State of Ohio,

Plaintiff,

vs. Case No. 21TRC05611plea\_only\_test

Kelly Barkschat,

Defendant.

**JUDGMENT ENTRY**

Defendant appeared in Court for change of plea on May 28, 2022. Defendant was represented by Chase Mallory, Private Counsel.

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **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** |
| **Finding** | **Guilty** | **Guilty** | **Guilty** | **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; Kelly Barkschat: PS OM EM;