

**STATE OF ARIZONA** Plaintiff

-vs- Rick Painter  
Defendant (First, MI, Last)

AKA 8-14-41

COMPLAINT NO(S)

200 89045235

**JUDGMENT & SENTENCE ORDER**

Amended

Probation Violation

Execution of Sentence on Remand

1. The Court having made findings and rendered judgment on the following offenses.  
 The defendant is in violation of term(s): \_\_\_\_\_ of probation imposed on \_\_\_\_\_.

2. COUNT/OFFENSE/CLASS

1	<input type="checkbox"/> DUI,1M <input type="checkbox"/> Shoplift,1M <input type="checkbox"/> Theft,1M <input checked="" type="checkbox"/> <u>NOISE</u>	2	<input type="checkbox"/> DUI,1M <input type="checkbox"/> Shoplift,1M <input type="checkbox"/> Theft,1M <input checked="" type="checkbox"/> <u>NOISE</u>	3	<input type="checkbox"/> DUI,1M <input type="checkbox"/> Shoplift,1M <input type="checkbox"/> Theft,1M	4	<input type="checkbox"/> DUI,1M <input type="checkbox"/> Shoplift,1M <input type="checkbox"/> Theft,1M	5	<input type="checkbox"/> DUI,1M <input type="checkbox"/> Shoplift,1M <input type="checkbox"/> Theft,1M
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3. VIOLATION CODE 23-12 23-12 \_\_\_\_\_

Guilty/Responsible

Plea (guilty/responsible/admit)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plea (no contest/submission)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Finding at Trial	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Default Set Aside	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Default Stands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not Guilty/Not Responsible	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dismissal without Prejudice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dismissal with Prejudice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DUI Dismissal:  factual  legal

FINDING:  28-1382 BAC.20>

FINDING: Prior Conviction(s) circle 1 2 3 1 2 3 1 2 3 1 2 3 1 2 3

4. All orders contained within this Judgment & Sentence Order are conditions of probation for these counts. (See Item No. 7):

**Probation**

5. IT IS ORDERED the defendant be confined for 10 days, with \_\_\_\_\_ days time served, with 10 days suspended upon successful completion of  WAP days  Community Restitution  SAS/Counseling  Other: probation as follows:

**Jail Days** Concurrent  10  10  \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_

6. IT IS ORDERED the defendant pay the following fines/sanctions, fees or restitution amounts:

A. Fine/Sanction+Surcharge <sup>1</sup>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
B. Concurrent	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
C. CAA Fee (Defense Attorney)	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
D. Jail (Mandatory 13-804.01)	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
E. Suspended	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
F. DUI Assessment (Prison Fund)	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
G. DUI Assessment (PSE Fund)	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
H. 28-1382 Assessment	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
I. Other	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
J. Restitution Ordered <sup>1</sup>	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
K. Restitution from Fine	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

<sup>1</sup> The amounts listed on lines A and J include any "Restitution from Fine" listed on line K. **Additional Fees:** Court Technology Enhancement Fee & Surcharge: \$18.40 per case; FARE General Service Fee: \$7 per charge. **Other Possible Fees:** Deferred Payment Fee: \$20 per case if not paid in full day of sentencing; Default Fee: \$25 for each defaulted civil traffic charge; FARE Delinquency Fee: \$35 per case; Collection Agency Fees.

NAME: Rick Painter DOB: 8-14-41 COMPLAINT#: 2089045235

**IT IS ORDERED**

7.  Defendant is placed on **summary** probation for  6 months;  1 year;  2 years;  3 years;  5 years, under the conditions listed below starting today,  starting \_\_\_\_\_,  starting after completion of supervised probation.
- Defendant is placed on **supervised** probation for  1 year;  2 years;  3 years; under the conditions as defined on the back of this page starting today,  starting \_\_\_\_\_.
- Probation be**  revoked,  terminated,  reinstated,  extended for restitution payment,  concluded on \_\_\_\_\_.
- New sentencing orders contained in Items 4 through 15.  Original sentencing orders remain in effect.

**In addition** to all orders contained within this sentence,

- a. Defendant shall at all times be a law-abiding citizen.
- b. Defendant shall immediately notify the Court, in writing, of any change of address or telephone number.
- c. Defendant not go to circled Area(s): 1 2 3 4 5 6 10 12 13 20 21 22 23 24 (as defined on back).
- d. Defendant shall not harm, threaten or harass \_\_\_\_\_.
- e. Other: See attached Order
- f. Probation shall terminate upon completion of all orders contained in Items 5 through 14.

8. Pay restitution to the following victim(s) through the Court. The Court shall forward payment as follows:
- Victim #1 \$ \_\_\_\_\_ Victim #2 \$ \_\_\_\_\_ Victim #3 \$ \_\_\_\_\_
- Name \_\_\_\_\_ Name \_\_\_\_\_ Name \_\_\_\_\_

9. The amounts assessed under Item 6 of this Order are due and payable today and shall be paid as follows:
- a. **Pay the total balance due today**, or on \_\_\_\_\_ (Go to Information Booth: 1st floor).
- b. **Report to Financial Screening today** (1st floor) and comply with all requests/directives of the Financial Enforcement Officer (FEO) who will determine payment plan eligibility, or other alternatives. Or report by \_\_\_\_\_.
- Minimum payment today \$** \_\_\_\_\_.
- c. Apply \$ \_\_\_\_\_ of posted cash bail toward restitution/fees/fines/sanctions.
- d. **28-3473C:** \$ \_\_\_\_\_ fine reduced to \$ \_\_\_\_\_ with proof of payment of fines causing suspension in \_\_\_\_\_ days.
- e. **28-4135C:** \$ \_\_\_\_\_ sanction reduced to \$ \_\_\_\_\_ with proof of six month insurance policy in \_\_\_\_\_ days.
- f. **28-2532A:** \$ \_\_\_\_\_ sanction reduced to \$ \_\_\_\_\_ with proof of current registration in \_\_\_\_\_ days.
- g. Other: \_\_\_\_\_.

10. **Suspend**  driving privileges,  vehicle registration, for \_\_\_\_\_ months.
11. Non-mandatory **Ignition Interlock** for \_\_\_\_\_ additional months, or  \_\_\_\_\_ months.
12. **Report to Screening & Assessment Services (SAS) today** (1st floor) and complete any treatment/counseling/education program(s) as directed by SAS. Or report by \_\_\_\_\_. Pay \$125 SAS Initial Assessment/Monitoring Fee; or  \$75 SAS Reassessment/Monitoring Fee;  SAS Fee waived.
13. Complete \_\_\_\_\_ hours of **community restitution** by the sentence review date (Item #15).
- \$ \_\_\_\_\_ to be suspended upon completion of community restitution;
- At a community organization of the defendant's choice,  at \_\_\_\_\_.
14. \_\_\_\_\_

15. Defendant appear at a **Sentence Review Hearing** on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in Courtroom \_\_\_\_\_ to provide proof of  current vehicle registration,  valid driver's license,  six month vehicle insurance policy,  liability insurance at the time of the violation,  restitution payments made by insurance companies,  counseling completed,  community restitution completed,  \_\_\_\_\_.

NAME: Rick Painter DOB: 8-14-41 COMPLAINT#: 20089045235

**THE COURT FINDS**

The defendant after being advised of these rights knowingly, voluntarily, and intelligently waives the right to:

counsel,  trial by judge/jury, and/or  all pertinent rights.

Defense Counsel's Name: P. Casazza

**DUI Offenses:** The Court finds the offense was not of a dangerous or repetitive nature pursuant to ARS 13-604 or 13-604.02.

Drugs:  YES  NO  Unknown (If "YES", MVD will revoke license for 1 year.)

**DV Offenses:** Defendant and victim, \_\_\_\_\_, have a relationship as defined in ARS 13-3601A.

**IT IS ORDERED** payments shall be made to the Phoenix Municipal Court, 300 W. Washington St., Phoenix, Arizona 85003-2103. The defendant shall immediately notify the Court, in writing, of any change of address or telephone number. In the event that any payment is required as a condition of probation and is not paid or is paid after the scheduled payment date, defendant is ordered to submit to the supervision of the Court by reporting in person no later than 10 days after the scheduled payment date and every 30 days thereafter until delinquent payments are paid in full.

**Failure to comply with sentence requirements will result in an order of contempt of court and/or an arrest warrant and/or an entry of default on any civil complaints.** Costs of collection will be added to all balances referred to collection agencies. If placed on probation, all sentence requirements must be completed no less than 90 days before the end of probation unless otherwise specified above. The victim(s), if any, received opportunity to address the Court and/or statement(s) submitted by the victim(s) have been reviewed by the Court prior to sentencing.

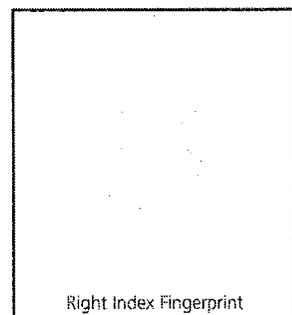
The prosecuting attorney advised the Court that: reasonable efforts were made to confer with the victim; reasonable efforts were made to give the victim notice of the plea proceeding and to inform the victim that they have a right to be present and heard; to the best of the prosecutor's knowledge, notice requirements have been met, and the prosecutor informed the Court of the victim's position, if known, regarding the negotiated plea.

4/3/09 [Signature] 503 [Signature]  
Date Judge Courtroom \*Bailliff Interpreter

\*This Court (Bailliff) certifies defendant's fingerprint was affixed at time of sentencing in open court.

**I hereby acknowledge** receipt of a copy of this Judgment & Sentence Order. I understand that, if I violate any of the terms of said order, the Court may issue a warrant for my arrest and hold me in jail pending further proceedings. If I am placed on probation, the Court may revoke and terminate my probation and impose sentence upon me in accordance with the law. **I understand that if I entered a plea of guilty, no contest, or responsible, or admitted a probation violation, I have no right to appeal.** For other judgments, I understand that my right to appeal the judgment will end 14 calendar days after today's date. I understand Payment Instructions, Travel Restrictions, Domestic Violence Warnings, Domestic Violence Supervised Probation Conditions, Appeal, Set Aside Judgment and Post-Conviction Relief requirements appear on the back of this order. I affirm that the address listed below is accurate and I understand that all correspondence regarding this case will be mailed there.

[Signature] 2020 W. Bonanza Ln. Apt#  
Defendant's Signature Mailing Address  
Phoenix AZ 85085 623-249-6505  
City State Zip Telephone



**APPEAL, SET ASIDE JUDGMENT & POST CONVICTION RELIEF NOTICES ON THE BACK OF THIS PAGE**

STATE OF ARIZONA -vs- <u>Rick Painter</u> Defendant (FIRST, MI, LAST)	Plaintiff <u>8-14-41</u> DOB
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COMPLAINT NO. <u>2008 9045235</u>
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ORDER
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This matter having come before the Court for review and good cause appearing, *Continued from Judgment and Sentence order in this matter,*  
**IT IS ORDERED**

*that Defendant and Cathedral of Christ The King shall not play electronic church bells, songs or any other sound at any time except as follows:*

- one time on every Sunday between the hours of 8:00am and 12:00pm; and*
- one time on Ash Wednesday, Palm Sunday, Good Friday, Easter Sunday and Christmas Day*

*It is Further Ordered*

*The sound played from the electronic bell system cannot exceed 2 minutes in duration and must be set at a level of 60 Decibels as measured from the property line of each homeowner that shares a property line with the Cathedral of Christ The King*

6/3/09 Date *[Signature]* Judge 503 Courtroom                      Interpreter

Copy of the foregoing mailed/delivered this 3rd day of June, 2009.

To: Rick Painter

By: Victoria Correll  
Bailiff

To request this document in an alternative format, please call 602-262-1625 or 602-495-0733 TTY.