

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF JACKSON

State of Oregon,)	
Plaintiff)	
)	Case No.: 120507FE
vs.)	
)	AMENDED JUDGMENT *
)	
Nicholas Edward Duncan,)	Case File Date: 01/30/2012
Defendant)	District Attorney File #: 12-640

DEFENDANT

True Name: Nicholas Edward Duncan	Sex: Male
Date Of Birth: 04/26/1984	State Identification No (SID): 19326881OR
Fingerprint Control No (FPN): JJAC212006622	

HEARING

Proceeding Date: 10/11/2013
Judge: Benjamin M Bloom
Court Reporter: Moreno, S

Defendant appeared in person and was not in custody. The court determined that the defendant was indigent for purposes of court-appointed counsel, and the court appointed counsel for the defendant. The defendant was represented by Attorney(s) SARA J COLLINS, OSB Number 021465. Plaintiff appeared by and through Attorney(s) RUBY MCKENZIE HERRIOTT, OSB Number 093800.

COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

Count 1 : Possession of Methamphetamine

Count number 1 , Possession of Methamphetamine, 475.894, Felony Class C, committed on or about 01/28/2012. Conviction is based upon a Guilty Plea on 05/01/2012.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 1 is 1 and the Criminal History Classification (CHC) is H.

License Suspension / Revocation

Defendant's Drivers License is Suspended for 6 month(s).

Probation

Defendant is sentenced to Supervised Probation for a period of 18 month(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Supervised Probation: Report immediately to Jackson County Community Justice, 1101 West Main, Medford, OR 97501 within 24 hours of your sentencing unless you are in custody. If in custody, report within 24 hours of your release from jail.
- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Not have contact with users of controlled substances.
- Abstain from use or possession of controlled substances.
- Refrain from knowingly associating with persons who use or possess controlled substances, or from frequenting places where such substances are kept or sold.
- Obey all laws.
- Submit to random blood, breath and urine testing at the direction of probation officer to determine compliance with conditions of supervision; results are useable at revocation proceedings.
- Submit to search by probation officer of person or premises pursuant to ORS 137.540(i).
- Enter and successfully complete alcohol/drug treatment as deemed appropriate by probation officer. Report to Jackson County Community Justice, 1101 West Main, Medford, OR 97501.
- Submit to random breath and urine testing if lawfully requested by a police officer.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

Fees and Assessments: Payable to the Court.

Type	Amount	Modifier	Reduction	Actual Owed
Fine - Criminal	\$100.00			\$100.00
Total	\$100.00			\$100.00

Count 4 : Resisting Arrest

Count number 4 , Resisting Arrest, 162.315, Misdemeanor Class A, committed on or about 01/28/2012. Conviction is based upon a No Contest Plea on 05/01/2012.

Incarceration

Defendant is sentenced to the custody of County Jail, for a period of 10 day(s). Defendant is to report to by 06/13/2013 at 9:00 AM. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the Defendant shall pay any required per diem fees.

This sentence shall be concurrent with the following cases ct 5.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

Fees and Assessments: Payable to the Court.

Type	Amount	Modifier	Reduction	Actual Owed
Attorney Fees	\$175.00			\$175.00
Bench Probation Fee	\$100.00			\$100.00
Indigent Contribution Fee	\$175.00			\$175.00
Fine - Criminal	\$102.00			\$102.00
Total	\$552.00			\$552.00

Count 5 : Driving Under the Influence of Intoxicants

Count number 5 , Driving Under the Influence of Intoxicants, 813.010(4), Misdemeanor Class A, committed on or about 01/28/2012. Conviction is based upon a Guilty Plea on 05/01/2012.

License Suspension / Revocation

Defendant's Drivers License is Suspended for 1 year(s).

Probation

Defendant is sentenced to Bench Probation for a period of 24 month(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Not drive without valid permit, license and insurance.
- Obey all laws.
- Abstain from the use of intoxicants; do not consume or possess alcohol or non-prescribed controlled

substances

- Enter and successfully complete alcohol/drug treatment as deemed appropriate by probation officer. Report to Jackson County Community Justice, 1101 West Main, Medford, OR 97501.
- Submit to random breath and urine testing if lawfully requested by a police officer.

Jail as a Condition of Probation

Defendant is confined to jail for 10 day(s). Defendant is to report to by 06/13/2013 at 9:00 AM. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

Fees and Assessments: Payable to the Court.

Type	Amount	Modifier	Reduction	Actual Owed
Diversion Costs	\$490.00			\$490.00
Total	\$490.00			\$490.00

COUNTS DISPOSED WITH NO CONVICTION

Count # 2 , Possession Controlled Substance in Schedule II is Dismissed.

If convicted of a felony or a crime involving domestic violence, you may lose the right to buy, sell, transport, receive, or possess a firearm, ammunition, or other weapons in both personal and professional endeavors pursuant to ORS 166.250, ORS 166.291, ORS 166.300, and/or 18 USC 922(g).

MONEY AWARD

Judgment Creditor: State of Oregon

Judgment Debtor: Nicholas Edward Duncan

Payees are to be paid as ordered under Monetary Terms.

Defendant is ordered to pay the following monetary totals, including restitution or compensatory fine amounts stated above, which are listed in the Money Award portion of this document:

Type	Amount Owed
Attorney Fees	\$175.00
Bench Probation Fee	\$100.00
Diversion Costs	\$490.00
Fine - Criminal	\$202.00
Indigent Contribution Fee	\$175.00

Total

\$1,142.00

The court may increase the total amount owed by adding collection fees and other assessments. These fees and assessments may be added without further notice to the defendant and without further court order.

Subject to amendment of a judgment under ORS 137.107, money required to be paid as a condition of probation remains payable after revocation of probation only if the amount is included in the money award portion of the judgment document, even if the amount is referred to in other parts of the judgment document.

Any financial obligation(s) for conviction(s) of a violation, which is included in the Money Award, creates a judgment lien.

Payment Schedule

Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

Jackson County Circuit Court
100 S. Oakdale Ave
Medford, Oregon 97501
P: 541-776-7171
F: <http://courts.oregon.gov/jackson>

Dated the _____ day of _____, 20_____

Signed: _____
Benjamin M Bloom