

32922

STATE OF NORTH CAROLINA

Mecklenburg County Charlotte

File No. 06 CR 216234

Seat Of Court In The General Court Of Justice
District Superior Court Division

NOTE: (This form is to be used for misdemeanor offenses). Use AOC-CR-342 or AOC-CR-310 for DWI offense(s).

STATE VERSUS

JUDGMENT SUSPENDING SENTENCE - MISDEMEANOR(S)

Name Of Defendant JACOB E. SETZER

- IMPOSING AN INTERMEDIATE PUNISHMENT
IMPOSING A COMMUNITY PUNISHMENT (STRUCTURED SENTENCING)

Race W Sex M DOB 9-7-71

G.S. 15A-1341, -1342, -1343, -1343.2, -1346

Attorney For State Mary D Winstead

Def. Found Not Indigent Def. Waived Attorney

Attorney For Defendant George Laughren

Appointed Retained

The defendant pled guilty to: was found guilty/responsible by the court of: was found guilty by a jury of: pled no contest to:

Table with 5 columns: File No.(s), Off., Offense Description, Offense Date, G.S. No.
Row 1: 06 CR 216234, Mecklenburg Larceny, 12-18-05, 14-072

The Court has determined, pursuant to G.S. 15A-1340.20, the number of prior convictions to be 0 Level: I(0) II(1-4) III(5+)

- 1. The Court imposes the punishment term pursuant to a plea arrangement as to sentence under Article 58 of G.S. Chapter 15A.
2. The Court finds: (a) enhanced punishment from a Class 2 or Class 3 misdemeanor to a Class A1 or Class 1 misdemeanor.
(b) enhanced punishment from required suspended sentence to Class 2 misdemeanor.
3. The Court imposes mandatory punishment.
4. The Court finds this is an offense involving assault or communicating a threat, and the defendant had a personal relationship as defined by G.S. 50B-1(b) with the victim.

The Court, having considered evidence, arguments of counsel and statement of defendant, Orders that the above offenses, if more than one, be consolidated for judgment and the defendant be imprisoned

for a term of 45 days in the custody of the: N.C. D.O.C. Sheriff of Mecklenburg County Other

This sentence shall run at the expiration of sentence imposed in file number

The defendant shall be given credit for days spent in confinement prior to the date of this Judgment as a result of this charge(s), to be applied toward the sentence imposed above. imprisonment required for special probation below.

SUSPENSION OF SENTENCE

Subject to the conditions set out below, the execution of this sentence is suspended and the defendant is placed on supervised unsupervised probation for 24 months.

- 1. The Court finds that a longer shorter period of probation is necessary than that which is specified in G.S. 15A-1343.2.
2. The Court finds that it is NOT appropriate to delegate to the Division of Community Corrections in the Department of Correction the authority to impose any of the requirements in G.S. 15A-1343.2(e) if the offender is sentenced to a community punishment, or G.S. 15A-1343.2(f) if the offender is sentenced to an intermediate punishment.
3. The above period of probation shall begin when the defendant is released from incarceration in the case referred to below.
4. The above period of probation shall begin at the expiration of the sentence in the case referred to below.

Table with 5 columns: File Number, Offense, County, Court, Date

- 5. The defendant shall comply with the conditions set forth in file number
6. The defendant shall provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319 required)

MONETARY CONDITIONS

The defendant shall pay to the Clerk of Superior Court the "Total Amount Due" shown below, plus the probation supervision fee, pursuant to G.S. 15A-1343.2(b) determined by the probation officer. set out by the court as follows:

Table with 6 columns: Court Costs, Miscellaneous, Fine, Restitution, Attorney's Fee, Comm. Service Fee, Total Amount Due
Row 1: Remit, \$200

*See attached "Restitution Worksheet, Notice And Order (Initial Sentencing)," AOC-CR-611, which is incorporated by reference.

- All payments received by the Clerk shall be distributed pro rata among the persons entitled to restitution in this priority: first among all G.S. 7A-304(d) priorities and before payment of community service and probation supervision fees.
Upon payment of the "Total Amount Due," the probation officer may transfer the defendant to supervised probation.

A TRUE COPY
CLERK OF SUPERIOR COURT
MECKLENBURG COUNTY
BY: Rosalyn Benton

