

IN THE IOWA DISTRICT COURT IN AND FOR SCOTT COUNTY

STATE OF IOWA, Plaintiff, vs. _____ Defendant.	Criminal Case No. _____ <u>ORDER DEFERRING JUDGMENT</u>
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On this ____ day of _____, 20____, this matter comes before the Court for sentencing. The State appears by _____ (Asst.) County Attorney. The Defendant appears personally with or by Attorney _____. The Defendant, having plead or been found guilty, knows of no legal cause why judgment should not now be entered and none appears upon the record to the charge of _____ IA Code Section(s) _____.

Based on the minutes of evidence and the statements made by the defendant in the plea of guilty, the COURT FINDS the plea(s) of guilty were made voluntarily, intelligently, and with a full understanding of the rights and consequences and that a factual basis exists for the plea(s). The Court, in its discretion, finds that there is no necessity for a full in-court colloquy and accepts the defendant's waiver of the same. The Court has inquired as to whether the defendant's willingness to plead guilty results from a proposed plea agreement. The Court accepts the defendant's plea of guilty and waiver of the right to a jury trial.

It is Ordered, with the consent of the Defendant and from all the facts and circumstances of this case, that entry of judgment and pronouncement of sentence is deferred, and the Defendant is placed on unsupervised probation for a period of one year. Upon successful completion of probation Defendant shall be discharged without imposition of judgment. Defendant's probation shall be subject to the following terms and conditions:

Defendant shall obey all federal, state, and local laws, ordinances and regulations.

____ Defendant shall completely abstain from consumption of alcoholic beverages until of legal to do so.

____ Defendant shall abstain from the unauthorized use of controlled substances.

___ Defendant, at Defendant's expense, shall submit to a substance abuse evaluation and pursue and cooperate with treatment, if it is indicated, until the maximum benefits of the treatment have been received, and shall provide the Court with evidence of said evaluation and treatment.

___ Defendant shall pay restitution for court costs, correctional fees, and court-appointed attorney's fees. After reviewing the file, having heard arguments of the parties, and finding that the defendant has the reasonable ability to pay such an amount, the Court ORDERS that the defendant's maximum responsibility for repayment to the state for court appointed attorney fees shall not exceed \$_____

___ Defendant shall perform _____hours of community service work in lieu of the aforementioned court costs, surcharges and court-appointed attorney's fees, if any.

___ Defendant shall meet and review the payment options and court ordered requirements of this order with Court Compliance.

___ Defendant shall make victim restitution payments in the amount of \$_____through the Clerk of Court for the benefit of _____.

___ Defendant shall pay a civil penalty in the amount of \$_____.

___ Defendant shall _____.

Surety bond, if any, is exonerated. Cash bond, if any, shall be applied to any court debt owed by Defendant or the person who posted the bond.

Defendant, personally or by affidavit through his/her attorney, shall appear before the Court to prove compliance with the foregoing conditions of probation on the _____ day of _____, 20___, at 8:30 o'clock a.m.

Judge, 7th Judicial District of Iowa