

IN THE IOWA DISTRICT COURT FOR SCOTT COUNTY

STATE OF IOWA, Plaintiff,  vs.  _____, Defendant.	Criminal No.  <b>JUDGMENT AND SENTENCE</b>
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On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ this matter comes before the Court for sentencing. The state appears by Assistant County Attorney \_\_\_\_\_, the defendant appears personally with/by Attorney \_\_\_\_\_.

If this judgment and sentence is based upon a plea of guilty, the COURT FINDS they were made voluntarily, intelligently, and with a full understanding of the rights and consequences and a factual basis exists for the plea(s) based on the following:

- Statements of the Defendant in the Plea of Guilty
- The Minutes of Evidence, which the Defendant has accepted as true.
- Other \_\_\_\_\_

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. The defendant, having pled or been found guilty, knows of no legal reason why judgment should not now be entered and none appears upon the record.

IT IS THE JUDGMENT AND SENTENCE OF THIS COURT, from all of the facts and circumstances of this case, that the defendant is convicted of the crime(s) of :

- Count I:** \_\_\_\_\_ in violation of Iowa Code § \_\_\_\_\_  
**Count II:** \_\_\_\_\_ in violation of Iowa Code § \_\_\_\_\_  
**Count III:** \_\_\_\_\_ in violation of Iowa Code § \_\_\_\_\_

Judgment is entered thereon and the defendant is sentenced as follows:

**The defendant is placed on unsupervised probation for up to two years with all the following ordered terms and conditions:**

**Count I:** Defendant shall pay a fine of \$ \_\_\_\_\_, plus costs and surcharge, including D.A.R.E. surcharge, if applicable.

**Count I:** Defendant shall be incarcerated in the Scott County Jail for a term of \_\_\_\_\_ days, with credit for time served. All but \_\_\_\_\_ of the days are suspended, Mittimus shall issue on \_\_\_\_\_.

**Count II:** Defendant shall pay a fine of \$ \_\_\_\_\_, plus costs and surcharge, including D.A.R.E. surcharge, if applicable.

**Count II:** Defendant shall be incarcerated in the Scott County Jail for a term of \_\_\_\_\_ days, with credit for time served. All but \_\_\_\_\_ of the days are suspended, Mittimus shall issue on \_\_\_\_\_.

**Count III:** Defendant shall pay a fine of \$ \_\_\_\_\_, plus costs and surcharge, including D.A.R.E. surcharge, if applicable.

**Count III:** Defendant shall be incarcerated in the Scott County Jail for a term of \_\_\_\_\_ days, with credit for time served. All but \_\_\_\_\_ of the days are suspended, Mittimus shall issue on \_\_\_\_\_.

**Upon conviction of a Domestic Assault under Iowa Code Section 708.2A, the defendant shall not possess, ship, transport, or receive a firearm, offensive weapon, or ammunition.**

\_\_\_\_\_ Defendant shall make victim restitution in the amount of \$\_\_\_\_\_ through the Clerk of Court for the benefit of \_\_\_\_\_.

\_\_\_\_\_ The Department of Transportation shall revoke Defendant's driver's license or operating privileges for 180 days pursuant to Section 901.5(10), of the Iowa Code.

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

\_\_\_\_\_ 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 of \$\_\_\_\_\_.

**\_\_\_\_\_ Defendant shall pay the fine, surcharge and court costs, and correctional fees through one of the following means:**

\_\_\_\_\_ In full by paying \$\_\_\_\_\_ per month beginning on \_\_\_\_\_ and every month thereafter until paid. (When payment is not timely made, the entire amount is due and owing and Defendant is subject to additional fees, garnishment, driver's license is suspended, and possible contempt.)

\_\_\_\_\_ In full by completing \_\_\_\_\_ hours of unpaid Community Service in lieu of the aforementioned fine, costs, surcharge, and court appointed attorney fees, if any.

\_\_\_\_\_ In full at time of sentencing.

\_\_\_\_\_ Defendant, at Defendant's expense, shall submit to a substance abuse evaluation and complete any recommended treatment.

\_\_\_\_\_ Defendant shall attend and complete Domestic Violence Batterers Education Program.

\_\_\_\_\_ Defendant shall pay a civil penalty of \$200.00 pursuant to Section 692A of the Code of Iowa.

\_\_\_\_\_ Defendant shall \_\_\_\_\_.

**\_\_\_\_\_ Defendant shall appear at 9:30 a.m. on \_\_\_\_\_, 20\_\_, 1st floor courtroom 1, to determine if Defendant has completed all requirements of this sentence. Failure to appear can result in arrest.**

Any cash bond posted shall be applied to money owed by Defendant in this or any other matter and shall be held in trust until all attorney fees and victim restitution has been submitted. The balance, if any, to be returned to the person who posted bond.

The reasons for this sentence are the defendant's prior criminal history, or lack thereof; age and circumstances; to maximize rehabilitation of the defendant and deter future misconduct. Other reasons:

\_\_\_\_\_  
\_\_\_\_\_

Defendant is advised of the right to appeal this judgment and sentence, of the right to apply for payment of the appeal costs, and the necessity of complying with the requirements of statute of the filing of a Notice of Appeal within thirty days. Appeal bond is fixed at \$\_\_\_\_\_.

It is further ordered that if the defendant has not been fingerprinted during the process of this matter, they must immediately report to the Sheriff's Department to be fingerprinted.

\_\_\_\_\_  
Judge, 7th Judicial District of Iowa