

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

State of Oregon,	)	
Plaintiff	)	
	)	Case No.: 13CR05082
vs.	)	
	)	<b>JUDGMENT</b>
	)	
Michael Todd Diehl,	)	Case File Date: 07/24/2013
Defendant	)	District Attorney File #: 066576

**DEFENDANT**

True Name: Michael Todd Diehl	Sex: Male
Date Of Birth: 05/17/1969	State Identification No (SID): 13364907OR
Fingerprint Control No (FPN): JJAC213056001	

**HEARING**

Proceeding Date: 10/09/2013  
Judge: Patricia Crain  
Court Reporter: Rockwell, J

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) NICHOLAS J GEIL, OSB Number 063332.

**COUNT(S)**

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

**Count 1 : Burglary in the First Degree**

Count number 1, Burglary in the First Degree, 164.225, Felony Class A, committed on or about 05/28/2013. Conviction is based upon a Guilty Plea on 10/09/2013.

**Sentencing Guidelines**

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

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

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):

- Same as Optional Probation Criteria

### **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:

- 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.
- 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.
- If selected, the defendant will comply with all requirements of treatment courts.
- Not have contact with victim or residence without prior permission from the court.
- Pay restitution in an amount to be determined as ordered and pursuant to ORS 137.106(b). Defense stipulates the State does not need to detail the nature and amount of economic damages at this time.
- rest to include no filed counts

### **Count 3 : Theft in the First Degree**

Count number 3, Theft in the First Degree, 164.055, Felony Class C, committed on or about 05/28/2013. Conviction is based upon a Guilty Plea on 10/09/2013.

### **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 3 is 3 and the Criminal History Classification (CHC) is B.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

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):

- Same as Optional Probation Criteria

### **Probation**

Defendant is sentenced to Supervised 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.
- Pay restitution in an amount to be determined as ordered and pursuant to ORS 137.106(b). Defense stipulates the State does not need to detail the nature and amount of economic damages at this time.
- Not have contact with victim or residence without prior permission from the court.
- 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.
- If selected, the defendant will comply with all requirements of treatment courts.

#### **Count 4 : Burglary in the First Degree**

Count number 4, Burglary in the First Degree, 164.225, Felony Class A, committed on or about 07/14/2013. Conviction is based upon a Guilty Plea on 10/09/2013.

#### **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 4 is 7 and the Criminal History Classification (CHC) is B.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

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):

- Same as Optional Probation Criteria

#### **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:

- 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.
- 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.
- If selected, the defendant will comply with all requirements of treatment courts.
- Pay restitution in an amount to be determined as ordered and pursuant to ORS 137.106(b). Defense stipulates the State does not need to detail the nature and amount of economic damages at this time.
- Not have contact with victim or residence without prior permission from the court.

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

Defendant is confined to jail for 60 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 not 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.

For the reasons stated on the record, this sentence shall be consecutive to the sentence(s) on the following cases:  
13cr05481

### **Count 6 : Burglary in the First Degree**

Count number 6, Burglary in the First Degree, 164.225, Felony Class A, committed on or about 07/19/2013. Conviction is based upon a Guilty Plea on 10/09/2013.

### **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 6 is 7 and the Criminal History Classification (CHC) is B.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

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):

- Same as Optional Probation Criteria

### **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:

- 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.

- Obey all laws.
- If selected, the defendant will comply with all requirements of treatment courts.
- Pay restitution in an amount to be determined as ordered and pursuant to ORS 137.106(b). Defense stipulates the State does not need to detail the nature and amount of economic damages at this time.
- Not have contact with victim or residence without prior permission from the court.
- 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 8 : Burglary in the First Degree**

Count number 8, Burglary in the First Degree, 164.225, Felony Class A, committed on or about 07/17/2013. Conviction is based upon a Guilty Plea on 10/09/2013.

### **Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 8 is 7 and the Criminal History Classification (CHC) is B.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

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):

- Same as Optional Probation Criteria

### **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.
- Pay restitution in an amount to be determined as ordered and pursuant to ORS 137.106(b). Defense stipulates the State does not need to detail the nature and amount of economic damages at this time.
- Not have contact with victim or residence without prior permission from the court.
- 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.
- If selected, the defendant will comply with all requirements of treatment courts.

**Count 10 : Theft in the First Degree**

Count number 10, Theft in the First Degree, 164.055, Felony Class C, committed on or about 07/17/2013. Conviction is based upon a Guilty Plea on 10/09/2013.

**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 10 is 2 and the Criminal History Classification (CHC) is B.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

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):

- Same as Optional Probation Criteria

**Probation**

Defendant is sentenced to Supervised 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.
- 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.
- If selected, the defendant will comply with all requirements of treatment courts.
- Pay restitution in an amount to be determined as ordered and pursuant to ORS 137.106(b). Defense stipulates the State does not need to detail the nature and amount of economic damages at this time.
- Not have contact with victim or residence without prior permission from the court.

**COUNTS DISPOSED WITH NO CONVICTION**

Count # 2, Burglary in the Second Degree is Dismissed.

Count # 5, Burglary in the Second Degree is Dismissed.

Count # 7, Burglary in the Second Degree is Dismissed.

Count # 9, Burglary in the Second Degree 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: \_\_\_\_\_  
Patricia Crain