

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

State of Oregon,	)	
Plaintiff	)	
	)	Case No.: 130199DV
vs.	)	
	)	<b>JUDGMENT</b>
	)	
DARRELL THOMAS WERNER,	)	Case File Date: 01/14/2013
Defendant	)	District Attorney File #: 13-289

**DEFENDANT**

True Name: DARRELL THOMAS WERNER	Sex: Male
Date Of Birth: 03/20/1955	State Identification No (SID): 06451847OR
Fingerprint Control No (FPN): JJAC213002905	

**HEARING**

Proceeding Date: 06/30/2014  
Judge: Timothy Barnack  
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) JOHN A HAMILTON, OSB Number 111077. Plaintiff appeared by and through Attorney(s) KAREN S LOOMIS, OSB Number 914540.

**COUNT(S)**

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

**Count 1 : Coercion**

Count number 1 , Coercion, 163.275, Felony Class C, committed on or about 01/11/2013. Conviction is based upon a No Contest Plea on 06/30/2014.

**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 1 is 7 and the Criminal History Classification (CHC) is D.

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

- Stipulation of the parties

## **Probation**

Defendant is sentenced to Supervised Probation for a period of 3 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.
- 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.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Continue with treatment currently attending through V.A.
- Abstain from the use of intoxicants; do not consume or possess alcohol or non-prescribed controlled substances
- Not have contact with victim without the written consent of probation officer.
- Court has no objection to Defendant's probation being transferred to another state.

## **Jail as a Condition of Probation**

Defendant is confined to jail for 10 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 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 - Constituting Domestic Violence**

Count number 2 , Assault in the Fourth Degree - Constituting Domestic Violence, 163.160(3), Felony Class C, committed on or about 01/11/2013. Conviction is based upon a No Contest Plea on 06/30/2014.

## **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 2 is 6 and the Criminal History Classification (CHC) is D.

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

- Stipulation of the parties

## **Probation**

Defendant is sentenced to Supervised Probation for a period of 3 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.
- 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.
- Attend and participate with any counseling deemed appropriate by probation officer.
- Not have contact with victim without the written consent of probation officer.
- 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 10 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 supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

## **COUNTS DISPOSED WITH NO CONVICTION**

Count # 3 , Assault in the Fourth Degree is Dismissed.

Count # 4 , Strangulation is Dismissed.

Count # 5 , Harassment is Dismissed.

Count # 6 , Strangulation 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).

## 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