State of Ohio,

Plaintiff,

vs. Case No. 17TRD22590

Mark Borham,

Defendant.

**JUDGMENT ENTRY**

Defendant appeared in Court for a change of plea on June 04, 2022. Defendant was represented by John Celebrezze, Public Defender. Counsel for the State of Ohio made a motion to amend the charge(s) in the case. The Court found the amendment is consistent with Crim. R. 7 and consistent with the facts of this case. Therefore, the motion is Granted. The charge(s) of Illegal License Plates is amended to Criminal Mischief - Victim is Family or Household Member.

The Court explained that Defendant was charged with the offense(s) set forth 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 additionally informed the Defendant that a conviction in this case results in the following:

* 18 U.S.C § 922(g)(9) prohibits the Defendant from shipping, transporting, purchasing, possessing, or owning a firearm or ammunition.
* A conviction in this case may escalate subsequent violations into felonies.
* A conviction in this case may render the Defendant ineligible for certain state and federal benefits.

The Defendant understood the nature of the charge(s), all constitutional rights, and the effects of a plea. Defendant entered a plea(s) to the charge(s) as set forth in the chart below. The Court found that the Defendant entered the plea knowingly, intelligently, and voluntarily, and the Court accepted the plea. Following allocution, the Court entered the following finding(s):

|  |  |
| --- | --- |
| **Offense** | **Illegal License Plates - AMENDED to Criminal Mischief - Victim is Family or Household Member** |
| **Statute/Ord.** | **2909.07\*\*** |
| **Degree** | **M3** |
| **Plea** | **No Contest** |
| **Finding** | **Guilty** |

**Sentencing.** This case shall be set for sentencing at a future date for the following reasons:

* The Office of Community Control shall prepare a Presentence Investigation Report for the Court’s consideration at sentencing.
* The Clerk shall notify the victim of their right to restitution pursuant to R.C. §§ 2743.51 – 2743.72 and the Court shall consider any information on restitution at sentencing.
* The State of Ohio shall notify the victim(s) in the case of their right to be present at sentencing and to present to the court oral or written statements for consideration by the Court at sentencing.

**Bond.**

* The defendant shall execute a personal recognizance bond to ensure appearance at sentencing.
* Defendant shall behave lawfully, comply with any protection orders and/or other orders of this Court, and shall maintain contact and cooperation with counsel of record.
* Defendant shall provide written notice to the Office of Community Control, located at 70 N. Union St., Delaware, OH 43015, at least 10 days prior to leaving Ohio.
* Defendant shall provide written notice to the Clerk of Court at least 10 days prior to any change of address.

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Judge Kyle Rohrer

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

Prosecutor’s Office: PS OM EM; Defendant’s Attorney: PS OM EM; Mark Borham: PS OM EM;