

CARVER COUNTY ORDER/MINUTES

File# [redacted] Jurisdiction _____ Type of Hearing PT Date 6/8/2017
State of MN vs. [redacted] Pros Atty [redacted]
Judge _____ Reporter _____ Def Atty C. Ramsey

Charge	Level of Offense	Statutory Section(s)
1. <u>DUI 4th degree per.</u>	FEL / GM / <u>MISD</u> / PETTY	
2. <u>DUI</u>	FEL / GM / <u>MISD</u> / PETTY	
3.	FEL / GM / MISD / PETTY	
4.	FEL / GM / MISD / PETTY	

CHARGE DISMISSED (1) AMENDED TO _____

PLEA Not Guilty You are hereby ordered to appear on ____/____/20__ AT ____ AM / PM
For Pre Trial / Court Trial / 1ST Appearance / Arraignment / Omnibus Hearing / Jury Trial / _____

PLEA Guilty Accepted / Not Accepted Continue for Dismissal _____ months _____ Guilty per §152.18 with stay
Stay of __ Execution __ Imposition __ Adjudication Probation to: __ DOC __ Court Services __ Court for __ months/years

SENTENCE:
Fines: \$ _____ + _____ days Stay \$ _____ + _____ days
Fees: Surcharge/Law Library \$ _____ Warrant \$ _____ Restitution \$ _____ Assessment Fee \$ _____ Prosecution \$ _____
Court Costs \$ _____ PD fee \$ _____ **Total Fine and Costs Due:** \$ _____ Apply Bail \$ _____ to _____

CONDITIONS OF STAY OR PROBATION

<input type="checkbox"/> Serve _____ days in the County jail, beginning ____/____/20__ . Credit for time served and work release as determined by jail.
<input type="checkbox"/> Serve _____ days on Electronic Home Monitoring (Paying all costs) beginning on ____/____/20__ .
<input type="checkbox"/> Complete _____ hours of Community Work Service or _____ day(s) STS
<input type="checkbox"/> Pay Restitution (noted above) or <input type="checkbox"/> Amount to be determined by Probation Agent
<input type="checkbox"/> Complete Chemical Use / Dependency Assessment. Follow all recommendations. <input type="checkbox"/> Sign releases
<input type="checkbox"/> Attend AA or other support group weekly and verify attendance with probation agent
<input type="checkbox"/> Complete Domestic Abuse / Anger Evaluation & Follow Recommendations <input type="checkbox"/> Sign releases
<input type="checkbox"/> Complete Psychological / Psychiatric Evaluation. Follow all recommendations
<input type="checkbox"/> No use or possession of alcohol or non-prescribed drugs <input type="checkbox"/> Random Testing <input type="checkbox"/> If believed to be using
<input type="checkbox"/> No contact with victim(s): Victim Name(s) _____ <input type="checkbox"/> Excluded from Residence/Employment
<input type="checkbox"/> Attend Victim Impact / MADD Panel
<input type="checkbox"/> Supply DNA sample <input type="checkbox"/> Registration as a predatory offender required
<input type="checkbox"/> No moving violations <input type="checkbox"/> Misdemeanor or greater <input type="checkbox"/> Have no same or similar violations
<input type="checkbox"/> Do not drive without a valid <input type="checkbox"/> driver's license <input type="checkbox"/> insurance <input type="checkbox"/> registration
<input type="checkbox"/> Make all future court appearances <input type="checkbox"/> Release conditions remain <input type="checkbox"/> Sign releases
<input type="checkbox"/> Remain law abiding, follow all rules of probation and report address changes to Court Administration and Probation Agent
I understand if I fail to meet <u>any</u> of the conditions of my stay of adjudication including payment of any fines or fees, my guilty plea will result in a conviction for the offense. A hearing will only be scheduled if I request one by my payment due date. Signature: _____
Other: _____

Clerk: KH
Court Administration (952) 361-1420
Revised 03-29-16

BY THE COURT
[Signature]
Judge of District Court

APPENDIX A

1. EHM – If you are placed on Electronic Home Monitoring as a condition of probation, you are required to meet eligibility criteria and pay a fee. If you do not meet eligibility requirements, or you violate EHM rules or fail to pay the fee, you may be terminated from EHM and a warrant may be issued.
2. Work-release – If you are sentenced to serve time in jail, you may be permitted work-release privileges while in jail. You must meet eligibility requirements and pay the work-release fee. If you violate the rules of this program, you may lose work release privileges and your probation may be violated.
3. Jail Credit – If at sentencing, you are awarded credit for time served, you will be credited with the number of days specified in the Sentencing Order. If the credit is not specified in the Order, the number of days credited will be determined by law enforcement.
4. Good Time – If you are sentenced to jail or a state prison, you will be eligible to earn good time to reduce your sentence. Under current circumstances, you would serve two-thirds of your sentence in custody. If you violate the rules of the correctional facility, you may lose all or a portion of your one-third good time, and you may be required to serve the entire remaining sentence in custody.
5. Supervised Release – If you are sentenced to the custody of the Commissioner of Corrections to serve a sentence in a state prison, you will serve at least two-thirds of that sentence in custody and the balance, one-third or less, on supervised release. If you violate a condition of your supervised release, you may be returned to prison to serve the balance of your sentence.
6. Conditional Release – Felony DWI – If you are sentenced to prison for the crime of First Degree DWI, once you are released from prison, you will be placed on conditional release. If you violate your conditional release, you may be returned to prison to serve the remainder of the conditional release term in custody.
7. Conditional Release – Criminal Sexual Conduct – If you are sentenced to prison for a criminal sexual conduct offense, once you are released from prison, you will be placed on conditional release. If you violate your conditional release, you may be returned to prison to serve the remainder of the conditional release term in custody.
8. Predatory Offender Registration – If you are convicted of a certain offenses, you may be required to register as a “predatory offender.” Failure to register as required is a crime, and you may be prosecuted for this new crime AND your probation/supervised release/conditional release, on this older crime may also be revoked.
9. Probation Fees – If you are placed on supervised probation, you will be charged a probation fee set by the probation agency.
10. Surcharges – In addition to fines that may be imposed as part of your sentence, you will be required to pay a surcharge determined by the State. The surcharge cannot be waived.
11. Chemical Dependency Assessment Surcharge – If you are convicted of an offense enumerated in section 169A.70 subd 2, you will be required to pay a chemical assessment surcharge. This surcharge cannot be waived unless the court makes written findings on the record that you are indigent or that the assessment surcharge would create undue hardship.
12. Restitution – If you are ordered to pay restitution to compensate the victim(s) of your behavior for out-of-pocket expenses, the amount of restitution will normally be determined by the probation agency. If you disagree with the amount determined, you may challenge the determination within 30 days of receiving the order directing restitution. Restitution may be joint and several. This means that if more than one person is found to be responsible for the damage/harm, they will share the responsibility. However, if one person does not pay his/her share, the remaining person(s) will be responsible for the entire amount.
13. Revenue Recapture, Driver’s License Suspension, and Collection Agency Referral – All fines, surcharges, restitution, and/or fees imposed are due on the date imposed unless the court establishes a due date or payment plan. Under Minn. Stat. §480.15, subd 10c, any portion of a fine, surcharge, court cost, restitution or fees that you fail to pay by the due date may be referred for collection and revenue recapture from tax refunds. In addition to collection activity, your driver’s license may also be suspended for non-payment. Collection costs will be added to the amount due. If you have agreed to a payment plan but fail to pay an installment when due, the entire amount remaining becomes due and payable and will be referred to collections. You have the right to contest a referral to collections based on inability to pay by requesting a hearing no later than the due date.
14. D.N.A. – If you are convicted of a felony offense, state law mandates you submit to D.N.A. testing.
15. Stay of Adjudication or Guilty Plea Not Accepted – Under this sentencing, the charge against you may be dismissed at the end of the probationary period if you successfully complete or satisfy all conditions of probation, including the payment of any fines or fees. If you fail to meet any of the conditions, the guilty plea will result in a conviction for the offense.
16. Stay of Imposition – If a stay of imposition is granted, the maximum sentence of jail/prison/fines is delayed to a possible future date as long as you comply with the conditions set by the court.
17. Stay of Execution – Under this sentencing, a jail or prison sentence is imposed, but execution is delayed to some possible future date as long as you comply with conditions set by the court.
18. Sentencing to Service (STS) – This is a sentencing alternative which puts you to work on community improvement projects. In most cases, STS needs to be scheduled with a staff member at the supervising agency.