THE STATE OF OHIO,

Plaintiff,

vs. CASE NO. 21TRC08418

MARSIAN GARDNER,

Defendant.

**FINAL JUDGMENT ENTRY**

Defendant appeared in Court for arraignment on February 02, 2022. Defendant was represented by Garrett Smith, 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:

|  |  |  |  |
| --- | --- | --- | --- |
| **Offense** | **DRIVING IN MARKED LANES** | **TURN AND STOP SIGNALS** | **OVI ALCOHOL / DRUGS 1ST** |
| **Statute/Ord.** | **4511.33** | **4511.39** | **4511.19A1A\*** |
| **Degree** | **MM** | **MM** | **M1** |
| **Plea** | **Guilty** | **Dismissed** | **Guilty** |
| **Finding** | **Guilty** |  | **Guilty** |
| **Fine Amount** | **$ 15** |  | **$ 100** |
| **Fines Suspended** | **$ 0** |  | **$ 0** |
| **Jail Days** | **None** |  | **180** |
| **Jail Days Suspended** | **None** |  | **177** |

**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 **February 02, 2022**.

**Proof of Financial Responsibility.**  The Defendant showed proof of financial responsibility at the time of the offense.

**Jail Commitment Terms.** Defendant shall schedule the jail days imposed in this case through the Office of Community Control.

* Defendant shall report to jail timely and sober.
* The jail days imposed shall be served as consecutive days.
* Defendant may complete the Driver’s Intervention Program in lieu of serving 3 days in jail. Defendant shall complete the program as specified by the Office of Community Control.
* Defendant shall timely pay, or dispute, confinement costs billed pursuant to R.C. 2929.37 or be subject to certificate of judgment by the Clerk.

**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

* Submit to continuous alcohol monitoring as directed by community control for **45 days**.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge Marianne Hemmeter

Copies served by Dep. Clerk \_\_\_\_\_\_\_\_\_ on: \_\_\_ Prosecutor’s Office, \_\_\_ MARSIAN GARDNER