

FILED

SEP 20 2024

9/19/2024

GARY L. HARRISON, Clerk

M. Forrester

Deputy

ARIZONA SUPERIOR COURT, PIMA COUNTY

HON. CASEY F MCGINLEY

CASE NO. CR20230229-006

COURT REPORTER: Olivia Armenta
Courtroom - 478

DATE: September 19, 2024

STATE OF ARIZONA

Matthew T Ashton, Esq. for Matthew R McCray,
Esq. counsel for State

VS.

LINO ADROP MAKUE BOL (-006)
Defendant

Joseph A Ezzo, Esq. counsel for Defendant

DATE OF BIRTH: 5/6/1997

MINUTE ENTRY

SENTENCE OF PROBATION WITH JAIL

Defendant present, in custody.

The Defendant is advised of the charges and the determination of guilt, and all parties are given the opportunity to make recommendations/statements to the Court.

Pursuant to A.R.S. § 13-607, the Court finds as follows:

WAIVER OF TRIAL--The Defendant knowingly, intelligently, and voluntarily waived his right to a trial with or without a jury, his right to confront and cross-examine witnesses, his right to testify or remain silent, his right to present evidence and call his own witnesses, and his right to review after having been advised of these rights. The determination of guilt was based upon a plea of guilty.

Upon due consideration of the offenses, and the facts, law and circumstances involved in this case, and having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT OF THE COURT that the Defendant is guilty of COUNT ONE: ILLEGALLY CONDUCTING AN ENTERPRISE, a Class Three Felony, nondangerous, nonrepetitive offense, in violation of A.R.S. §§ 13-1001, 13-3408A7 committed on November 1, 2020 through July 1, 2021.

THE COURT FINDS that the Defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

M. Forrester

Deputy Clerk

MINUTE ENTRY

Page 2

Date: September 19, 2024

Case No.: CR20230229-006

THE COURT FURTHER FINDS that the term of probation should include incarceration in the Pima County Jail.

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation for a period of THREE (3) YEARS, commencing on September 19, 2024, under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order signed by the Court suspending sentence and imposing terms of probation.

IT IS ORDERED as a condition of probation the Defendant be incarcerated in the Pima County Jail for a period of THREE HUNDRED SIXTY-FIVE (365) DAYS, commencing on September 19, 2024. The Defendant shall be given credit for ONE HUNDRED EIGHTY-FOUR (184) DAYS time served.

IT IS THE JUDGMENT OF THE COURT that the Defendant is guilty of AMENDED COUNT TEN: ATTEMPT TO TRANSPORT FOR SALE, IMPORT INTO THIS STATE, OFFER TO TRANSPORT FOR SALE OR IMPORT INTO THIS STATE, SELL, TRANSFER, OR OFFER TO SELL OR TRANSFER A NARCOTIC DRUG, a Class Three Felony, nondangerous, nonrepetitive offense, in violation of A.R.S. §§ 13-1001, 13-3408 committed on October 6, 2020 through October 13, 2020.

THE COURT FINDS that the Defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

THE COURT FURTHER FINDS that the term of probation should include incarceration in the Pima County Jail.

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation for a period of THREE (3) YEARS, commencing on September 19, 2024, under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order signed by the Court suspending sentence and imposing terms of probation.

IT IS ORDERED as a condition of probation the Defendant be incarcerated in the Pima County Jail for a period of THREE HUNDRED SIXTY-FIVE (365) DAYS, commencing on September 19, 2024. The Defendant shall be given credit for ONE HUNDRED EIGHTY-FOUR (184) DAYS time served.

IT IS ORDERED that this sentence shall be concurrent with the sentence imposed in Count One.

Upon completion of the jail term,

IT IS ORDERED that the Defendant shall be released from the custody of Pima County Sheriff between the hours of 9:00 AM and 2:00 PM ONLY.

M. Forrester
Deputy Clerk

MINUTE ENTRY

IT IS ORDERED remanding the Defendant to the custody of the Sheriff of Pima County and authorizing the Sheriff to carry out the conditions of incarceration.

IT IS ORDERED that the Defendant shall pay the following:

1. Time Payment Fee in the amount of \$20.00.
2. Monthly probation services fee at the rate of \$65.00.
3. Attorney's fees previously ordered are vacated.
4. Clean Elections Fund in the amount of \$220.00.
5. Probation Assessment in the amount of \$20.00.
6. Crime Penalty Assessment in the amount of \$13.00.
7. Victim Rights Enforcement Fund Fee in the amount of \$2.00.
8. Victim Rights Assessment in the amount of \$9.00.
9. Extradition Fee in the amount of \$5291.30.
10. State Anti-Racketeering Fund in the amount of \$2000.00. The surcharge of \$1360.00 is vacated.
11. Interstate Compact fee in the amount of \$300.00.

The Court retains jurisdiction of the case for purposes of ordering, modifying and enforcing the manner in which court-ordered payments are made until paid in full or until the Defendant's sentence expires, such payment to include but not limited to:

A restitution order in favor of any person entitled to such; along with fines, costs, incarceration costs, fees, surcharges or assessments imposed.

IT IS ORDERED that the Defendant abide by all conditions of probation as set forth in the Uniform Conditions of Supervised Probation.

The written terms and conditions of probation are handed to the Defendant for explanation, acceptance, and signature. The Defendant is advised concerning the consequences of failure to abide by the conditions of probation.

IT IS ORDERED that any outstanding bond that has not been previously referred for a bond forfeiture proceeding is hereby exonerated.

IT IS ORDERED, pursuant to the plea, that all remaining counts and allegations shall be dismissed as to this cause number only.

The Defendant is advised of his Notice of Rights of Review and Notice of Right to Apply to Have Conviction Set Aside, signs, and receives a copy of same.

M. Forrester
Deputy Clerk

MINUTE ENTRY

The Defendant is further advised that upon completion of probation or absolute discharge from imprisonment for this offense, if he has not been previously convicted of a felony offense and he has paid all ordered restitution, his civil rights shall automatically be restored. The Defendant has been advised that does not apply to the restoration of firearm rights if you have been convicted of a dangerous offense under A.R.S. § 13-704 or a serious offense under A.R.S. § 13-706.


The Defendant is further advised that upon final discharge, if he has been previously convicted of a felony offense in this or another state, or has not paid all ordered restitution, he may still apply to have his civil rights restored. The Defendant has been advised that this section does not apply to the restoration of firearm rights if he were convicted of a dangerous offense under A.R.S. § 13-704 or a serious offense under A.R.S. § 13-706.

The Defendant is advised of his right to petition the court to seal the records of his arrest, conviction and sentence and is referred to A.R.S. § 13-911 for additional information.

The Defendant signs and receives a written notice of his rights and the procedures he must follow to exercise them.

Let the record reflect that the Defendant's fingerprint is permanently affixed to the signature page of this sentencing order in open court.

FILED IN COURT: Commitment Order; Uniform Conditions of Supervised Probation; Financial Judgment and Order; Notice of Rights of Review; Notice of Right to Apply to Have Conviction Set Aside; Notice of Rights After Conviction and Procedure; Notice of Right to Petition for Sealing of Case Records; Presentence Report


HON. CASEY F. MCGINLEY
(ID: 9aa29cf7-dd66-4613-beef-7bc6017043bd)



M. Forrester
Deputy Clerk

MINUTE ENTRY

Page 5

Date: September 19, 2024

Case No.: CR20230229-006

cc: Hon. Casey F McGinley
Joseph A Ezzo, Esq.
Matthew R McCray, Esq.
Sabrina A Lochner, Esq.
Adult Probation
Attorney General - Victim Notification
Clerk of Court - Accounting Unit
Clerk of Court - Appeals Unit
Clerk of Court - Criminal Unit
Pretrial Services
Sheriff of Pima County (1 certified)

M. Forrester
Deputy Clerk