THE STATE OF OHIO,

Plaintiff,

vs. CASE NO. 21TRC09438

ANDREW PROPER,

Defendant.

**MAGISTRATE’S DECISION**

Defendant appeared in Court for arraignment on January 09, 2022. Counsel for the State of Ohio made a motion to amend the charge of DUS to Disorderly Conduct. The Court found the amendment did not alter the name or identity of the offense and the motion is Granted. The charge(s) of OVI ALCOHOL / DRUGS 1ST is amended to Assured Clear Distrance Ahead and DUS is amended to Disorderly Conduct.

The Court explained that Defendant was charged with the offense(s) set forth below. The Defendant, having understood the nature of the charge(s), all constitutional rights, and the effects of a plea, 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** | **OVI ALCOHOL / DRUGS 1ST - AMENDED** | **DUS - AMENDED** | **REASONABLE CONTROL** |
| **Statute/Ord.** | **4511.19A1A\*** | **4510.11** | **4511.202** |
| **Degree** | **M1** | **M1** | **MM** |
| **Plea** | **No Contest** | **No Contest** | **No Contest** |
| **Finding** | **Guilty** | **Guilty** | **Guilty** |
| **Fine Amount** | **$ 0** | **$ 0** | **$ 0** |
| **Fines Suspended** | **$ 0** | **$ 0** | **$ 0** |

**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 fines and costs shall be paid in full by **January 09, 2022**.

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

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

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: \_\_\_ Prosecutor’s Office, \_\_\_ ANDREW PROPER