

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2004-013017-001 SE

02/02/2005

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT
B. Giles
Deputy

FILED: 02/07/2005

STATE OF ARIZONA

N VICTOR COOK

v.

KRISTOPHER MICHAEL LAUCHNER (001)
DOB: 07/07/1974

GEORGE G GAZIANO

APO-SENTENCE IMPRISON-SE
APPEALS-SE
DISPOSITION CLERK-SE
RFR
VICTIM SERVICES DIV-CA-SE

SENTENCE OF IMPRISONMENT

State's Attorney:	N. Victor Cook
Defendant's Attorney:	George G. Gaziano
Defendant:	Present
Court Reporter:	Helene Paustian

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count : Theft of Means of Transportation With One Historical Prior Felony Conviction

Class 3 designated felony

A.R.S. § 13-1801, 1814, 28-3304, 13-604, 701, 702, 702.01 and 801

Date of Offense: 01/17/2004

Non Dangerous - Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

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Count : 7 year(s) from 02/02/2005

Presentence Incarceration Credit: 381 day(s)

Aggravated

Sentence is concurrent with CR 2003-036256-001 SE and CR 2004-006447-001 DT.

Pursuant to A.R.S. § 13-604, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Count 1: Assault With a Deadly Weapon, a class Category "B" felony committed on 05/22/2000 and convicted on 06/26/2000 in C167233, Clark County, Nevada.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

RESTITUTION: Count - \$488.47 to the following victim(s) in the following amounts:

Bell Road Big Automall, Attn: Kathy Pickett (Business) \$488.47

Restitution ledger provided; priority of payment as stated in the restitution ledger.

Payment shall be 30% of Defendant's earnings while incarcerated at the Arizona Department of Corrections.

ASSESSMENTS:

Count : PROBATION SURCHARGE: \$5.00

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Additional Monetary Information: IT IS ORDERED that any Restitution balance is payable at \$40.00 per month beginning on the first day of the second month after release from prison.

Community Supervision: Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED granting the Motion To Dismiss the following: CR 2004-006446-001 SE and all allegations of prior felony convictions, except the one listed in Paragraph 2 of the Plea Agreement.

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IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under CR 2004-006447-001 DT.

IT IS ORDERED that the Defendant submit to DNA testing for law enforcement identification purposes.

IT IS ORDERED revoking Defendant's license to drive.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE DAVID M. TALAMANTE
JUDGE OF THE SUPERIOR COURT

(thumbprint)