THE STATE OF OHIO,

Plaintiff,

vs. CASE NO. 21TRC08418

MARSIAN GARDNER,

Defendant.

**MAGISTRATE’S DECISION**

Defendant appeared in Court for arraignment on February 21, 2022. Defendant waived right to 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:

|  |  |  |  |
| --- | --- | --- | --- |
| **Offense** | **DRIVING IN MARKED LANES** | **TURN AND STOP SIGNALS** | **OVI ALCOHOL / DRUGS 1ST** |
| **Statute/Ord.** | **4511.33** | **No Data** | **4511.19A1A\*** |
| **Degree** | **MM** | **MM** | **M1** |
| **Plea** | **No Contest** | **No Contest** | **No Contest** |
| **Finding** | **Guilty** | **Guilty** | **Guilty** |
| **Fine Amount** | **$ 50** | **$ 0** | **$ 0** |
| **Fines Suspended** | **$ 25** | **$ 0** | **$ 0** |
| **Jail Days** | **5** | **None** | **None** |
| **Jail Days Suspended** | **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 **February 21, 2022**.

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

**Jail Continued Commitment Terms.** The Defendant is currently in jail and shall serve the remainder of the jail days imposed by this order. Defendant shall receive credit for **3 days** already served in jail.

* 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.

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

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;

MARSIAN GARDNER: PS OM EM