

BENTON COUNTY FELONY SENTENCINGS
FOR THE MONTH OF DECEMBER, 2008 ,& JANUARY, 2009

Sentences for felony-level crimes in Minnesota are determined by utilizing the Minnesota Sentencing Guidelines, which designate the appropriate length of prison sentences, or probationary sentences, based upon the severity of the crime and the offender's criminal history. In cases where guidelines call for a probationary sentence, specific conditions of probation are determined by a District Court Judge, after consideration of any plea agreements, the input of the victim, and the recommendations of the prosecutor, defense attorney, and a Department of Corrections' agent.

The information contained herein is in summary form only. Full details regarding criminal sentences can be found in written documents entitled "Criminal Judgment and Order for Commitment," which are available at the office of the Benton County Court Administrator, 615 Highway 23, Foley, MN.

While every effort has been made to ensure the accuracy of the summary data contained herein, Benton County disclaims any and all liability for damage of any type, specifically including consequential damages, incurred directly or indirectly, as a result of errors, omissions, inaccuracies or discrepancies.

Date: 12/11/08
Defendant: ANDREW JOHN MARSHALL
Court File # CR-08-2145
Offense: Possession of Stolen Motor Vehicle
Judge: Michael S. Jesse
Sentence: Commitment to Commissioner of Corrections for one year and one day, execution stayed for 0-5 years on conditions including 180 days jail, \$500 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, complete a psychological assessment, restitution.

Date: 12/11/08
Defendant: JESSE LAMOND JONES
Court File # CR-08-1299
Offense: Terroristic Threats
Judge: Michael S. Jesse
Sentence: Commitment to Commissioner of Corrections for 27 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 12/17/08
Defendant: RYAN LYNN HICKS
Court File # CR-08-2161
Offense: Possession of Stolen Motor Vehicle
Judge: James Hoolihan
Sentence: Commitment to Commissioner of Corrections for 17 months, execution stayed for 0-10 years on conditions including 67 days jail, \$100 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, restitution.

Date: 12/18/08
Defendant: BRIAN JOSEPH CHRISTLE
Court File # CR-07-1619
Offense: Criminal Sexual Conduct 2nd Degree
Judge: James Hoolihan
Sentence: Stay of adjudication of sentence for 0-5 years on conditions including 15 days jail, \$50 fine plus surcharges and fees.

Date: 12/18/08
Defendant: KASSANDRA KAY COLWELL
Court File # CR-07-3341
Offense: Controlled Substance Crime 5th Degree
Judge: Michael S. Jesse
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 148 days jail, \$300 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete psychological assessment.

Date: 12/18/08
Defendant: JOHNNY ELLIS JONES
Court File # CR-08-2657
Offense: Violation of Domestic Abuse No Contact Order
Judge: Michael S. Jesse
Sentence: Commitment to Commissioner of Corrections for 18 months, execution stayed for 0-5 years on conditions including 49 days jail, \$50 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, complete domestic abuse treatment, provide DNA sample.

Date: 12/31/08
Defendant: ABDIQAADIR DAYIB AHMED
Court File # CR-08-2298
Offense: Terroristic Threats
Judge: James Hoolihan
Sentence: Commitment to Commissioner of Corrections for 18 months, execution stayed for 0-5 years on conditions including 113 days jail, \$500 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, complete anger assessment, no contact with victim, provide DNA sample.

Date: 12/31/08
Defendant: DAVID ALEXANDER KIRKES
Court File # CR-06-3222
Offense: Assault in the Second Degree
Judge: James Hoolihan
Sentence: Commitment to Commissioner of Corrections for 21 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 1/7/09
Defendant: TIMOTHY JAMES MCNAMARA
Court File # CR-08-15
Offense: First Degree Arson
Judge: James Hoolihan
Sentence: Commitment to Commissioner of Corrections for 41 months, provide DNA sample, \$50 fine plus surcharges and fees, no contact with victim.

Date: 1/7/09
Defendant: DUSTIN JAY SERREYN
Court File # CR-08-2007
Offense: Controlled Substance Crime 5th Degree
Judge: James Hoolihan
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 30 days jail, \$200 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances.

Date: 1/7/09
Defendant: JUNI SUE SCHWANDT
Court File # CR-08-1054
Offense: Theft
Judge: James Hoolihan
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 60 days jail, \$200 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete psychological and anger assessment, provide DNA sample.

Date: 1/7/09
Defendant: MICHELLE ANN PECK
Court File # CR-08-2163
Offense: Terroristic Threats
Judge: James Hoolihan
Sentence: Commitment to Commissioner of Corrections for 15 months, execution stayed for 0-5 years on conditions including 73 days jail, \$50 fine plus surcharges and fees, complete CD evaluation, complete psychological and anger assessment, no contact with victim, provide DNA sample.

Date: 1/7/09
Defendant: NATHAN LEO ZIRBES
Court File # CR-07-3405
Offense: First Degree DWI
Judge: James Hoolihan
Sentence: Commitment to Commissioner of Corrections for 46 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 1/8/09
Defendant: ANTHONY DENNIS CATES
Court File # CR-08-1935
Offense: Domestic Assault
Judge: Michael S. Jesse
Sentence: Commitment to Commissioner of Corrections for 21 months, execution stayed for 0-5 years on conditions including 60 days jail, \$500 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, complete domestic abuse treatment, provide DNA sample.

Date: 1/21/09
Defendant: DAVID CHRISTOPHER WRENN
Court File # CR-08-2592
Offense: Third Degree Assault
Judge: James Hoolihan
Sentence: Stay of imposition of sentence for -5 years on conditions including 69 days jail, \$300 fine plus surcharges and fees, no contact with victim, provide DNA sample.

Date: 1/21/09
Defendant: THEODORE ALLAN THODE
Court File # CR-08-2321
Offense: Assault in the 5th Degree
Judge: James Hoolihan
Sentence: Commitment to Commissioner of Corrections for 15 months, execution stayed for 0-5 years on conditions including 102 days jail, \$500 fine plus surcharges and fees, complete CD treatment, abstain from the use or possession of mood-altering substances, complete anger assessment, no contact with victim.

Date: 1/21/09
Defendant: DALE GORDON MILLER
Court File # CR-08-2091
Offense: Controlled Substance Crime 1st Degree
Judge: James Hoolihan
Sentence: Commitment to Commissioner of Corrections for 98 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 1/21/09
Defendant: SAMUEL WESLEY BYNAKER
Court File # CR-06-2069
Offense: Assault in the 3rd Degree
Judge: James Hoolihan
Sentence: Stay of imposition for 0-5 years on conditions including 36 days jail, \$50 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, restitution, no contact with victim, provide DNA sample.

Date: 1/21/09
Defendant: LAWRENCE VINCENT HAMILTON
Court File # CR-08-2529
Offense: Domestic Assault
Judge: James Hoolihan
Sentence: Commitment to Commissioner of Corrections for 21 months, execution stayed for 0-5 years on conditions including 54 days jail, \$50 fine plus surcharges and fees, complete CD treatment, abstain from the use or possession of mood-altering substances, complete cognitive skills program, provide DNA sample.

Date: 1/22/09
Defendant: MICHAEL THOMAS SMITH
Court File # CR-08-978
Offense: Failure by Predatory Offender to Report Change of Address
Judge: Michael S. Jesse
Sentence: Commitment to Commissioner of Corrections for 21 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 1/22/09
Defendant: STEPHEN JAMES HOLMES
Court File # CR-08-2289
Offense: Controlled Substance Crime 3rd Degree
Judge: Michael S. Jesse
Sentence: Stay of imposition of sentence for 0-20 years on conditions including 60 days jail, \$500 fine plus surcharges and fees, complete CD evaluation, provide DNA sample.

Date: 1/22/09
Defendant: RICHARD ALLEN MASON
Court File # CR-08-1643
Offense: Controlled Substance Crime 2nd Degree
Judge: Michael S. Jesse
Sentence: Commitment to Commissioner of Corrections for 75 months, provide DNA sample.

Date: 1/22/09
Defendant: JASON MICHAEL AGNES
Court File # CR-08-2878
Offense: Controlled Substance Crime 5th Degree
Judge: Michael S. Jesse
Sentence: Commitment to Commissioner of Corrections for 17 months, execution stayed for 0-10 years on conditions including 180 days jail, \$300 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, provide DNA sample.

Date: 1/22/09
Defendant: CLINTON CLYDE KARNES
Court File # CR-08-1846
Offense: Controlled Substance Crime 4th Degree
Judge: Michael S. Jesse
Sentence: Commitment to Commissioner of Corrections for 18 months, execution stayed for 0-15 years on conditions including 15 days jail, \$100 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, provide DNA sample.

Date: 1/22/09
Defendant: JEROLD ANDREW JONES
Court File # CR-08-1025
Offense: Violation of Domestic Abuse Order for Protection
Judge: Michael S. Jesse
Sentence: Commitment to Commissioner of Corrections for 21 months, provide DNA sample.

Date: 1/22/09
Defendant: JEROLD ANDREW JONES
Court File # CR-08-676
Offense: Violation of Domestic Abuse Order for Protection
Judge: Michael S. Jesse
Sentence: Commitment to Commissioner of Corrections for 21 months, provide DNA sample.

Date: 1/23/09
Defendant: NICOLE SUTTON
Court File # CR-06-2898
Offense: Offering a Forged Check
Judge: Michael S. Jesse
Sentence: Stay of imposition of sentence for 0-10 years on conditions including 30 days jail, \$50 fine plus surcharges and fees, restitution, provide DNA sample.

Date: 1/29/09
Defendant: CHRISTOPHER GEORGE WAY
Court File # CR-08-2587
Offense: Fleeing a Peace Officer in a Motor Vehicle
Judge: Michael S. Jesse
Sentence: Stay of imposition of sentence for 0-3 years on conditions including 180 days jail, \$500 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete psychological and anger assessments.

Date: 1/29/09
Defendant: OKUNI OJULU
Court File # CR-07-2826
Offense: Criminal Sexual Conduct 3rd Degree
Judge: Michael S. Jesse
Sentence: Stay of adjudication of sentence for 0-15 years on conditions including \$500 fine plus surcharges and fees, no contact with victim or minors, complete sex offender evaluation.