

**BENTON COUNTY**  
**FELONY SENTENCINGS FOR THE MONTH OF JUNE, JULY & AUGUST, 2008**

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: 7/2/08  
Defendant: ELAINE MARIE PAVIN  
Court File # CR-08-263  
Offense: Criminal Vehicular Operation  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-3 years on conditions including 150 days jail, \$500 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, provide DNA sample.

Date: 7/2/08  
Defendant: BRIAN JOSEPH MCCARTHY  
Court File # CR-08-412  
Offense: Burglary in the Third Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for one year and one day, execution stayed for 0-5 years on conditions including 60 days jail, \$500 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, no contact with victim, provide DNA sample

Date: 7/2/08  
Defendant: STACEY LEEANN BERTRAND  
Court File # CR-07-2993  
Offense: Controlled Substance Crime Second Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 48 months, execution stayed for 0-25 years on conditions including 365 days

jail, \$500 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, complete psychological assessment, provide DNA sample.

Date: 7/2/08  
Defendant: MATTHEW CHARLES WEINKE  
Court File # CR-07-3207  
Offense: Controlled Substance Crime Third Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 39 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 7/2/08  
Defendant: CALVIN ANDREW CLEMENT  
Court File # CR-06-388  
Offense: Issuance of Dishonored Checks  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 13 months, execution stayed for 0-5 years on conditions including 30 days jail, \$200 fine plus surcharges and fees, complete chemical dependency evaluation, restitution, provide DNA sample.

Date: 7/3/08  
Defendant: MARK BRADLEY POTOCHNIK  
Court File # CR-06-1871  
Offense: First Degree DWI  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 42 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 7/3/08  
Defendant: DALE RICHARD HIRDLER  
Court File # CR-08-648  
Offense: First Degree DWI  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 42 months, execution stayed for 0-7 years on conditions including 180 days jail, \$1000 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, provide DNA sample, attend MADD Panel.

Date: 7/3/08  
Defendant: CORY LAWRENCE ROSA  
Court File # CR-07-3407  
Offense: Controlled Substance Crime Third Degree  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 34 months, provide DNA sample, \$50 fine plus surcharges and fees, provide DNA sample.

Date: 7/17/08  
Defendant: JOSEPH CLYDE NEUENSCHWANDER  
Court File # CR-07-1764  
Offense: Check Forgery  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 17 months, execution stayed for 0-5 years on conditions including 227 days jail, \$750 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete psychological assessment, provide DNA sample.

Date: 7/17/08  
Defendant: KIMBERLY JOY-CHRISTENSEN MUSECH  
Court File # CR-07-2744 AND CR-07-2994  
Offense: Controlled Substance Crime in the Fifth Degree  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 17 months, execution stayed for 0-10 years on conditions including 180 days jail, \$500 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances.

Date: 7/12/08  
Defendant: MICHAEL LEE PETERICK  
Court File # CR-07-1552  
Offense: Burglary in the Third Degree  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 36 months, provide DNA sample, \$50 fine plus surcharges and fees, restitution.

Date: 7/23/08  
Defendant: JAMES STEVEN ANDERSON  
Court File # CR-08-320  
Offense: Terroristic Threats (3 counts)  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 132 days jail, \$150 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, provide DNA sample.

Date: 7/23/08  
Defendant: DEXTER ALAN BRUNSON  
Court File # CR-07-2989  
Offense: Controlled Substance Crime Third Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 33 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 7/23/08  
Defendant: CASSANDRA JEAN KILANOWSKI  
Court File # CR-08-11  
Offense: Arson in the First Degree, Burglary in the Second Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 58 months, provide DNA sample, complete psychological assessment, no contact with victim.

Date: 7/23/08  
Defendant: JOSHUA GENE STACHOWSKI  
Court File # CR-07-2795  
Offense: Criminal Sexual Conduct in the Fourth Degree  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-10 years on conditions including 45 days jail, \$500 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, no contact with victim, provide DNA sample, register as sex offender, sex offender treatment.

Date: 7/30/08  
Defendant: ROBERT NICHOLAS HANSEN  
Court File # CR-07-2506  
Offense: Receiving Stolen Property  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 17 months, execution stayed for 0-10 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 assessment, provide DNA sample.

Date: 7/30/08  
Defendant: JESSIE JANE JAECKELS  
Court File # CR-08-236  
Offense: Possession of Stolen Motor Vehicle  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 20 days jail, \$500 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, complete psychological assessment, restitution, no contact with victim, provide DNA sample.

Date: 7/30/08  
Defendant: JOSEPH RICHARD COLLINS  
Court File # CR-07-1442  
Offense: Financial Transaction Card Fraud  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 19 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, no contact with victim, provide DNA sample.

Date: 7/30/08  
Defendant: TIMOTHY DEAN JOSLIN  
Court File # CR-08-197  
Offense: Theft  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 30 days jail, \$50 fine plus surcharges and fees, restitution, no contact with victim, provide DNA sample.

Date: 7/31/08  
Defendant: NOREEN MARIE MCGRATH  
Court File # CR-07-1642  
Offense: Terroristic Threats  
Judge: Jesse  
Sentence: Stay of adjudication of sentence for 0-5 years on conditions including 60 days jail, \$500 fine plus surcharges and fees, no contact with victim.

Date: 8/7/08  
Defendant: TIMOTHY OWEN ROOTES  
Court File # CR-08-1206  
Offense: Controlled Substance Crime Fifth Degree  
Judge: Jesse  
Sentence: 45 days jail, \$500 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances.

Date: 8/14/08  
Defendant: JAMES NICHOLAS DAHLAGER  
Court File # CR-07-2153  
Offense: Aggravated Robbery  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 108 months, provide DNA sample, \$50 fine plus surcharges and fees, restitution.

Date: 8/20/08  
Defendant: CORY KENNETH WACHMANN  
Court File # CR-07-2419  
Offense: Criminal Sexual Conduct Fourth Degree  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including six days jail, \$900 fine plus surcharges and fees, no contact with victim, provide DNA sample, register as sex offender.

Date: 8/21/08  
Defendant: ISMAEL VITELA  
Court File # CR-07-1954  
Offense: Controlled Substance Crime Second Degree  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 58 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 8/21/08  
Defendant: RENEA LOUISE KILANOWSKI  
Court File # CR-08-12  
Offense: Burglary in the Second Degree  
Judge: Jesse  
Sentence: Stay of imposition of sentence for 0-10 years on conditions including 90 days jail, \$500 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, complete psychological assessment, no contact with victim.

Date: 8/21/08  
Defendant: BILLY MACK ASHMORE, JR.  
Court File # CR-08-689, CR-07-2282  
Offense: Theft, Possession of Stolen Property  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 15 months, provide DNA sample, \$50 fine plus surcharges and fees, restitution.

Date: 8/21/08  
Defendant: KIMBERLY ELLEN FOSS  
Court File # CR-08-1306  
Offense: Controlled Substance Crime Fifth Degree  
Judge: Jesse  
Sentence: Stay of adjudication of sentence for 0-5 years on conditions including 10 days jail, \$200 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances.

Date: 8/22/08  
Defendant: TYLOR IVAN-CARL MANNING  
Court File # CR-08-542  
Offense: Assault in the Third Degree  
Judge: Jesse  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 90 days jail, \$100 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, anger assessment.

Date: 8/27/08  
Defendant: JASON THOMAS LESETMOE  
Court File # CR-08-1192  
Offense: Assault in the Third Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 18 months, execution stayed for 0-5 years on conditions including 90 days jail, \$50 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete anger assessment.

Date: 8/28/08  
Defendant: SKY LADALE MCCLENDON  
Court File # CR-08-1593  
Offense: Controlled Substance Crime Fifth Degree  
Judge: Jesse  
Sentence: Stay of adjudication of sentence for 0-5 years on conditions including 30 days jail, \$300 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances.

Date: 8/28/08  
Defendant: RICHARD PAUL SMITH  
Court File # CR-08-73  
Offense: Violation of OFP  
Judge: Jesse  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 37 days jail, \$300 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete psychological assessment, restitution, provide DNA sample.

Date: 9/4/08  
Defendant: LONNIE LEE LANDOWSKI  
Court File # CR-07-3022  
Offense: Financial Exploitation of Vulnerable Adult  
Judge: Jesse  
Sentence: Stay of imposition of sentence for 0-10 years on conditions including 30 days jail, \$100 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, restitution.

Date: 9/10/08  
Defendant: ENRICO ANTONIO FITZGERALD  
Court File # CR-07-1935  
Offense: Controlled Substance Crime First Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 158 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 9/10/08  
Defendant: BRIDGET LEE LYNN BURGAU  
Court File # CR-08-1243  
Offense: Assault in the Third Degree  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 47 days jail, \$300 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, no contact with victim, provide DNA sample.

Date: 9/10/08  
Defendant: RANDY JOHN MOULZOLF  
Court File # CR-08-975  
Offense: Terroristic Threats  
Judge: Hoolihan  
Sentence: Stay of adjudication of sentence for 0-5 years on conditions including 10 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: 9/10/08  
Defendant: MARQUITA MARIE JOLLIFF  
Court File # CR-08-1056  
Offense: Offering a Forged Check  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 13 months, execution stayed for 0-5 years on conditions including 78 days jail, \$50 fine plus surcharges and fees, complete psychological assessment, restitution, no contact with victim, provide DNA sample.

Date: 9/17/08  
Defendant: CALEB JASON CARR  
Court File # CR-07-3415  
Offense: Domestic Assault  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 21 months, execution stayed for 0-5 years on conditions including 61 days jail, \$500 fine plus surcharges and fees, provide DNA sample, domestic abuse assessment.

Date: 9/17/08  
Defendant: SHAWN DAVID WILLIAMS  
Court File # CR-08-1230  
Offense: Controlled Substance Crime Fifth Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for one year and one day, execution stayed for 0-5 years on conditions including 30 days jail, \$500 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, provide DNA sample.

Date: 9/17/08  
Defendant: EDDIE DANCEL BROWN, JR.  
Court File # CR-06-3268  
Offense: Controlled Substance Crime Fourth Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 30 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 9/25/08  
Defendant: KAYLA RAE KAUFFMAN  
Court File # CR-07-2832  
Offense: Controlled Substance Crime Fifth Degree  
Judge: Jesse  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 20 days jail, \$200 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, provide DNA sample.

Date: 9/25/08  
Defendant: DYLON ALLEN ARONSON  
Court File # CR-08-1207  
Offense: Aggravated Robbery in the First Degree  
Judge: Jesse  
Sentence: Stay of imposition of sentence 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, restitution, provide DNA sample.

Date: 9/25/08  
Defendant: JOSEPH ROBERT FRUTH  
Court File # CR-08-1632  
Offense: Controlled Substance Crime Fifth Degree  
Judge: Jesse  
Sentence: Stay of adjudication of sentence for 0-5 years on conditions including 20 days jail, \$300 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances.

Date: 9/25/08  
Defendant: JESSE JOHN FRIEDRICH  
Court File # CR-08-185  
Offense: Fleeing Peace Officer in Motor Vehicle  
Judge: Jesse  
Sentence: Stay of imposition of sentence for 0-3 years on conditions including 20 days jail, \$300 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, provide DNA sample, MADD panel.

