State of Ohio,

Plaintiff,

vs. Case No. 21TRC05611

Kelly Barkschat,

Defendant.

**FINAL JUDGMENT ENTRY**

Defendant appeared in Court for sentencing on June 12, 2022. Defendant was represented by Chase Mallory, Private Counsel. The Defendant previously plead and was found GUILTY of OVI Alcohol / Drugs 3rd, Seatbelt Required Driver, on June 07, 2022.

Prior to sentencing, the Court heard statements from the Prosecutor, Victim Advocate on behalf of the victim, Defense Counsel and the Defendant. The Court considered the overriding purposes of misdemeanor sentencing when making its findings. Following allocution, the Court entered the following sentence:

|  |  |  |
| --- | --- | --- |
| **Offense** | **OVI Alcohol / Drugs 3rd** | **Seatbelt Required Driver** |
| **Statute/Ord.** | **4511.19A1A** | **4513.263B1** |
| **Degree** | **UCM** | **UCM** |
| **Plea on June 07, 2022** | **Guilty** | **Guilty** |
| **Finding on June 07, 2022** | **Guilty** | **Guilty** |
| **Fine Amount** | **$ 0** | **$ 0** |
| **Fines Suspended** | **$ 0** | **$ 0** |
| **Jail Days** | **3** | **None** |
| **Jail Days Suspended** | **None** | **None** |

**Jail.** The Defendant is sentenced to **3 days** in jail for this case.   
  
**Jail Reporting Terms.** Defendant shall schedule the jail days imposed in this case through the Office of Community Control.

* Defendant shall report to jail timely and sober.
* The jail days imposed in this case shall be served as consecutive days.
* 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.

**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 12, 2022**.

**Community Service.** Defendant shall complete 50 hours of community service within 30 days. Defendant shall show proof of completion of all completed hours to the Office of Community Control on or before June 12, 2022.

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

**Community Control.** For a period of **1 year**, Defendant shall be under **basic supervision** with the Office of 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 the Office of Community Control at 70 N. Union St., Delaware, OH 43015.
* Abide by the law, comply with the community control terms set by the Office of Community Control, and not leave the state without the permission of the Court and/or the Office of Community Control.
* Pay community control fees monthly.
* Make all reasonable effort to obtain and maintain employment. Defendant shall report any change in employment status immediately.
* Submit to alcohol/drug testing at the request of community control or any other law enforcement officer.
* Not possess/consume/purchase any alcoholic beverages or drugs of abuse.

Additional Terms

* Within 90 days provide proof of completion of a class in anger management.
* Defendant shall report daily to the Office of Community Control in the manner specified by the Office of Community Control.

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Judge Marianne Hemmeter

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;