

BENTON COUNTY FELONY SENTENCINGS  
FOR THE MONTHS OF JANUARY – MAY 31, 2012

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 ACriminal 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: 1/12/12  
Defendant: MELINDA DESHAUN MORRIS  
Court File # CR-11-668  
Offense: Controlled Substance Crime 4<sup>th</sup> Degree  
Judge: Jesse  
Sentence: Stay of imposition of sentence for 0-15 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, do not possess or use firearms or ammunition.

Date: 1/18/12  
Defendant: MICHAEL THOMAS SMITH  
Court File # CR-10-1500  
Offense: Failure By Predatory Offender to Register New Address  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 17 months,  
provide DNA sample, \$50 fine plus surcharges and fees, do not  
possess or use firearms or ammunition.

Date: 1/25/12  
Defendant: MICHAEL JAMES ELWOOD  
Court File # CR-11-855  
Offense: Controlled Substance Crime 3<sup>rd</sup> Degree  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-20 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 assessment, provide DNA  
sample, do not possess or use firearms or ammunition.

Date: 1/26/12  
Defendant: DYLAN JAMES MICHAEL KITLEY  
Court File # CR-11-2502  
Offense: U.U.M.V.  
Judge: Jesse  
Sentence: Stay of imposition for 0-5 years on conditions including 30 days jail,  
\$50 fine plus surcharges and fees, complete CD evaluation,

restitution, provide DNA sample.

Date: 1/26/12  
Defendant: HOLLIE EMILIE TURNER n/k/a ORPEN  
Court File # CR-11-617  
Offense: Check Forgery  
Judge: Jesse  
Sentence: Stay of adjudication of sentence for 0-10 years on conditions including 10 days jail, \$100 fine plus surcharges and fees, complete psychological assessment, restitution.

Date: 2/2/12  
Defendant: JOSHUA JOHN LAVALLE  
Court File # CR-11-1617  
Offense: Controlled Substance Crime 5<sup>th</sup> Degree  
Judge: Jesse  
Sentence: Stay of adjudication of sentence for 0-5 years on conditions including 20 days jail, 50 hours community work service, complete CD evaluation, abstain from the use or possession of mood-altering substances.

Date: 2/2/12  
Defendant: CARL SYLVESTER HARCUS  
Court File # CR-11-2304  
Offense: Controlled Substance Crime 5<sup>th</sup> Degree  
Fleeing a Peace Officer in a Motor Vehicle  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 17 months, provide DNA sample, do not possess or use firearms or ammunition.

Date: 2/2/12  
Defendant: GAIL MARIE JOHNSON  
Court File # CR-11-1653  
Offense: Controlled Substance Crime 4<sup>th</sup> Degree  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 18 months, execution stayed for 0-15 years on conditions including 297 days jail, \$50 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete psychological assessment, provide DNA sample, do not possess or use firearms or ammunition.

Date: 2/8/12  
Defendant: HOME TYLOUNG  
Court File # CR-07-285  
Offense: Failure By Predatory Offender to Register New Address  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 16 months, provide DNA sample, \$50 fine plus surcharges and fees.

Date: 2/8/12  
Defendant: BRIAN DANIEL LOEHRER  
Court File # CR-11-1477  
Offense: Burglary in the 3<sup>rd</sup> Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 18 months, provide DNA sample. 167 days jail, \$50 fine plus surcharges and fees, restitution, no contact with victim, do not possess or use

firearms or ammunition.

Date: 2/8/12  
Defendant: BRIAN DANIEL LOEHRER  
Court File # CR-111-1476  
Offense: Burglary in the 2<sup>nd</sup> Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 23 months,  
provide DNA sample. \$50 fine plus surcharges and fees, restitution,  
do not possess or use firearms or ammunition.

Date: 2/8/12  
Defendant: ALYSIA MARIE VELASQUEZ  
Court File # CR-11-1584  
Offense: Controlled Substance Crime 3rd Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 33 months,  
execution stayed for 0-30 years on conditions including 120 days jail,  
\$900 fine plus surcharges and fees, abstain from the use or  
possession of mood-altering substances, do not possess or use  
firearms or ammunition.

Date: 2/8/12  
Defendant: JAMES CHARLES ENGELS  
Court File # CR-11-2221  
Offense: Receiving Stolen Property  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for one year and one  
day, execution stayed for 0-5 years on conditions including five days

jail, \$300 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, no contact with victim, provide DNA sample,. Do not possess or use firearms or ammunition.

Date: 2/23/12  
Defendant: KEVIN LOUIS KUTZ, JR.  
Court File # CR-11-2176  
Offense: Domestic Assault by Strangulation  
Judge: Jesse  
Sentence: Stay of imposition of sentence for 0-3 years on conditions including 10 days jail, \$500 fine plus surcharges and fees, complete CD evaluation, complete domestic abuse treatment, no contact with victim, provide DNA sample, do not possess or use firearms or ammunition.

Date: 2/28/12  
Defendant: PAUL GERARD GORECKI  
Court File # CR-12-205  
Offense: Terroristic Threats  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 27 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, do not possess or use firearms or ammunition.

Date: 2/29/12  
Defendant: ERNEST GRANT CARLSTROM  
Court File # CR-11-2015

Offense: Burglary in the 3<sup>rd</sup> Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 21 months,  
provide DNA sample. \$50 fine plus surcharges and fees, restitution,  
do not possess or use firearms or ammunition.

Date: 3/1/12  
Defendant: CHRISTOPHER BRANDON WALTERS  
Court File # CR-11-2189  
Offense: Controlled Substance Crime 5<sup>th</sup> Degree  
Judge: Jesse  
Sentence: Stay of adjudication of sentence for 0-5 years on conditions including  
99 days jail, \$300 fine plus surcharges and fees, abstain from the  
use or possession of mood-altering substances.

Date: 3/2/12  
Defendant: XAVIER LAMAR PHILLIPS-FREEMAN  
Court File # CR-11-450  
Offense: Controlled Substance Crime 5<sup>th</sup> Degree  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including  
30 days jail, \$50 fine plus surcharges and fees, complete CD  
evaluation, abstain from the use or possession of mood-altering  
substances, provide DNA sample, do not possess or use firearms or  
ammunition.

Date: 3/7/12

Defendant: KYLE LEE KOOIMAN  
Court File # CR-10-2189  
Offense: Criminal Sexual Conduct in the 4<sup>th</sup> Degree  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-10 years on conditions including 30 days jail, abstain from the use or possession of mood-altering substances, complete psychological assessment, no contact with victim or females under age 18, provide DNA sample, register as sex offender, do not possess or use firearms or ammunition.

Date: 3/7/12  
Defendant: MELISSA ANN REUTER  
Court File # CR-11-1448  
Offense: Check Forgery  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for one year and one day, execution stayed for 0-5 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, complete psychological assessment, restitution, no contact with victim, provide DNA sample, do not possess or use firearms or ammunition.

Date: 3/8/12  
Defendant: TIMOTHY JOHN SCHULTZ  
Court File # CR-11-963  
Offense: Simple Robbery  
Judge: Jesse  
Sentence: Stay of imposition of sentence for 0-10 years on conditions including

60 days jail, \$900 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, provide DNA sample, do not possess or use firearms or ammunition.

Date: 3/8/12  
Defendant: SCOTT SOLON SCHAEFER-BONOVSKY  
Court File # CR-11-2328  
Offense: Domestic Assault  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 15 months, execution stayed for 0-5 years on conditions including 51 days jail, \$300 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, no contact with victim, provide DNA sample, do not possess or use firearms or ammunition.

Date: 3/15/12  
Defendant: DAYATRA DAWN DOWELL  
Court File # CR-11-2073  
Offense: Theft  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 17 months, execution stayed for 0-5 years on conditions including 84 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: 3/15/12

Defendant: DYLAN MICHAEL KELLEY  
Court File # CR-11-1051  
Offense: Aggravated Robbery  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 58 months,  
provide DNA sample, \$50 fine plus surcharges and fees, restitution.

Date: 3/18/12  
Defendant: JOHN PAUL KRASKY, JR.  
Court File # CR-05-3067  
Offense: Theft by False Representation  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 15 months,  
execution stayed for 0-10 years on conditions including 60 days jail,  
\$1000, restitution, no contact with victim, provide DNA sample, do  
not possess or use firearms or ammunition.

Date: 3/21/12  
Defendant: KEVIN RAYMOND BRAND  
Court File # CR-11-733  
Offense: Criminal Sexual Conduct in the 2<sup>nd</sup> Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 36 months,  
execution stayed for 0-25 years on conditions including 210 days jail,  
\$300 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,  
register as sex offender, sex offender treatment.

Date: 3/22/12  
Defendant: MICHAEL ANTHONY BARNER  
Court File # CR-11-1654  
Offense: Assault in the 3<sup>rd</sup> Degree  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 18 months, execution stayed 0-5 years on conditions including 120 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, do not possess or use firearms or ammunition.

Date: 3./26/11  
Defendant: CHARLES ROBER T JACKSON  
Court File # CR-11-2100  
Offense: Controlled Substance Crime 3rd Degree  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-20 years on conditions including 157 days in jail, \$300 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, restitution, provide DNA sample, do not possess or use firearms or ammunition.

Date: 3/29/12  
Defendant: KIMBERLY ANN GARAY  
Court File # CR-11-618  
Offense: Controlled Substance Crime 5<sup>th</sup> Degree  
Judge: Jesse  
Sentence: Commitment to Commissioner of Corrections for 15 months,

execution stayed for 0-10 years on conditions including 60 days jail, \$300 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, provide DNA sample, do not possess or use firearms or ammunition.

Date: 4/4/12  
Defendant: JOSEPH EDWARD MCDERMOTT  
Court File # CR-11-2326  
Offense: Aggravated Robbery in the 1<sup>st</sup> Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 58 months, provide DNA sample. \$50 fine plus surcharges and fees, restitution, no contact with victim.

Date: 4/4/12  
Defendant: JOSEPH EDWARD MCDERMOTT  
Court File # CR-11-2365  
Offense: Aggravated Robbery in the 1<sup>st</sup> Degree  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 48 months, provide DNA sample. \$50 fine plus surcharges and fees, restitution, no contact with victim.

Date: 4/5/12  
Defendant: TROY DUANE STEPHENSON  
Court File # CR-11-448  
Offense: Controlled Substance Crime 5<sup>th</sup> Degree  
Judge: Jesse  
Sentence: Stay of adjudication of sentence for 0-5 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, complete psychological assessment, restitution, do not possess or use firearms or ammunition.

Date: 4/5/12

Defendant: DYLAN SCOTT HERGES

Court File # CR-11-1449

Offense: Offering a Forged Check

Judge: Jesse

Sentence: Stay of imposition of sentence for 0-5 years on conditions including 108 days jail, \$100 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete psychological assessment, no contact with the victim, provide DNA sample, do not possess or use firearms or ammunition.

Date: 4/11/12

Defendant: EUGENIO SALINAS SANCHEZ, JR.

Court File # CR-12-280

Offense: Assault in the 4<sup>th</sup> Degree

Judge: Hoolihan

Sentence: Commitment to Commissioner of Corrections for one year and one day, execution stayed for 0-3 years on conditions including 21 days jail, \$50 fine plus surcharges and fees, complete CD evaluation, abstain from the use or possession of mood-altering substances, complete mental health assessment, no contact with victim, provide DNA sample, do not possess or use firearms or ammunition.

Date: 4/11/12  
Defendant: KELLY JO JOHNSON  
Court File # CR-11-2445  
Offense: Controlled Substance Crime 5<sup>th</sup> Degree  
Judge: Hoolihan  
Sentence: Stay of adjudication 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, do not possess or use firearms or ammunition.

Date: 4/11/12  
Defendant: BOU STEVEN MEYERS  
Court File # CR-11-2400  
Offense: Domestic Assault  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 26 months, provide DNA sample. \$50 fine plus surcharges and fees, provide DNA sample.

Date: 4/18/12  
Defendant: ROBERT JAMES SHANE  
Court File # CR-11-1940  
Offense: Assault in the 2<sup>nd</sup> Degree  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-7 years on conditions including 154 days jail, \$50 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, do not possess or use firearms or ammunition.

Date: 4/25/12  
Defendant: ADAM VINCENT BUMANN  
Court File # CR-11-1997  
Offense: Check Forgery  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 30 days jail, \$50 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, restitution, no contact with victim, provide DNA sample, do not possess or use firearms or ammunition.

Date: 4/25/12  
Defendant: JASON ANDREW TURBES  
Court File # CR-10-771  
Offense: First Degree DWI  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 48 months, provide DNA sample. \$50 fine plus surcharges and fees, do not possess or use firearms or ammunition.

Date: 4/25/12  
Defendant: JEANNE MARIE BENSON  
Court File # CR-11-2313  
Offense: Financial Exploitation of a Vulnerable Adult  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 20 days jail, \$50 fine plus surcharges and fees, restitution, do not

possess or use firearms or ammunition.

Date: 5/2/12  
Defendant: JOHN JOSEPH CARROLL  
Court File # CR-11-1467  
Offense: Wrongfully Obtaining Public Assistance  
Judge: Hoolihan  
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, do not possess or use firearms or ammunition.

Date: 5/3/12  
Defendant: NICHOLAS ALLEN TOWNER-UPSHUR  
Court File # CR-11-2456  
Offense: Controlled Substance Crime 5<sup>th</sup> Degree  
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 CD evaluation, abstain from the use or possession of mood-altering substances, provide DNA sample, do not possess or use firearms or ammunition.

Date: 5/3/12  
Defendant: EDWIN OLAIE NELSON  
Court File # CR-11-1222  
Offense: Violation of a Domestic Abuse Order for Protection  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 29 months, provide DNA sample. \$50 fine plus surcharges and fees.

Date: 5/9/12  
Defendant: JUNI SUE SCHWANDT  
Court File # CR-12-188  
Offense: Issuance of Dishonored Checks  
Judge: Hoolihan  
Sentence: Commitment to Commissioner of Corrections for 15 months, execution stayed for 0-5 years on conditions including 155 days jail, \$50 fine plus surcharges and fees, complete CD evaluation, complete psychological assessment, restitution, provide DNA sample, do not possess or use firearms or ammunition.

Date: 5/9/12  
Defendant: GUADALUPE DELEON FLORES III  
Court File # CR-11-1511  
Offense: Violation of Domestic Abuse No Contact Order  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-5 years on conditions including 15 days jail, \$500 fine plus surcharges and fees, abstain from the use or possession of mood-altering substances, complete psychological assessment, complete domestic abuse treatment, provide DNA sample, do not possess or use firearms or ammunition.

Date: 5/9/12  
Defendant: AUDRY MARIE JACKSON  
Court File # CR-11-2413  
Offense: Controlled Substance Crime 3<sup>RD</sup> Degree  
Judge: Hoolihan  
Sentence: Stay of imposition of sentence for 0-20 years on conditions including

30 days jail, \$300 fine plus surcharges and fees, complete CD treatment, abstain from the use or possession of mood-altering substances, provide DNA sample, do not possess or use firearms or ammunition.

Date: 5/9/12

Defendant: JERRYL WILLIAM BOBO

Court File # CR-11-1652

Offense: Controlled Substance Crime 3rd Degree

Judge: Hoolihan

Sentence: Commitment to Commissioner of Corrections for 57 months, provide DNA sample. \$50 fine plus surcharges and fees.

Date: 5/17/12

Defendant: JASON PAUL PETERSON

Court File # CR-11-1835

Offense: Controlled Substance Crime 1<sup>st</sup> Degree

Judge: Jesse

Sentence: Commitment to Commissioner of Corrections for 68 months, provide DNA sample. \$50 fine plus surcharges and fees.

Date: 5/17/12

Defendant: CHRISTOPHER SHANE LOEHRER

Court File # CR-11-2402

Offense: Controlled Substance Crime 3<sup>rd</sup> Degree

Judge: Jesse

Sentence: Commitment to Commissioner of Corrections for 45 months, provide DNA sample. \$50 fine plus surcharges and fees.

Date: 5/17/12

Defendant: CHRISTOPHER SHANE LOEHRER

Court File # CR-11-2401

Offense: Controlled Substance Crime 3<sup>rd</sup> Degree

Judge: Jesse

Sentence: Commitment to Commissioner of Corrections for 57 months, provide DNA sample. \$50 fine plus surcharges and fees.

