THE STATE OF OHIO,

Plaintiff,

vs. CASE NO. 21TRC09438

ANDREW PROPER,

Defendant.

**FINAL JUDGMENT ENTRY**

Defendant appeared in Court for arraignment on January 04, 2022.

The Court explained that Defendant was charged with the offense(s) set forth below. The Defendant, having understood the nature of the charge(s), all constitutional rights, and the effects of a plea, 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 sentence:

|  |  |  |  |
| --- | --- | --- | --- |
| **Offense** | **OVI ALCOHOL / DRUGS 1ST** | **DUS** | **REASONABLE CONTROL** |
| **Statute/Ord.** | **4511.19A1A\*** | **4510.11** | **4511.202** |
| **Degree** | **M1** | **M1** | **MM** |
| **Plea** | **Guilty** | **Guilty** | **Guilty** |
| **Finding** | **Guilty** | **Guilty** | **Guilty** |
| **Fine Amount** | **$ 0** | **$ 0** | **$ 0** |
| **Fines Suspended** | **$ 0** | **$ 0** | **$ 0** |
| **Jail Days** | **None** | **None** | **None** |
| **Jail Days Suspended** | **None** | **None** | **None** |

**Fines and Costs.** Court costs are assessed for the highest degree charge in this case. Having been informed of the fines and costs owed, Defendant expressed an ability to pay **within 30 days**. Absent further order the fines and costs shall be paid in full by **February 08, 2022**. Defendant may complete community service hours to satisfy fines and costs at a rate of $10.00 per hour. All Community Service hours must be approved by the Office of Community Control.

**Proof of Financial Responsibility.**  The Defendant showed proof of financial responsibility at the time of the offense.

**Community Control.**

For a period of **1 year**, Defendant shall be under **intensive 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.

**Terms of Community Control.**

While on community control, Defendant shall:

* Report forthwith to the Office of Community Control.
* Abide by the law, comply with the reasonable requirements of community control, and not leave the state without the permission of the Court and/or community control.
* Pay probation fees monthly. If Defendant fails to make a payment, the balance is due immediately.
* Make all reasonable effort to obtain and maintain employment. Defendant shall report any change in employment status immediately.
* Shall not come within 500 feet of **Justin Kudela**.
* Defendant shall have no contact with **Mike Smith**. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; or communications by any other means directly or through another person.
* **Within 90 days provide proof of completion of** **a driver intervention program.**
* **Within 90 days provide proof of completion of** **an alcohol/drug dependency evaluation and comply with any treatment and/or counseling recommendations. Defendant shall provide community control with proof of monthly compliance.**
* **Within 90 days provide proof of completion of** **an anti-theft/shoplifting program.**
* **Within 90 days provide proof of completion of** **a domestic violence offender program.**
* **Within 90 days obtain a mental health evaluation and comply with any treatment and/or counseling recommendations. Defendant shall sign a release/consent to permit community control to obtain a copy of records. Defendant shall provide community control with proof of monthly compliance.**
* **Within 90 days provide proof of completion of** **a class in anger management.**
* Within 60 days pay restitution of $ , for which judgment is granted, through the Clerk’s office with cashier’s check or money order, payable to . The Court ORDERS that any payments made by Defendant be first directed toward the payment of restitution.
* Not possess/consume/purchase any alcoholic beverages or drugs of abuse.
* Submit to alcohol/drug testing at the request of community control or any other law enforcement officer.
* Submit to continuous alcohol monitoring as directed by community control for days.
* If the Court grants driving privileges, provide proof to community control of installation of a certified ignition interlock device within 30 days of the issuance of such privileges. Defendant shall only operate vehicles equipped with a certified ignition interlock device.
* Within 90 days show completion of hours of community service in addition to any hours that may be worked to satisfy fines and costs.
* Submit to electronic monitored house arrest for days/months, effective upon hook-up by, and under the supervision of the Office of Community Control. The Court
* Other

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Judge Kyle Rohrer

Copies served by Dep. Clerk \_\_\_\_\_\_\_\_\_ on: \_\_\_ Prosecutor’s Office, \_\_\_ ANDREW PROPER