State of Ohio,

Plaintiff,

vs. Case No. 21TRC05611leap\_admission\_test

Kelly Barkschat,

Defendant.

**PLEA AND JOURNAL ENTRY FOR PARTICIPATION**

**IN THE LICENSE EVALUATION and ASSISTANCE PROGRAM (LEAP)**

Defendant appeared in Court for change of plea on May 23, 2022. Chase Mallory, Private Counsel, appeared on behalf of Defendant.

The Court explained that Defendant was charged with the offense(s) set forth below. Defendant understood the nature of the charge(s), all constitutional rights, and the effects of a plea. Defendant entered the 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 found Defendant entered the plea knowingly, intelligently, and voluntarily. The Court accepted the Defendant’s plea.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Offense** | **OVI Alcohol / Drugs 3rd** | **OVI Refusal 3rd/10yr Prior 20yr** | **Driving In Marked Lanes** | **Seatbelt Required Driver** |
| **Statute/Ord.** | **4511.19A1A** | **4511.19A2** | **4511.33** | **4513.263B1** |
| **Degree** | **UCM** | **UCM** | **MM** | **UCM** |
| **Plea** | **Guilty** | **Guilty** | **Guilty** | **Guilty** |

**Sentencing Hearing:** This case is now set for sentencing on **September 26, 2022 at 9:00 a.m.**

The parties executed a License Evaluation and Assistance Program (LEAP) Agreement. The Court found Defendant qualified for participation in LEAP and stayed further proceedings pending completion of LEAP. The Court informed Defendant that failure to comply with the program requirements may result in early termination from the program**. Should the LEAP Coordinator recommend early termination from the program based on Defendant’s failure to comply with the terms of the agreement, the Court may, with notice to Defendant, schedule an earlier sentencing hearing. Neither the agreement nor this Entry shall be construed as giving Defendant driving privileges. As of the date of this entry, Defendant does not have any privilege to drive.**

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; Kelly Barkschat: PS OM EM;