

SUPERIOR COURT OF ARIZONA
COUNTY OF MARICOPA

CR2018-106071-001 DT

HONORABLE LAURA GIAQUINTO

THE STATE OF ARIZONA)

V.)

COUNTY ATTORNEY CRIMINAL -
CCC

DEVON MIGUEL ANGEL PEDROZA (001))

KACIE TAYLOR NICKEL

DOB: [REDACTED] 1991)

PUBLIC RECORDS

**Released pursuant to
A.R.S. 39-121, Et. Seq.**

SENTENCING ORDER

Supervised Probation

This is the time set for Sentencing hearing held on March 12, 2018 at 8:15 AM in the South Court Tower - 3A for CR2018-106071-001 DT and Defendant DEVON MIGUEL ANGEL PEDROZA.

Hearing Start: 09:27 AM

Present in the courtroom,

Defendant	Devon Pedroza
Public Defender	Kacie Nickel
State's Attorney	Chris Roll

A record of the proceedings is made digitally in lieu of a court reporter.

Count(s) [001],[005];

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.
The plea is accepted.

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the following offense(s):

Count 001

As Amended, § 13-1204A AGGRAVATED ASSAULT, Felon
Date of Offense: 2/1/2018
Non Dangerous - Non Repetitive

Count 005

As Amended, § 13-1203 ASSAULT, Misdemeanor3 and Domestic Violence Offense
Date of Offense: 2/1/2018
Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on Probation for:

Count 001 - Supervised Probation for a term of 2 years to begin on: 3/12/2018

IT IS ORDERED that the Defendant shall abide by all standard terms and conditions of probation including:

- Condition: 3 I will report any contact I have with law enforcement to the APD within 72 hours.
- Condition: 6 I will report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. I will also keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. I will provide a sample for DNA testing if required by law.
- Condition: 16 I will not consume or possess any substances containing alcohol.
- Condition: 17 I will complete a total of 30 hours of community restitution. I will complete a set number of hours per month as directed in writing by my probation officer. I will complete these hours at a site approved by the APD.
- Condition: 18 I will serve 39 days, in the county jail beginning 3/12/2018 with credit for 39 days served, not to be released until 3/12/2018. I will comply with all program rules. The jail time is to run as flat time.
- Condition: 19 I will not have any contact with the victim(s) in any form, unless approved in writing by the APD.
- Condition: 22 Defendant shall complete substance abuse treatment, including relapse prevention and aftercare. Defendant shall participate in a mental health evaluation and any recommended treatment.
- Condition 15: IT IS ORDERED that the Defendant shall pay financial obligations through the Clerk of the Superior Court as directed.

	Total	Payment	Begin	Note
Probation Svc Fee/Standard		\$35.00	05/01/2018	Term of Probation
Probation Assess.	\$20.00		05/01/2018	
Victim Rights Enforcement Assessment	\$2.00		05/01/2018	
Criminal Penalty Assessment	\$13.00		05/01/2018	PPD

Count 005 - Supervised Probation for a term of 2 years to begin on: 3/12/2018

IT IS ORDERED that the Defendant shall abide by all standard terms and conditions of probation including:				
Condition: 3	I will report any contact I have with law enforcement to the APD within 72 hours.			
Condition: 6	I will report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. I will also keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. I will provide a sample for DNA testing if required by law.			
Condition: 16	I will not consume or possess any substances containing alcohol.			
Condition: 19	I will not have any contact with the victim(s) in any form, unless approved in writing by the APD.			
Condition: 21	I will abide by the attached special conditions of probation: •Domestic Violence			
Condition: 22	Defendant shall complete substance abuse treatment, including relapse prevention and aftercare. Defendant shall participate in a mental health evaluation and any recommended treatment. The defendant shall participate in and pay for a domestic violence offender treatment program. The Defendant may not return to the scene without the prior, written approval of APD.			
Condition 15: IT IS ORDERED that the Defendant shall pay financial obligations through the Clerk of the Superior Court as directed.				
	Total	Payment	Begin	Note
Non Drug Fine with surcharge	\$915.00	\$20.00	05/01/2018	
Address Confidentiality Program Assessment	\$50.00		05/01/2018	
Family Offense Assessment	\$50.00		05/01/2018	
Victim Rights Enforcement Assessment	\$2.00		05/01/2018	
Criminal Penalty Assessment	\$13.00		05/01/2018	PD
Time Payment Fee	\$20.00		05/01/2018	

The Court will retain jurisdiction over restitution for Count 001. No hearing is set at this time. In the event a restitution hearing is set, Defendant waives presence.

Restitution is to remain open for 1 Years.

Restitution is not to exceed \$50,000.00.

The Court will retain jurisdiction over restitution for Count 005. No hearing is set at this time. In the event a restitution hearing is set, Defendant waives presence.

Restitution is to remain open for 1 Years.

Restitution is not to exceed \$50,000.00.

LET THE RECORD REFLECT that the victim, Reyna Pedroza, and the Defendant's girlfriend, Crystal Enos, make statements to the Court.

The allegation of Defendant's prior felony conviction is dismissed.

IT IS ORDERED that the Defendant be released from custody for this cause only.

IT IS FURTHER ORDERED that the Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant who is placed on probation and who does not already have a State Identification Number (SID) established in this matter be fingerprinted.

IT IS FURTHER ORDERED dismissing: Count(s): [004],[2],[3].

IT IS FURTHER ORDERED that the Defendant must submit to DNA testing for law enforcement identification purposes in accordance with ARS § 13-610.

Defendant is advised that pursuant to ARS § 13-805 that failure to maintain contact with the Adult Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

Hearing Concludes: 09:47 AM

Laura J. Giaquinto

DONE IN OPEN COURT 03/12/2018

Hon. Laura Giaquinto
Maricopa County Superior Court

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include the date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

Let the record reflect that the Defendant's right index fingerprint is attached to this sentencing order in open court.

Right Index finger



ENDORSEMENT PAGE

CASE NUMBER: CR2018-106071-001

SIGNATURE DATE: 3/12/2018

E-FILING ID #: 9158910

FILED DATE: 3/13/2018 8:00:00 AM

COUNTY ATTORNEY CRIMINAL -CCC

KACIE TAYLOR NICKEL

RFR