

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

State of Oregon,)	
Plaintiff)	
)	Case No.: 125101FE
vs.)	
)	AMENDED JUDGMENT *
)	
KELLY MICHAEL BURNS,)	Case File Date: 10/01/2012
Defendant)	District Attorney File #: 12-6960

DEFENDANT

True Name: KELLY MICHAEL BURNS	Sex: Male
Date Of Birth: 09/10/1949	State Identification No (SID): 19690681OR
Fingerprint Control No (FPN): JJAC212071766	

HEARING

Proceeding Date: 11/04/2013
Judge: Timothy Barnack
Court Reporter: Rockwell, J

Defendant appeared in person and was not in custody. The defendant was represented by Attorney(s) WILLIAM FRANCIS, OSB Number 940727. Plaintiff appeared by and through Attorney(s) ALLAN E SMITH, OSB Number 954171.

COUNT(S)

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

Count 1 : Failure to Perform Duties of Driver to Injured Persons

Count number 1 , Failure to Perform Duties of Driver to Injured Persons, 811.705(2)(a), Misdemeanor Class A by Reduced - DA Elected, committed on or about 09/29/2012. Conviction is based upon a Guilty Plea on 11/04/2013.

License Suspension / Revocation

Defendant's Drivers License is Suspended for 90 day(s).

Probation

Defendant is sentenced to Bench Probation for a period of 2 year(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.
- Obey all laws.
- Abstain from the use of intoxicants; do not consume or possess alcohol or non-prescribed controlled substances

Jail as a Condition of Probation

Defendant is confined to jail for 45 day(s). Defendant is to report to by 11/21/2013 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.

Count 2 : Assault in the Fourth Degree

Count number 2 , Assault in the Fourth Degree, 163.160(2), Misdemeanor Class A, committed on or about 09/29/2012. Conviction is based upon a Guilty Plea on 11/04/2013.

License Suspension / Revocation

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

Probation

Defendant is sentenced to Bench Probation for a period of 2 year(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:

- Obey all laws.
- 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.

Count 4 : Driving Under the Influence of Intoxicants

Count number 4 , Driving Under the Influence of Intoxicants, 813.010(4), Misdemeanor Class A, committed on or about 09/29/2012. Conviction is based upon a Guilty Plea on 11/04/2013.

License Suspension / Revocation

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

Probation

Defendant is sentenced to Bench Probation for a period of 2 year(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.
- Attend Victims Impact Panel on 02/05/14;

Jail as a Condition of Probation

Defendant is confined to jail for 20 day(s). Defendant is to report to by 11/21/2013 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 1.

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	\$500.00			\$500.00
Total	\$500.00			\$500.00

COUNTS DISPOSED WITH NO CONVICTION

Count # 3 , 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

Judgment Creditor: State of Oregon

Judgment Debtor: KELLY MICHAEL BURNS

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
Fine - Criminal	\$500.00
Total	\$500.00

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: _____
Timothy Barnack