State of Ohio,

Plaintiff,

vs. Case No. {{ case\_number }}

{{ defendant.first\_name }} {{ defendant.last\_name }},

Defendant.

{% if judicial\_officer.officer\_type == ‘Magistrate’ %}

**MAGISTRATE’S DECISION**

{% elif judicial\_officer.officer\_type == ‘Judge’ %}

**FINAL JUDGMENT ENTRY**

{% endif %}

Defendant appeared in Court for {{ appearance\_reason }} on {{ plea\_trial\_date }}. {% if defense\_counsel\_waived is false %}Defendant was represented by {{ defense\_counsel }}, {{ defense\_counsel\_type }}. {% elif defense\_counsel\_waived is true %}Defendant waived right to counsel. {% endif %}{% if amend\_offense\_details is not none %}Counsel for the State of Ohio made a motion to amend the charge(s) in the case.{% if amend\_offense\_details.motion\_disposition == ‘Granted’ %} The Court found the amendment is consistent with Crim. R. 7 and consistent with the facts of the case. Therefore, the motion is {{ amend\_offense\_details.motion\_disposition }}. The charge(s) of {% for charge in amended\_charges\_list %}{% if loop.index == 2 %} and {% endif %}{{ charge[0] }} is amended to {{ charge[1] }}{% endfor %}.{% elif amend\_offense\_details.motion\_disposition == ‘Denied’ %} The Court found the amendment did alter the name or identify of the offense(s) and therefore the motion is {{ amend\_offense\_details.motion\_disposition }}.{% endif %}{% endif %}

The Defendant understood the nature of the charge(s), all constitutional rights, potential consequences to citizenship, and the effects of the plea. The Court accepted Defendant’s plea, finding it was entered knowingly, voluntarily, and intelligently. The Court considered the overriding purposes of misdemeanor sentencing when making its findings and entered the following sentence:

**Diversion.** Defendant is eligible for the {{ diversion.program\_name }}. 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 {{ diversion.program\_name }} by **{{ diversion.diversion\_completion\_date }}.**

Should Defendant fail to complete the terms of the {{ diversion.program\_name }} the sentence shall apply, and Defendant shall pay fines and court costs by **{{ diversion.diversion\_fine\_pay\_date }}**. Any jail days imposed for failure to complete diversion shall be scheduled through Community Control.

|  |  |  |  |
| --- | --- | --- | --- |
| **Offense** | **{%tc for charge in charges\_list %}** | **{{ charge.offense }}** | **{%tc endfor %}** |
| **Statute/Ord.** | **{%tc for charge in charges\_list %}** | **{{ charge.statute }}** | **{%tc endfor %}** |
| **Degree** | **{%tc for charge in charges\_list %}** | **{{ charge.degree }}** | **{%tc endfor %}** |
| **Plea** | **{%tc for charge in charges\_list %}** | **{{ charge.plea}}** | **{%tc endfor %}** |
| **Finding** | **{%tc for charge in charges\_list %}** | **{{ charge.finding }}** | **{%tc endfor %}** |
| **Fine Amount** | **{%tc for charge in charges\_list %}** | **{{ charge.fines\_amount }}** | **{%tc endfor %}** |
| **Fines Suspended** | **{%tc for charge in charges\_list %}** | **{{ charge.fines\_suspended }}** | **{%tc endfor %}** |
| **Jail Days** | **{%tc for charge in charges\_list %}** | **{{ charge.jail\_days }}** | **{%tc endfor %}** |
| **Jail Days Suspended** | **{%tc for charge in charges\_list %}** | **{{ charge.jail\_days\_suspended }}** | **{%tc endfor %}** |

{% if diversion.restitution\_ordered is true %}**Restitution.** The Defendant must pay restitution in the amount of ${{ diversion.pay\_restitution\_amount }} to {{ diversion.pay\_restitution\_to }} no later than **{{ diversion.diversion\_completion\_date }}** in order to successfully complete the diversion program. {{‘\n\n’}}{% endif %}{% if diversion.probation\_ordered is true %}**Community Control. If Defendant fails to complete the Diversion program,** then for a period of **one year** from the date of the entry indicating the Defendant failed to complete the Diversion Program, Defendant shall be under **basic supervision** with 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 Community Control at 70 N. Union St., Delaware, OH 43015.
* Abide by the law, comply with the community control terms set by Community Control, and not leave the state without the permission of the Court and/or Community Control.
* Make all reasonable effort to obtain and maintain employment. Defendant shall report any change in employment status immediately.
* Comply with all requirements related to any driving privileges granted in this case.
* Submit to alcohol/drug testing at the request of community control or any other law enforcement officer.
* Not possess, consume, or purchase any alcoholic beverages or drugs of abuse.
* Not ship, transport, purchase, possess, or own a firearm or ammunition.

{{‘\n’}}{% endif %}{% if diversion.other\_conditions\_ordered is true %}{{ ‘\n’ }}**Other Conditions.** {{ diversion.other\_conditions\_text }}{% endif %}**Fines and Costs.** The Defendant shall pay the diversion program fee and does not owe the fines and court costs if the {{ diversion.program\_name }} is successfully completed. If Defendant does not successfully complete the {{ diversion.program\_name }}, then the diversion program fee shall be applied to fines and costs. {% if fra\_in\_file is not none %}{% if fra\_in\_court is not none %}{{ ‘\n’ }}

**Proof of Financial Responsibility.** {% if fra\_in\_file is true %} The Defendant showed proof of financial responsibility at the time of the offense.{% endif %}{% if fra\_in\_court is true %} The Defendant showed the Court proof of responsibility during the proceeding.{% endif %}{% if fra\_in\_file is false %}{% if fra\_in\_court is false %}The Defendant did not show proof of financial responsibility at the time of the offense or during the proceeding, but may show proof to Clerk of Court at any time prior to the submission of this matter to the Ohio Bureau of Motor Vehicles.{% endif %}{% endif %}{% endif %}{% endif %}

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_3/1/24

{{ judicial\_officer.officer\_type }} {{ judicial\_officer.first\_name }} {{ judicial\_officer.last\_name }}

{% if judicial\_officer.officer\_type == ‘Magistrate’ %}

***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.***

{% endif %}

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

Prosecutor’s Office: PS OM EM; Defendant’s Attorney: PS OM EM; {{ defendant.first\_name }} {{ defendant.last\_name}}: PS OM EM; Community Control: PS EM; County Jail: PS EM;