State of Ohio,

Plaintiff,

vs. Case No. 21TRC05611

Kelly Barkschat,

Defendant.

**MAGISTRATE’S DECISION**

Defendant appeared in Court for a change of plea on June 20, 2022. Defendant was represented by Chase Mallory, Private Counsel.

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 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 sentence:

|  |  |  |  |
| --- | --- | --- | --- |
| **Offense** | **OVI Refusal 3rd/10yr Prior 20yr** | **Driving In Marked Lanes** | **Seatbelt Required Driver** |
| **Statute/Ord.** | **4511.19A2** | **4511.33** | **4513.263B1** |
| **Degree** | **UCM** | **MM** | **UCM** |
| **Plea** | **No Contest** | **No Contest** | **No Contest** |
| **Finding** | **Guilty** | **Guilty** | **Guilty** |
| **Fine Amount** | **$ 0** | **$ 0** | **$ 0** |
| **Fines Suspended** | **$ 0** | **$ 0** | **$ 0** |

**Fines and Costs.** The Court ordered costs for the highest degree charge. The Defendant was informed of the fines and costs owed, and 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 **June 20, 2022**.

**Proof of Financial Responsibility.**  The Defendant showed the Court proof of responsibility during the proceeding.

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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; Kelly Barkschat: PS OM EM; Community Control: PS EM; County Jail: PS EM;