State of Ohio,

Plaintiff,

vs. Case No. 21TRC05611

Kelly Barkschat,

Defendant.

**FINAL JUDGMENT ENTRY**

Defendant appeared in Court for arraignment on March 21, 2022. Defendant was represented by Chase Mallory, Private Counsel.

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:  
  
The Court informed the Defendant that 18 U.S.C § 922(g)(9) prohibits the Defendant from shipping, transporting, purchasing, possessing, or owning a firearm or ammunition.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Offense** | **OVI Alcohol / Drugs 3rd** | **OVI Refusal 3rd/10yr Prior 20yr** | **Driving In Marked Lanes** | **Seatbelt Required Driver** |
| **Statute/Ord.** | **4511.19A1A\*\*\*** | **4511.19A2\*\*\*** | **4511.33** | **4513.263B1** |
| **Degree** | **UCM** | **UCM** | **MM** | **UCM** |
| **Plea** | **No Contest** | **No Contest** | **No Contest** | **No Contest** |
| **Finding** | **Guilty** | **Guilty** | **Guilty** | **Guilty** |
| **Fine Amount** | **$ 0** | **$ 0** | **$ 0** | **$ 0** |
| **Fines Suspended** | **$ 0** | **$ 0** | **$ 0** | **$ 0** |
| **Jail Days** | **None** | **None** | **None** | **None** |
| **Jail Days Suspended** | **None** | **None** | **None** | **None** |

**Fines and Costs.** Court costs are assessed for the highest degree charge in this case. Having been informed of the fines and costs owed, Defendant expressed an ability to pay **forthwith**. Absent further order, the Court finds Defendant is able and shall pay the fines and costs in full by **March 21, 2022**.

**Community Service.** Defendant shall complete 50 hours of community service within 30 days. Defendant shall show proof of completion of all completed hours to the Office of Community Control on or before March 21, 2022.

**Proof of Financial Responsibility.**  The Defendant showed the Court proof of responsibility during the proceeding.

**License Suspension.** Defendant’s driving license is suspended from March 21, 2022, for a term of .

**Fingerprinting.** Defendant shall contact the Delaware County Jail within 24 hours to schedule a time to report for fingerprinting.

**Victim Notification.**  The Clerk shall serve notice on the victim of the right to apply for reparation pursuant to R.C. 2743.51-72.

**Vehicle Impoundment/Immobilization.**  The defendant’s 235, license plate 2345, shall have its vehicle ID tags seized and sent to the BMV for a period of .

**Community Control.** For a period of **1 year**, Defendant shall be under **basic supervision** with the Office of Community Control. The Court advised Defendant that as a result of any failure to comply with the terms of community control, the Court may impose a longer term of community control up to a total of 5 years; impose a definite jail term to include any days stayed or otherwise authorized by law; and/or otherwise modify the terms of community control set forth below.

While subject to community control, Defendant shall:

General Terms

* Report forthwith to the Office of Community Control.
* Abide by the law, comply with the community control terms set by the Office of Community Control, and not leave the state without the permission of the Court and/or the Office of Community Control.
* Pay probation fees monthly.
* Make all reasonable effort to obtain and maintain employment. Defendant shall report any change in employment status immediately.
* Submit to alcohol/drug testing at the request of community control or any other law enforcement officer.
* Not possess/consume/purchase any alcoholic beverages or drugs of abuse.

Additional Terms

* Defendant shall have no contact with . Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; or communications by any other means directly or through another person.
* If the Court grants driving privileges, provide proof to community control of installation of a certified ignition interlock device within 30 days of the issuance of such privileges. Defendant shall only operate vehicles equipped with a certified ignition interlock device.

**Other Conditions.** 2345.

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Judge Marianne Hemmeter

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

Prosecutor’s Office: PS OM EM; Defendant’s Attorney: PS OM EM; Kelly Barkschat: PS OM EM;

Community Control: PS EM;