State of Ohio,

Plaintiff,

vs. Case No. 21CRB00615

Mark Borham,

Defendant.

**MAGISTRATE’S DECISION**

Defendant appeared in Court for arraignment on March 20, 2022. Defendant was represented by John Celebrezze, Public Defender.

The Court explained that Defendant was charged with the offense(s) set forth below. The Defendant understood the nature of the charge(s), all constitutional rights, and the effects of a plea. Following allocution, Defendant entered a plea(s) to the charge(s) as set forth in the chart below. The Court advised that if Defendant is not a United States citizen any plea or conviction could result in deportation, exclusion from admission into the United States, or denial of naturalization under United States law. R.C. 2943.031. The Court, finding that the Defendant entered the plea knowingly, intelligently, and voluntarily, accepted the plea and entered the following sentence:

**Diversion.** Defendant is eligible for the Prosecutor Diversion Program. The Defendant’s plea and the Court’s findings are set forth in the chart below. The sentence, including any fines, costs and jail days, is SUSPENDED pending Defendant’s completion of the Prosecutor Diversion Program. Should Defendant fail to complete the terms of the Prosecutor Diversion Program, the sentence shall apply, and Defendant shall pay fines and court costs by June 28, 2022.

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| --- | --- | --- |
| **Offense** | **Obstruct Official Business** | **Possession of Marijuana Drug Paraphernalia** |
| **Statute/Ord.** | **2921.31** | **2925.141(C)** |
| **Degree** | **M2** | **MM** |
| **Plea** | **Guilty** | **Guilty** |
| **Finding** | **Guilty** | **Guilty** |
| **Fine Amount** | **$ 0** | **$ 0** |
| **Fines Suspended** | **$ 0** | **$ 0** |
| **Jail Days** | **None** | **None** |
| **Jail Days Suspended** | **None** | **None** |

**Fines and Costs.** The Defendant shall pay the diversion program fee and does not owe the fines and court costs if the Prosecutor Diversion Program is successfully completed. If Defendant does not successfully complete the Prosecutor Diversion Program, then the diversion program fee shall be applied to fines and costs.

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Magistrate Amanda Bunner

***Pursuant to Criminal Rule 19(D) and Traffic Rule 14, written objections to this magistrate’s decision must be filed within 14 days of the filing of this decision. Any objections must state with specificity the grounds of the objections. A party shall not assign as error on appeal the court’s adoption of this decision unless the party timely files objections.***

Copies served by Dep. Clerk \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on the following date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to:

Prosecutor’s Office: PS OM EM; Defendant’s Attorney: PS OM EM; Mark Borham: PS OM EM;