

JUDGMENT OF CONVICTION AND SENTENCING / ORDER OF PROBATION / COMMITMENT ORDER

MONROE CIRCUIT COURT

CAUSE 53C0 9-2306-CM-001016

STATE OF INDIANA VS Joseph Akers

DOB: 4/16/1976 SSN: XXX-XX-6933

ADDRESS: Unhoused

PHONE: _____

On 10/3/23, the State of Indiana appears and Defendant appears in person and by counsel Daniel Frohman

Defendant acknowledges understanding of the nature of the charge(s), the range of penalties, and the rights enumerated in I.C. 35-35-1-2, and after waiver of such rights, pleads guilty to after trial is found guilty of Cl. I: Theft

The Court finds the plea(s) to be intelligent, voluntary and with a factual basis, and accepts the pleas(s). The Court finds Defendant guilty and enters judgment (as a Class / Level A Infraction / Misdemeanor / Felony). The remaining counts, if any, are dismissed, upon motion of the State. Judgment of conviction shall / may be reduced to a Class A Misdemeanor be vacated and the cause dismissed upon application (after completion of probation without violations,) (after with no probable cause to believe defendant has committed additional criminal offenses,) and _____).

SENTENCE: 180 days with all but time served suspended

Sentences Concurrent To: Consecutive To: _____ Actual Days Served: 3 12/27/23 12/29/23

The Court recommends Purposeful Incarceration. Upon successful completion of the clinically appropriate substance abuse treatment program as determined by IDOC, the Court will consider a modification of this sentence.

Defendant's driver's license is suspended for _____ from the date of administrative suspension sentencing _____ / _____ / _____

Suspension of Defendant's driver's license for chemical test failure chemical test refusal is vacated terminated effective _____

PROBATION TERM 180 days TO END 3/31/2024 SUPERVISED TERM Supervised or less

The Court authorizes transfer of probation supervision to Defendant's county of residence upon compliance with all requirements including payment of fees.

STANDARD CONDITIONS OF PROBATION

1. I will not commit a new criminal offense.
2. I will report any new criminal charge to the probation department by my next scheduled appointment.
3. I will maintain contact with my probation officer as directed.
4. I will inform my probation officer where I am staying at each scheduled appointment.
5. I will allow the probation department to visit me in my home or elsewhere.
6. I will not carry, use, or possess any weapons and/or ammunition that could be used to harm myself or others.
7. I will not use alcohol and I will not use controlled substances unless prescribed to me for valid medical reasons by a properly licensed healthcare provider.
8. I will submit to drug/alcohol tests, at my expense, when requested by the probation department.
9. I will meet with my probation officer to develop and follow an individualized plan, at my expense, that focuses on goals designed to support my success.

You shall report to the Probation Department immediately following your sentencing hearing or, if incarcerated, within 72 hours of release. If convicted of a felony offense, you shall provide a DNA sample and you shall not leave the State of Indiana for more than 45 consecutive days without written permission of the Court. Pursuant to I.C. 35-38-2.2.3(b), if you violate a condition of probation during the probationary period, a petition to revoke probation may be filed before the earlier of the following: (1) One year after the term of probation OR (2) 45 days after the State receives notice of the violation.

MONETARY CONDITIONS: Payable to the Clerk by BD Judgment Court Costs: \$ 189.00 Public Defender Fee: \$ 50.00 Fine: \$ _____

Alcohol Countermeasures/Drug Interdiction Fee: \$ _____ Court Alcohol/Drug Program Fee: \$ _____

Other Fees: \$ _____ for _____

Defendant agrees the Clerk shall apply any cash bond to the payment of costs, fines, fees, and restitution.

Payable in Probation Department: If on probation, probation fees will be assessed and must be paid through the probation department.

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS: _____

NO CONTACT: A separate No Contact Order has been issued by the Court.

RESTITUTION CONDITION: I will pay restitution through the Monroe County Clerk's Office pursuant to the Order of Restitution filed separately with the Court.

COMMUNITY CORRECTIONS: I shall successfully complete, subject to Community Corrections Program rules and the payment of fees, the following: _____ legal/actual days Community Alternative Supervision Program (CASP), if eligible _____ hours of community service

SO ORDERED AND DATED: 10-3-23 [Signature] JUDGE, MONROE CIRCUIT COURT

I have read and/or had explained to me this sentencing order and acknowledge that I have received a copy of this order. If I have been placed on probation, by my signature, I acknowledge my understanding of the conditions and I expressly waive my Constitutional rights against self-incrimination and consent to warrantless and suspicionless search and seizure as related to the terms of my probation. I hereby waive objection to the admissibility of laboratory test results at any post-conviction hearing. I further agree that if I am arrested on a warrant issued for violation of my probation, I hereby waive extradition to the State of Indiana and this Court and agree to pay the cost of my return to Indiana.

Date 04/3/2023 Defendant's Signature: [Signature] Witness: [Signature]

ORDER OF COMMITMENT / TO THE SHERIFF Actual Days to Serve: _____

Report Date(s): _____ Time(s): _____ Release Date(s): _____ Time(s): _____

Pros: CP Def: DF CR: CPND Tape: PM 301 Form 7 6/29/2023