted of a violation of K.S.A. 2011 Supp 21-5703, Manufacture or attempted manufacture, K.S.A. 2011 Supp 21-5705(a)(1), Cultivation, Distribution, Possession w/ intent to distribute opiates, opium or narcotic drugs or any stimulant in K.S.A. 65-4107(d)(1), (d)(3), (f)(1); or K.S.A. 2011 Supp. 21-5709(a), Possession of precursors w/ intent to manufacture? IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY. (personal use exemption eliminated effective July 1, 2011) Yes No

13. Determination of domestic violence case designation
 13a. Did offender, as determined by the trier of fact, commit a domestic violence offense? Yes No
 13b. If YES to 13a above, did the court find that offender had no prior domestic violence conviction or diversion, AND that offender did not use the present domestic violence offense to coerce, control or punish the victim? Yes No
 13c. If YES to 13a and NO to 13b, PLEASE CHECK THE DOMESTIC VIOLENCE CASE DESIGNATION BOX. DV Case

SENTENCE IMPOSED:

1. Guideline Range Imposed: Aggravated Standard Mitigated Departure - COMPLETE SECTION IV

2. Prison Term: KDOC 8 months (including enhancement sentence)
 (Enter months above then check one of the following) Prison sentence imposed or Underlying with probation granted
 ** or Underlying with KDOG Drug Trmnt Prog. (min. 120 days)
 Enhancement Sentence- Drug with Firearm: 6 months 18 months (K.S.A. 2011 Supp. 21-6805(g))
 Ballistic Resistant Material: 30 months (K.S.A. 2011 Supp. 21-6804(t))
 Off-grid Crime:
 Life - Minimum 15 yrs. Life - Minimum 20 yrs. Hard 25 Hard 40 Hard 50
 Mandatory minimum years = 50 years (600 months) or _____ months pursuant to guidelines, given offender's criminal history, whichever is greater
 Life Imprisonment without Parole Death Penalty

3. Postrelease Supervision Term: 12 months 24 months 36 months 60 months (sex offense) - COMPLETE SECTION IV
 No Postrelease K.S.A. 2011 Supp. 22-3716(e) Lifetime Postrelease

4. Electronic Monitoring: Lifetime (K.S.A. 2012 Supp. 21-6604(r))

5. Nongrid Term: (Jail) (For misdemeanor or nongrid felony) _____ months days
 (Enter county jail term above then check one of the following) Jail sentence imposed or Underlying with probation granted.
 3rd D.U.I. 4th & Subs. D.U.I. 2nd Test Refusal 3rd & Subs. Test Refusal
 DUI or Test Refusal Supervision (12 months) Court Services Community Corrections
 3rd & Subs. Domestic Battery w/in 5 yrs. Animal Cruelty
 Probation granted after serving term of _____ months days
 Assignment to a work release program (K.S.A. 2011 Supp. 21-6604 (a)(11))

**This option is included in statute, but is unavailable.

6. Probation Term (If Granted): 12 months 18 months 24 months 36 months 60 months

Drug Treatment for up to 18 months, K.S.A. 2011, Supp. 21-6824 Other: _____

Extended Period K.S.A. 2011 Supp. 21-6608(c)(5) for: _____ months

Probation Supervision to: Court Services Community Corrections Unsupervised

County Jail Time Imposed AS A CONDITION OF PROBATION: _____ days

** Assignment to Correctional Conservation Camp

Comments: Special Conditions: Complete Theft Offender Program, Anger Management, Victim Impact Panel, 100 hours community service work; No contact with all victims; Write letters of apology to all victims.

SECTION IV. DEPARTURE INFORMATION

1. Type of Departure: (Check all that apply.)

Downward Durational Upward Durational Downward Dispositional Upward Dispositional

Postrelease Supervision (up to 60 months for sexually motivated offense) - K.S.A. 2011 Supp. 22-3717(d)(1)(D)(i)

["Sexually motivated" defined in K.S.A. 2011 Supp. 22-3717(d)(2).]

2. Reasons Cited as Basis for Departure:

SECTION V. OTHER CONDITIONS

1. General/Special Conditions of Probation. (COMPLETE AND ATTACH ORDER OF PROBATION TO THIS JOURNAL ENTRY if needed)

2. Costs Ordered:

Total Restitution (Please complete #3 below)	\$	Correctional Supv. Fee (Felony \$120; Misd. \$60)	\$ 120.00
Court Costs (including surcharge)	\$ 193.00	BIDS Attorney Fee <input type="checkbox"/> Waived	\$
Total Fines (*See Below)	\$	BIDS Application Fee	\$
DNA Database Fee (K.S.A. 21-2511 & 75-724)	\$ 200.00	Court-Appointed Attorney Fee	\$
Extradition Costs	\$	Community Corr. Fee (offenses after 1/4/07)	\$
Domestic Violence Special Program Fee	\$	Booking/Fingerprint Fee	\$
Apprehension Fee (Escape/Agg. Escape)	\$	Reward Reimbursement	\$
Alcohol and/or Drug Eval. Fee (offenses before 7/1/11)	\$	Children's Advocacy Center Assessment Fee	\$
Witness Fee	\$	Medical Costs/Expenses Reimbursement	\$
KBI Lab Fee	\$	SB 123 Assessment Fee (\$200)	\$
Other Lab Fee	\$	SB 123 Offender Reimbursement (\$100)	\$
Domestic Violence Assessment/Recommendations	\$	Other: _____	\$
TOTAL COSTS:			\$ 513.00

* includes fine for DUI offense committed on or after 7/1/11. Clerk will send \$250 to the state treasurer.

3. Restitution to be paid as follows:

Amount	Name and Address
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____

SECTION VI: RECAP OF SENTENCE

1. Sentence Imposed:

Total Prison Term (if sentence imposed is to prison): _____
Total County Jail Term: _____ [] Consecutive to Prison Term
Total Underlying Jail Term (if sentence imposed is probation): _____
Total Underlying Prison Term (if sentence imposed is probation): 16 months

[X] For each count, the Court pronounced the complete sentence, including the maximum potential good time percentage. K.S.A. 2011 Supp. 21-6804(e)(2) and 21-6805(c)(2).

2. Postrelease Supervision Term: [X] 12 months [] 24 months [] 36 months [] 60 months
[] No Postrelease K.S.A. 2011 Supp. 22-3716(e) [] Lifetime Postrelease

3. Electronic Monitoring: [] Lifetime (K.S.A. 2012 Supp. 21-6604(r))

4. Probation Term Imposed (select one): [] 12 months [X] 18 months [] 24 months [] 36 months [] 60 months
[] Drug Treatment for up to 18 months. K.S.A. 2011 Supp. 21-6824
[] Extended Period K.S.A. 2011 Supp. 21-6608(c)(5) for: _____ months
[] Other: _____
**Correctional Conservallon Camp

5. Jail Credit: Enter dates (m/d/yy only) and days of potential jail credit for this case and check "A" if the days are actually awarded, or "N" if the days are not awarded by the court. (attach additional pages if necessary)

Table with 4 columns: *Location-, From:, To:, =, Days [] A [] N. Repeated 4 times.

*Enter appropriate letters to indicate the type of location where credit may have been earned:

J=Jail TL=Treatment (Locked) TU=Treatment (Unlocked) RL=Residential (Locked) RU=Residential (Unlocked)

Sentencing Date: 10/11/2013 - Total Number of Days of Jail Credit Actually Awarded 0 = Sentence Begins Date: 10/11/2013
IF cases are "CONSOLIDATED", list grand total of ALL jail credits actually Awarded: _____

6. Prior Case(s) to Which the Current Sentence is to Run Concurrent or Consecutive:

Table with 4 columns: Case No., County, Sentence, Concurrent [] or Consecutive []. Repeated 4 times.

Others: _____

7. Miscellaneous Provisions:

- [X] Defendant informed of right to appeal within 14 days of this date. K.S.A. 22-3608(c). (Required by case law)
[X] Defendant informed of potential rights of expungement. K.S.A. 2011 Supp. 21-6614c(h)
[] Defendant informed of duty to register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 2011 Supp. 22-4905(b)(2) (Please complete OFFENDER REGISTRATION SUPPLEMENT and attach it to the Journal Entry.)
[X] Defendant must submit specimens of blood or an oral or other biological sample, if not previously submitted, pursuant to K.S.A. 21-2511(c).
[] Defendant must obtain psychological evaluation and shall complete the recommended treatment pursuant to K.S.A. 22-3717(d)(1)(D)(iv).
[X] Defendant has been processed, fingerprinted and palmprinted. K.S.A. 21-2501(b)
[] Court remands Defendant to custody of Sheriff to begin serving sentence.
[] Court remands Defendant to custody of Sheriff to await transportation to the custody of the Secretary of Corrections.
[] Defendant to report to County Jail on the _____ day of _____, 20____ at _____ O'clock [] a.m. [] p.m. to start serving sentence.
[] House arrest is authorized for remaining _____ days after Defendant completes mandatory _____ hours in the County Jail.
[] Work release recommended (if accepted, defendant is to abide by recommendations of the program).
[X] Defendant's financial resources and burden imposed by BIDS application and attorney fees considered by the court pursuant to K.S.A. 22-4513 and State v. Robinson, 281 Kan. 538, 132 P.3d 934 (2006).
[] Defendant to undergo domestic violence assessment pursuant to K.S.A. 2011 Supp. 21-6604(p)
[X] Other Comments: Defendant entitled to maximum 20% good time credit.

SECTION VI. RECAP OF SENTENCE CONTINUED

8. Border Box Findings K.S.A. 2011 Supp. 21-6804(f): (Check if appropriate)

- An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; and
- the recommended treatment program is available and the offender can be admitted to the program within a reasonable period of time; or,
- the non-prison sanction will serve community safety interests by promoting offender reformation

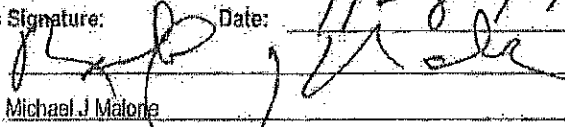
9. If made, Motion for New Trial: Granted Denied


10. If made, Motion for Judgment of Acquittal: Granted Denied

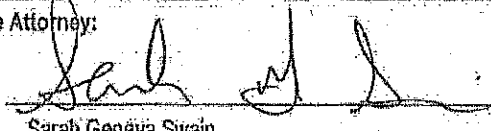
11. If made, Motion for Arrest of Judgment: Granted Denied

12. Additional Comments:

SECTION VII. SIGNATURES

1. Judge's Signature: _____ Date: 11-8-13
 Signed: 
 Printed: Michael J. Malone

2. Prosecuting Attorney:
 Signed: 
 Printed: Kathleen M. Britton
 Supreme Court Number: 23143
 Date: _____
 Address: Douglas County District Attorney's Office
 111 East 11th St. Unit 100
 Lawrence, KS 66044
 Phone No: 785-841-0211

3. Defense Attorney:
 Signed: 
 Printed: Sarah Geneva Swain
 Supreme Court Number: 20417
 Date: 11/6/13
 Address: 2311 Wakarusa
 Suite J
 Lawrence, KS 66047
 Phone No: 785-842-2787

Case No. 2013CR442

KSGA JOURNAL ENTRY OF JUDGMENT ADDITIONAL OFFENSES

COUNT 07

(Page 1 of 2)

1. Name of Additional Offense of Conviction: Unlawful Acts Concerning Computers

Count No.: 07

Date of Offense: January 10, 2013

Domestic Violence Offense (see #14 this section)

2. Sentences Concurrent or Consecutive: Concurrent To Count(s): _____

Consecutive To Count(s): 01

If Consecutive, 8 months for this count

3. K.S.A. Title, Section, Subsection(s): 21-5839 (a)(1)

Attempt (K.S.A. 2011 Supp. 21-5301)

Conspiracy (K.S.A. 2011 Supp. 21-5302)

Solicitation (K.S.A. 2011 Supp. 21-5303)

4. Grade of Offense: (Check one in each row.) Felony, Severity Level 8

Misdemeanor, Class: _____

Person

Nonperson

5. Offense Category: Nondrug Grid Drug Grid Off-grid Nongrid

6. Presumptive Sentencing Range (Use Criminal History Classification "I" for non-primary convictions.):

(Enter the terms from the appropriate grid.) Aggravated 9 Standard 8 Mitigated 7

(Check the appropriate box(es).) Presumptive Prison Presumptive Probation Border Box

Drug Treatment for up to 18 months. K.S.A. 2011 Supp. 21-6824.

Special Rule Applies (Complete Special Rule Supplemental Page and Attach)

7. SPECIAL RULES Enter the number(s) and brief description(s) corresponding to the applicable special rule, if any (Complete Special Rule Supplemental Page and Attach): _____

8. SPECIAL FINDING that the crime was SEXUALLY MOTIVATED pursuant to KS Offender Registration Act

8a. Did the court make a special finding that the crime was sexually motivated?

Yes No

8b. IF YES to 8a, did the court find that the act involved non-forcible sexual conduct, the victim was at least 14 and the offender was no more than 4 years older than the victim? (K.S.A. 2011 Supp. 22-4902(c)(15))

Yes No

8c. IF YES to 8a and NO to 8b, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

9. Was offender determined by the Court to be an AGGRAVATED HABITUAL SEX OFFENDER? (K.S.A. 2011 Supp. 21-6626)

Yes No

IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

10. Is offender being sentenced pursuant to K.S.A. 2011 Supp. 21-6627 where offender is 18 years of age or older and the victim is less than 14 years of age?

Yes No

IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

11. Downward departure (K.S.A. 2011 Supp. 21-6818(a)) for a crime of extreme sexual violence (K.S.A. 2011 Supp. 21-6815)?

Yes No

IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

12. Did offender, as determined by the court, commit the current crime with a deadly weapon?

Yes No

IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY

13. Was offender convicted of a violation of K.S.A. 2011 Supp. 21-5703, Manufacture or attempted manufacture, K.S.A. 2011 Supp. 21-5705(a)(1), Cultivation, Distribution, Possession w/ intent to distribute opiates, opium or narcotic drugs or any stimulant in K.S.A. 65-4107(d)(1), (d)(3), (f)(1), or K.S.A. 21-5709(a). Possession of precursors w/ intent to manufacture?

Yes No

IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

(personal use exemption eliminated effective July 1, 2011)

14. Determination of domestic violence case designation

14a. Did offender, as determined by the trier of fact, commit a domestic violence offense?

Yes No

14b. If YES to 14a above, did the court find that offender had no prior domestic violence conviction or diversion, AND that offender did not use the present domestic violence offense to coerce, control or punish the victim?

Yes No

14c. If YES to 14a and NO to 14b, PLEASE CHECK THE DOMESTIC VIOLENCE CASE DESIGNATION BOX.

DV Case

Case No. 2013CR442

KSGA JOURNAL ENTRY OF JUDGMENT ADDITIONAL OFFENSES CONTINUED COUNT 07 (PAGE 2 OF 2)

SENTENCE IMPOSED:

1. Guideline Range Imposed: Aggravated Standard Mitigated Departure - COMPLETE SECTION IV

2. Prison Term: KDOC 8 months (including enhancement sentence)

(Enter months above then check one of the following) Prison sentence imposed or Underlying with probation granted

**or Underlying with KDOC Drug Trmnt Prog. (min. 120 days)

Enhancement Sentence- Drug with Firearm: 6 months 18 months K.S.A. 2011 Supp. 21-6805(g)

Ballistic Resistant Material: 30 months K.S.A. 2011 Supp. 21-6804(l)

Off-grid Crime:

Life - Minimum 15 yrs. Life - Minimum 20 yrs. Hard 25 Hard 40 Hard 50

Mandatory minimum years = 50 years (600 months) or _____ months pursuant to guidelines, given offender's criminal history, whichever is greater

Life Imprisonment without Parole Death Penalty

3. Postrelease Supervision Term: 12 months 24 months 36 months 60 months (sex offense) - COMPLETE SECTION IV

No Postrelease K.S.A. 2011 Supp. 22-3716(e) Lifetime Postrelease

4. Electronic Monitoring: Lifetime (K.S.A. 2012 Supp. 21-6604(r))

5. Nongrid Term: (Jail) (For misdemeanor or nongrid felony) _____ months days

(Enter county jail term above then check one of the following) Jail sentence imposed or Underlying with probation granted.

3rd D.U.I. 4th & Subs. D.U.I. 2nd Test Refusal 3rd & Subs. Test Refusal

DUI or Test Refusal Supervision (12 months) Court Services Community Corrections

3rd & Subs. Domestic Battery w/in 5 yrs. Animal Cruelty

Probation granted after serving term of _____ months days

Assignment to a work release program (K.S.A. 2011 Supp. 21-6604 (a)(11))

6. Probation Term Imposed (select one): 12 months 18 months 24 months 36 months 60 months

Drug Treatment for up to 18 months. K.S.A. 2011 Supp. 21-6824

Extended Period (K.S.A. 2011 Supp. 21-6608(c)(5)) for: _____ months

Other:

Probation Supervision to: Court Services Community Corrections Unsupervised

County Jail Time Imposed AS A CONDITION OF PROBATION: 0 days

**Assignment to Correctional Conservation Camp:

Comments: See pg. 3

7. Additional Comments:

1 Name of Additional Offense of Conviction: Theft > \$1,000 but < \$25,000

Count No.: 16 Date of Offense: January 2, 2013

Domestic Violence Offense (see #14 this section)

2 Sentences Concurrent or Consecutive: Concurrent To Count(s): 1 and 7

Consecutive To Count(s): _____

If Consecutive, _____ months for this count

3 K.S.A. Title, Section, Subsection(s): 21-5801 (a)(1); Penalty Section 21-5801 (b)(3)

Attempt (K.S.A. 2011 Supp. 21-5301) Conspiracy (K.S.A. 2011 Supp. 21-5302) Solicitation (K.S.A. 2011 Supp. 21-5303)

4 Grade of Offense: (Check one in each row.) Felony, Severity Level 9

Misdemeanor, Class: _____

Person

Nonperson

5 Offense Category: Nondrug Grid Drug Grid Off-grid Nongrid

6 Presumptive Sentencing Range (Use Criminal History Classification "I" for non-primary convictions.):

(Enter the terms from the appropriate grid.) Aggravated 7 Standard 6 Mitigated 5

(Check the appropriate box(es).) Presumptive Prison Presumptive Probation Border Box

Drug Treatment for up to 18 months. K.S.A. 2011 Supp. 21-6824

Special Rule Applies (Complete Special Rule Supplemental Page and Attach)

7. SPECIAL RULES Enter the number(s) and brief description(s) corresponding to the applicable special rule, if any (Complete Special Rule Supplemental Page and Attach): _____

8. SPECIAL FINDING that the crime was *SEXUALLY MOTIVATED* pursuant to KS Offender Registration Act

8a. Did the court make a special finding that the crime was sexually motivated?

Yes No

8b. IF YES to 8a, did the court find that the act involved non-forcible sexual conduct, the victim was at least 14 and the offender was no more than 4 years older than the victim? (K.S.A. 2011 Supp. 22-4902(c)(15))

Yes No

8c. IF YES to 8a and NO to 8b, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

9. Was offender determined by the Court to be an *AGGRAVATED HABITUAL SEX OFFENDER*? (K.S.A. 2011 Supp. 21-6626)

Yes No

IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

10. Is offender being sentenced pursuant to K.S.A. 2011 Supp. 21-6627 where offender is 18 years of age or older and the victim is less than 14 years of age?

Yes No

IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

11. Downward departure (K.S.A. 2011 Supp. 21-6818(a)) for a crime of extreme sexual violence (K.S.A. 2011 Supp. 21-6815)?

Yes No

IF YES, PLEASE COMPLETE SEX OFFENSE SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

12. Did offender, as determined by the court, commit the current crime with a deadly weapon?

Yes No

IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY

13. Was offender convicted of a violation of K.S.A. 2011 Supp. 21-5703, Manufacture or attempted manufacture, K.S.A. 2011 Supp. 21-5705(a)(1), Cultivation, Distribution, Possession w/ intent to distribute opiates, opium or narcotic drugs or any stimulant in K.S.A. 65-4107(d)(1), (d)(3), (f)(1), or K.S.A. 21-5709(a). Possession of precursors w/ intent to manufacture?

Yes No

IF YES, PLEASE COMPLETE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO JOURNAL ENTRY.

(personal use exemption eliminated effective July 1, 2011)

14. Determination of domestic violence case designation

14a. Did offender, as determined by the trier of fact, commit a domestic violence offense?

Yes No

14b. If YES to 14a above, did the court find that offender had no prior domestic violence conviction or diversion, AND that offender did not use the present domestic violence offense to coerce, control or punish the victim?

Yes No

14c. If YES to 14a and NO to 14b, PLEASE CHECK THE DOMESTIC VIOLENCE CASE DESIGNATION BOX.

DV Case

Case No. 2013CR442

KSGA JOURNAL ENTRY OF JUDGMENT ADDITIONAL OFFENSES CONTINUED COUNT 16 (PAGE 2 OF 2)

SENTENCE IMPOSED:

1. Guideline Range Imposed: Aggravated Standard Mitigated Departure - COMPLETE SECTION IV

2. Prison Term: KDOC 6 months (including enhancement sentence)

(Enter months above then check one of the following) Prison sentence imposed or Underlying with probation granted
**or Underlying with KDOC Drug Trtmt Prog. (min. 120 days)

Enhancement Sentence- Drug with Firearm: 6 months 18 months K.S.A. 2011 Supp. 21-6805(g)
Ballistic Resistant Material: 30 months K.S.A. 2011 Supp. 21-6804(t)

Off-grid Crime:

Life - Minimum 15 yrs. Life - Minimum 20 yrs. Hard 25 Hard 40 Hard 50

Mandatory minimum years = 50 years (600 months) or _____ months pursuant to guidelines, given offender's criminal history, whichever is greater

Life Imprisonment without Parole Death Penalty

3. Postrelease Supervision Term: 12 months 24 months 36 months 60 months (sex offense) - COMPLETE SECTION IV

No Postrelease K.S.A. 2011 Supp. 22-3716(e) Lifetime Postrelease

4. Electronic Monitoring: Lifetime (K.S.A. 2012 Supp. 21-6604(r))

5. Nongrid Term: (Jail) (For misdemeanor or nongrid felony.) _____ months days

(Enter county jail term above then check one of the following) Jail sentence imposed or Underlying with probation granted.

3rd D.U.I. 4th & Subs. D.U.I. 2nd Test Refusal 3rd & Subs. Test Refusal

DUI or Test Refusal Supervision (12 months) Court Services Community Corrections

3rd & Subs. Domestic Battery w/in 5 yrs. Animal Cruelty

Probation granted after serving term of _____ months days

Assignment to a work release program (K.S.A. 2011 Supp. 21-6604 (a)(11))

6. Probation Term Imposed (select one): 12 months 18 months 24 months 36 months 60 months

Drug Treatment for up to 18 months. K.S.A. 2011 Supp. 21-6824

Extended Period (K.S.A. 2011 Supp. 21-6608(c)(5)) for: _____ months

Other:

Probation Supervision to: Court Services Community Corrections Unsupervised

County Jail Time Imposed AS A CONDITION OF PROBATION: 0 days

**Assignment to Correctional Conservation Camp:

Comments: See pg. 3

7. Additional Comments: