

BENTON COUNTY FELONY SENTENCINGS
FOR THE MONTHS OF JANUARY-MARCH, 2011

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: 1/5/11
Defendant: RICHARD TODD SELMAN
Court File # CR-10-711
Offense: Burglary in the 2nd Degree
Judge: Hoolihan
Sentence: Commitment to Commissioner of Corrections for 29 months, \$50 fine plus surcharges and fees, restitution.

Date: 1/5/11
Defendant: ALICIA MARIE WEBB
Court File # CR-10-1849
Offense: Controlled Substance Crime 5th Degree
Judge: Hoolihan
Sentence: Stay of adjudication of sentence for 0-5 years on conditions including two days jail, \$100 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete psychological assessment.

Date: 1/6/11
Defendant: JOHN JOSEPH HILGER
Court File # CR-090-2491, CR-09-2165
Offense: False Info in Application for M/V Title, Theft by Swindle
Judge: Jesse
Sentence: Commitment to Commissioner of Corrections for one year and one day, execution stayed for 0-5 years on conditions including 15 days jail, \$500 fine plus surcharges and fees, complete psychological assessment, restitution.

Date: 1/6/11
Defendant: HOWARD CARL WEIKERT
Court File # CR-10-1606
Offense: Domestic Assault by Strangulation
Judge: Jesse
Sentence: Commitment to Commissioner of Corrections for one year and one day, execution stayed for 0-3 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, complete domestic abuse counseling, no contact with victim, provide DNA sample.

Date: 1/6/11
Defendant: JAMES MICHAEL UTSCH
Court File # CR-10-1886
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, \$500 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, MADD Panel.

Date: 1/6/11
Defendant: TIMOTHY JOHN CARTY
Court File # CR-10-1885
Offense: Domestic Assault by Strangulation, Interference with 911 Call
Judge: Jesse
Sentence: Commitment to Commissioner of Corrections for 18 months, execution stayed for 0-3 years on conditions including 87 days jail, complete CD evaluation, abstain from the use or possession of mood-altering substances , no contact with victim, no firearms.

Date: 1/19/11
Defendant: DANIEL SHANE RHOADES
Court File # CR-10-1140
Offense: Financial Transaction Card Fraud
Judge: Hoolihan
Sentence: Commitment to Commissioner of Corrections for 15 months, 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 psychological assessment, restitution, provide DNA sample, no firearms.

Date: 1/19/11
Defendant: AMY IRENE TOBIN
Court File # CR-10-974
Offense: Controlled Substance Crime 5th Degree
Judge: Hoolihan

Sentence: Commitment to Commissioner of Corrections for 13 months, execution stayed for 0-5 years on conditions including 90 days jail, \$50 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, provide DNA sample.

Date: 1/20/11

Defendant: JASON DONALD LARSON

Court File # CR-10-1383, CR-10-1384

Offense: 2 counts Felony Theft

Judge: Jesse

Sentence: Stay of imposition of sentence for 0-5 years on conditions including 90 days jail, \$50 fine plus surcharges and fees, restitution, no contact with victim, provide DNA sample.

Date: 1/26/11

Defendant: ROBERT JOEL NEWPORT

Court File # CR-10-1844

Offense: Criminal Damage to Property 1st Degree

Judge: Hoolihan

Sentence: Commitment to Commissioner of Corrections for 19 months, execution stayed for 0-5 years on conditions including 90 days jail, \$200 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete anger assessment, no contact with victim, provide DNA sample, no firearms.

Date: 1/26/11

Defendant: TERRY EUGENE HESS

Court File # CR-10-1297

Offense: Terroristic Threats

Judge: Hoolihan

Sentence: Commitment to Commissioner of Corrections for one year and one day, execution stayed for 0-5 years on conditions including 90 days jail, \$500 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete anger assessment, no contact with victim, provide DNA sample, no firearms.

Date: 2/2/11

Defendant: LEE WILLIAM EMBACHER

Court File # CR-10-196

Offense: Controlled Substance Crime 5th Degree

Judge: Jesse

Sentence: Commitment to Commissioner of Corrections for one year and one day, provide DNA sample.

Date: 2/3/11

Defendant: ISAAC RICHARD ARNOLD

Court File # CR-10-1934

Offense: Assault in the 3rd Degree

Judge: Jesse

Sentence: Stay of imposition of sentence for 0-5 years on conditions including 76 days jail, \$50 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, complete anger assessment, restitution, no contact with victim, provide DNA sample.

Date: 2/3/11
Defendant: JONNA SUE CARSON
Court File # CR-10-928
Offense: Assault in the 2nd Degree
Judge: Jesse
Sentence: Commitment to Commissioner of Corrections for 18 months, execution stayed for 0-5 years on conditions including 59 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: 2/3/11
Defendant: LYNNEA JEAN LARCOM
Court File # CR-10-1581
Offense: Criminal Damage to Property 1st Degree
Judge: Jesse
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 15 days jail, \$50 fine plus surcharges and fees, complete anger assessment, restitution, no contact with victim, provide DNA sample.

Date: 2/10/11
Defendant: THOMAS GERALD PROVO, JR.
Court File # CR-10-1550
Offense: Controlled Substance Crime 5th Degree
Judge: Jesse
Sentence: Stay of imposition of sentence 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: 2/10/11
Defendant: MARCIA LYNN OSBERG
Court File # CR-10-411
Offense: Wrongfully Obtaining Public Assistance
Judge: Jesse
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 30 days jail, \$50 fine plus surcharges and fees, complete psychological assessment, restitution, provide DNA sample.

Date: 2/17/11
Defendant: KRISTINE ANNETTE KUMMER
Court File # CR-10-1544
Offense: Controlled Substance Crime 5th Degree

Judge: Jesse
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 59 days jail, \$500 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances.

Date: 2/17/11
Defendant: JOHN DANIEL WEYHRAUCH
Court File # CR-10-1922
Offense: Controlled Substance Crime 5th Degree
Judge: Jesse
Sentence: Commitment to Commissioner of Corrections for 15 months, execution stayed for 0-10 years on conditions including 180 days jail, \$300 fine plus surcharges and fees, complete CD evaluation, complete psychological assessment, provide DNA sample.

Date: 2/17/11
Defendant: JEROD ROGER JAKEL
Court File # CR-10-1925
Offense: Controlled Substance Crime 5th Degree
Judge: Jesse
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 15 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: 2/17/11
Defendant: ROYAL WILLIAM NOE, JR.
Court File # CR-10-268
Offense: Receiving Stolen Property
Judge: Jesse
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 68 days jail, \$50 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances.

Date: 2/17/11
Defendant: ROBERTA JEAN BRATSCH
Court File # CR-10-2241
Offense: Terroristic Threats, False Name to Police Officer
Judge: Jesse
Sentence: Commitment to Commissioner of Corrections for 15 months, execution stayed for 0-5 years on conditions including 37 days jail, \$50 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete psychological assessment.

Date: 3/3/11
Defendant: JUNE VICTORIA DWORSHAK
Court File # CR-10-2315
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, \$900 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, provide DNA sample, MADD panel, no firearms.

Date: 3/9/11
Defendant: THOMAS LEE GARNER
Court File # CR-10-543
Offense: Receiving Stolen Property
Judge: Hoolihan
Sentence: Commitment to Commissioner of Corrections for 19 months, execution stayed for 0-20 years on conditions including 76 days jail, abstain from the use or possession of mood-altering substances, complete psychological assessment, no contact with victim, provide DNA sample, no firearms.

Date: 3/9/11
Defendant: LUKE MATTHEW PTIZEN
Court File # CR-10-2228
Offense: Assault in the 2nd Degree
Judge: Hoolihan
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 46 days jail, \$50 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete anger assessment, restitution, provide DNA sample.

Date: 3/10/11
Defendant: ALICIA LAUREN MITCHELL
Court File # CR-10-2173
Offense: Theft
Judge: Jesse
Sentence: Stay of imposition of sentence for 0-10 years on conditions including 20 days jail, \$50 fine plus surcharges and fees, restitution, provide DNA sample.

Date: 3/16/11
Defendant: TIMOTHY SCOTT PRINCE
Court File # CR-10-1589
Offense: Receiving Stolen Property
Judge: Jesse
Sentence: Commitment to Commissioner of Corrections for 23 months, provide DNA sample, \$50 fine plus surcharges and fees, restitution.

Date: 3/16/11
Defendant: RONALD LUCKETT
Court File # CR-10-1588
Offense: Domestic Assault

Judge: Hoolihan
Sentence: Commitment to Commissioner of Corrections for 36 months,
provide DNA sample.

Date: 3/16/11
Defendant: JESSE AARON OGDEN WENTWORTH
Court File # CR-10-1666
Offense: Criminal Sexual Conduct 4th Degree
Judge: Hoolihan
Sentence: Commitment to Commissioner of Corrections for 48 months,
execution stayed for 0-10 years on conditions including 143 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, sex offender treatment, no firearms.

Date: 3/16/11
Defendant: TERRY EUGENE HESS
Court File # CR-11-114
Offense: Domestic Assault
Judge: Hoolihan
Sentence: Commitment to Commissioner of Corrections for 18 months,
execution stayed for 0-5 years on conditions including 60 days jail,
\$50 fine plus surcharges and fees, complete CD evaluation,
abstain from the use or possession of mood-altering substances,
complete anger assessment, no contact with victim, provide DNA
sample.

Date: 3/16/11
Defendant: SHAWN CONRAD DOBOS
Court File # CR-10-1891
Offense: First Degree DWI
Judge: Hoolihan
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.

Date: 3/17/11
Defendant: JUSTIN LEE BATZEL
Court File # CR-10-1947
Offense: Criminal Vehicular Operation
Judge: Jesse
Sentence: Stay of imposition of sentence for 0-5 years on conditions including
270 days jail, \$500 fine plus surcharges and fees, abstain from the
use or possession of mood-altering substances, complete mental
health assessment, restitution, no contact with victim, provide DNA
sample.

Date: 3/23/11
Defendant: DAVID WESLEY YLITALO
Court File # CR-10-2151
Offense: Terroristic Threats
Judge: Hoolihan
Sentence: Commitment to Commissioner of Corrections for 18 months, execution stayed for 0-5 years on conditions including 67 days jail, \$30 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete psychological assessment, no contact with victim.

Date: 3/24/11
Defendant: LAKEETHIA DAMARIO ROBINSON
Court File # CR-10-1430
Offense: Violation of Domestic Abuse No Contact Order
Judge: Jesse
Sentence: Commitment to Commissioner of Corrections for 23 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 3/30/11
Defendant: JOSHUA CHAD TROMBLAY
Court File # CR-10-1884
Offense: Criminal Sexual Conduct in the 4th Degree
Judge: Hoolihan
Sentence: Commitment to Commissioner of Corrections for 36 months, execution stayed for 0-10 years on conditions including 111 days jail, \$50 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, complete psychological assessment, no contact with victim, register as sex offender, sex offender treatment, no firearms.