

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

State of Oregon,	)	
Plaintiff	)	
	)	Case No.: 122664FE
vs.	)	
	)	<b>JUDGMENT</b>
	)	
MARTIN MATHEW DERBIGNY,	)	Case File Date: 06/04/2012
Defendant	)	District Attorney File #: 12-3734

**DEFENDANT**

True Name: MARTIN MATHEW DERBIGNY	Sex: Male
Date Of Birth: 12/12/1989	State Identification No (SID): 18241980OR
Fingerprint Control No (FPN): JJAC212036927	

**HEARING**

Proceeding Date: 11/27/2013  
Judge: J Adam Peterson  
Court Reporter: Pulido, R

Defendant appeared in person and was 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) DAVID GARRET HOPPE, OSB Number 951371.

**COUNT(S)**

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

**Count 1 : Felon Possess Firearm**

Count number 1 , Felon Possess Firearm, 166270, Felony Class C, committed on or about 06/01/2012. Conviction is based upon a Guilty Plea on 11/27/2013.

**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 1 is 6 and the Criminal History Classification (CHC) is G.

The court finds substantial and compelling reason for a Upward Dispositional Departure, as stated on the record. This departure is pursuant to the following aggravating or mitigating factor(s):

- Stipulation of parties

**Sentence Instructions**

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.
- Forfeit gun and/or weapon.

**Incarceration**

Defendant is sentenced to the custody of County Jail, for a period of 6 month(s). Defendant is remanded to the custody of the Jackson County Sheriff for transportation to the Supervisory Authority for service of this sentence. Defendant may receive credit for time served.

The Defendant may be considered by the executing or releasing authority for any form of Reduction in Sentence, Conditional or Supervised Release Program, Temporary Leave From Custody, Work Release authorized by law for which the Defendant is otherwise eligible at the time of sentencing. The Defendant may be considered for release on post-prison supervision under ORS 421.508(4) upon successful completion of an alternative incarceration program.

**Post-Prison Supervision**

The term of Post-Prison Supervision is 2 year(s). If the Defendant violates any of the conditions of post-prison supervision, the defendant shall be subject to sanctions including the possibility of additional imprisonment in accordance with the rules of the State Sentencing Guidelines Board.

**Monetary Terms**

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

**Compensatory Fine/Restitution:**

Restitution is ordered to be paid to the court and disbursed to the payee(s) named below.

Payee	Not To Exceed	Amount
CITY OF ASHLAND		\$5,345.51
<b>Total</b>		\$5,345.51

**Count 3 : Driving Under the Influence of Intoxicants**

Count number 3 , Driving Under the Influence of Intoxicants, 813.010(4), Misdemeanor Class A, committed on or about 06/01/2012. Conviction is based upon a Guilty Plea on 11/27/2013.

**Sentence Instructions**

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.
- 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.

**License Suspension / Revocation**

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

**Incarceration**

Defendant is sentenced to the custody of County Jail, for a period of 2 day(s). Defendant is remanded to the custody of the Jackson County Sheriff for transportation to the Supervisory Authority for service of this sentence. Defendant may receive credit for time served.

The Defendant may be considered by the executing or releasing authority for any form of Reduction in Sentence, Conditional or Supervised Release Program, Temporary Leave From Custody, Work Release authorized by law for which the Defendant is otherwise eligible at the time of sentencing. The Defendant may be considered for release on post-prison supervision under ORS 421.508(4) upon successful completion of an alternative incarceration program.

**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	\$1,250.00			\$1,250.00
<b>Total</b>	\$1,250.00			\$1,250.00

**COUNTS DISPOSED WITH NO CONVICTION**

Count # 2 , Fleeing or Attempting to Elude a Police Officer is Dismissed.

Count # 4 , Reckless Driving 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 INCLUDING RESTITUTION**

**Judgment Creditor: State of Oregon**

**Judgment Debtor: MARTIN MATHEW DERBIGNY**

**Restitution**

Payee	Amount
CITY OF ASHLAND	\$5,345.51

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
Restitution	\$5,345.51
Fine - Criminal	\$1,250.00
<b>Total</b>	<b>\$6,595.51</b>

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: \_\_\_\_\_  
J Adam Peterson