

**IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO
CRIMINAL DIVISION**

State Of Ohio, :
 :
 Plaintiff, :
 :
 vs. : **Case No. 10CR 2347**
 :
 Jonathan E. Beer : **Judge Young**
 :
 Defendant. :

REVOCATION ENTRY

On July 21, 2010, the State of Ohio was represented by Assistant Prosecuting Attorney Jennifer Rausch and the Defendant was represented by Attorney, Robert Krapenc. The Defendant, after being advised of his rights pursuant to Crim. R. 11, entered a plea of guilty as amended to Count One of the Indictment, to wit: Sexual Battery, in violation of Section 2907.03 of the Revised Code, a Felony of the Third Degree. Upon application of the Prosecuting Attorney and for good cause shown, it is ORDERED that a Nolle Prosequi be entered for Counts Two and Three of the Indictment.

The Court found the Defendant guilty of the charge to which the plea was entered.

On September 15, 2010, the Defendant was sentenced to the OHIO DEPARTMENT OF REHABILITATION AND CORRECTIONS.

On May 4, 2012, Defendant was granted judicial release and placed on probation for a period of THREE (3) YEARS. Defendant, having violated the terms of Probation, is now before the Court for reconsideration of Defendant's previous sentence.

On March 21, 2017, a re-sentencing hearing was held pursuant to R.C. 2929.19. The State of Ohio was represented by Assistant Prosecuting Attorney Anthony Pierson and the Defendant was represented by Attorney Robert Krapenc.

The Court afforded counsel an opportunity to speak on behalf of the Defendant and addressed the Defendant personally affording Defendant an opportunity to make a statement on Defendant's own behalf in the form of mitigation and to present information regarding the existence or non-existence of the factors the Court has considered and weighed.

The Court has considered the purposes and principles of sentencing set forth in R.C. 2929.11 and the factors set forth in R.C. 2929.12. In addition, the Court has weighed the factors as set forth in the applicable provisions of R.C. 2929.13 and R.C. 2929.14. The Court further finds that a prison term is not mandatory pursuant to R.C. 2929.13(F).

The Court hereby imposes the following sentence: Defendant shall serve THREE (3) YEARS AT THE OHIO DEPARTMENT OF REHABILITATION AND CORRECTIONS.

The Court has considered the Defendant's present and future ability to pay a fine and financial sanction and does, pursuant to R.C. 2929.18, hereby renders judgment for the following fine and/or financial sanctions: Court costs suspended due to incarceration. No fine imposed.

The total fine and financial sanction judgment is \$ 0.

After imposing sentence the Court gave its finding and stated its reasons for the sentence as required by R.C. 2929.19(B)(2)(a)(b) and (c)(d) and (e).

After the imposition of sentence, the Court notified the Defendant, orally and in writing, that the applicable periods of post-release control pursuant to R.C. 2929.19(B)(3)(c), (d) and (e) is are five (5) years mandatory.

The Court **disapproves** of the offender's placement in a shock incarceration or an intensive prison program.

The Court finds that the Defendant has 685 days of jail credit and hereby certifies the time to the Ohio Department of Corrections. The Defendant is to receive jail time credit for all additional jail time served while awaiting transportation to the institution from the date of the imposition of this sentence.



Young, David, JUDGE

Copies to:

Prosecuting Attorney:

Counsel for Defendant: Robert Krapenc

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