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FEB 23 2026

FILED

February 29 2026

JAMES W. GIACOMINO

FEB 20 2026

Deputy

ARIZONA SUPERIOR COURT, PIMA COUNTY

HON. BRENDEN J GRIFFIN

CASE NO. CR20242860-001

COURT REPORTER: Digitally Recorded  
Courtroom - 680

DATE: February 20, 2026

STATE OF ARIZONA

Matthew R McCray, Esq. counsel for State

VS.

NICHOLAS JOHN MILLER (-001)  
Defendant

Andrew J Ross, Esq. for Christopher L. Scileppi,  
Esq. counsel for Defendant

**DATE OF BIRTH:** 4/23/1982

**MINUTE ENTRY**

**SENTENCE OF IMPRISONMENT / CONSECUTIVE PROBATION:**

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 all the facts, law and circumstances relevant here, and having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

As to Sentence of Imprisonment:

IT IS THE JUDGMENT OF THE COURT that the Defendant is guilty of COUNT TWENTY-SEVEN: FRAUDULENT SCHEMES AND ARTIFICES, a Class Two Felony, nondangerous, nonrepetitive offense, in violation of A.R.S. § 13-2310 committed on January 1, 2021, through December 31, 2021.

THE COURT FINDS that suspension of sentence and a term of probation are not appropriate and that a sentence of imprisonment with the Department of Corrections is appropriate.

C. Hale  
Deputy Clerk

**MINUTE ENTRY**

Pursuant to the Plea Agreement,

AS PUNISHMENT, IT IS ORDERED that the Defendant be incarcerated in the Arizona Department of Corrections for a period of THREE POINT TWENTY-FIVE (3.25) YEARS, commencing February 20, 2026. The Defendant shall be given credit for FIVE HUNDRED SEVENTY-SIX (576) DAYS time served.

IT IS FURTHER ORDERED that the term of community supervision for Count Twenty-Seven is waived, pursuant to A.R.S. § 13-603(K). In the event the defendant is released by the Department of Corrections on a temporary release pursuant to A.R.S. § 31-233, the length of probation for Count Twenty-Nine and Count Thirty-Four shall be extended to include the time on temporary release, pursuant to A.R.S. § 13-901(B).

As to Sentence of Consecutive Probation:

IT IS THE JUDGMENT OF THE COURT that the Defendant is guilty of COUNT TWENTY-NINE: FRAUDULENT SCHEMES AND ARTIFICES, a Class Two Felony, nondangerous, nonrepetitive offense, in violation of A.R.S. § 13-2310 committed on January 1, 2022, through December 31, 2022.

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.

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation for a period of FIVE (5) YEARS, commencing on completion of the sentence of imprisonment, 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 that this sentence shall be consecutive to the sentence imposed for Count Twenty-Seven.

IT IS THE JUDGMENT OF THE COURT that the Defendant is guilty of COUNT THIRTY-FOUR: ILLEGALLY CONDUCTING AN ENTERPRISE, a Class Three Felony, nondangerous, nonrepetitive offense, in violation of A.R.S. § 13-2312.B committed on January 1, 2022, through July 24, 2024.

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.

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation for a period of FIVE (5) YEARS, commencing on completion of the sentence of imprisonment, 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.

C. Hale  
Deputy Clerk

MINUTE ENTRY

IT IS ORDERED that this sentence shall be concurrent with the sentence imposed for Count Twenty-Nine and consecutive to the sentence imposed for Court Twenty-Seven.

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

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 commencing upon release from custody.
3. Probation Assessment in the amount of \$20.00.
4. Crime Penalty Assessment in the amount of \$13.00.
5. Victim Rights Enforcement Fund Fee in the amount of \$4.00.
6. Victim Rights Assessment in the amount of \$9.00.
7. State Anti-Racketeering Fund in the amount of \$5,000.00.
8. Restitution to Walmart in the amount of \$25,000.00; Fry's in the amount of \$25,000.00; and Target in the amount of \$25,000.00.

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 during the Defendant's incarceration, restitution shall be paid at a rate to be determined by the Department of Corrections pursuant to applicable Arizona law.

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.

C. Hale  
Deputy Clerk

MINUTE ENTRY

IT IS ORDERED remanding the Defendant to the custody of the Sheriff of Pima County, authorizing the Sheriff of Pima County to transport the Defendant to the Arizona Department of Corrections, and authorizing the Department of Corrections to carry out the condition of imprisonment.

IT IS FURTHER ORDERED that the Clerk of the Court shall remit to the Department of Corrections a copy of this order, together with all presentence reports, probation violation reports, medical and psychological reports relating to the Defendant and involving this cause.

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.

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 he has 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.

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C. Hale  
Deputy Clerk

MINUTE ENTRY

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



*B. J. Griffin 'ls'*  
**HON. BRENDEN J. GRIFFIN**  
(ID: fd9f0f92-2164-4242-91d6-5737919c67aa)

- cc: Hon. Brenden J Griffin
- Christopher L. Scileppi, Esq.
- Matthew R McCray, Esq.
- Adult Probation
- Clerk of Court - Accounting Unit
- Clerk of Court - Appeals Unit
- Clerk of Court - Criminal Unit
- County Attorney - Victim Notification

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HD DOC (1 certified) 2/23/26 WIPSR  
Pretrial Services

HD Sheriff of Pima County (3 certified) 2/23/26 WIPSR