

**IN THE DISTRICT COURT OF HOLT COUNTY, NEBRASKA**

**THE STATE OF NEBRASKA,**  
Plaintiff,

Case No. CI00-5

vs.

**JUDGMENT AND SENTENCE**

**DARRIN PELC,**  
Defendant.

**HEARING DATE:** April 20, 2000.

**APPEARANCES:**

For plaintiff: Thomas P. Herzog, Holt County Attorney.  
For defendant: defendant with counsel, Forrest F. Peetz.

**CHARGES:** Count 1: Possession of Marijuana with Intent to Distribute; § 28-416;  
Class III felony.

**PROCEEDINGS:**

Prior Proceedings: : reviewed by court;  
: no motions;  
**9** motion for new trial considered,  
**9** no evidence, **9** evidence for defendant, **9** evidence for plaintiff,  
argument for defendant: **9** heard **9** waived,  
argument for plaintiff: **9** heard **9** waived,  
motion is **9** denied **9** granted, further relief \_\_\_\_\_

Presentence: : presentence report disclosed to defendant  
: defendant has reviewed report  
**9** defendant has not reviewed report, granted add'l time, recess taken  
**9** defendant has not reviewed report, waives further review  
defendant's objections, additions, corrections: **9** none : stated, ruling  
on record  
plaintiff's objections, additions, corrections: : none **9** stated, ruling on  
record

Restitution Hrg: : plaintiff waives restitution.

Evidence: plaintiff: : has no evidence **9** adduces evidence on sentencing  
defendant: : has no evidence **9** adduces evidence on sentencing

Arguments: argument of plaintiff's counsel is: : heard **9** waived  
argument of defendant's counsel is: : heard **9** waived

Allocution: upon inquiry by Court, defendant:  
**9** makes no statement : exercises right of allocution

**FINDINGS:** : stated on record **9** not specifically stated

**SENTENCE:** IT IS THE JUDGMENT AND SENTENCE OF THE COURT that the defendant is sentenced:

On Count No. 1: : to imprisonment and committed to an institution under the jurisdiction of the Nebraska Department of Correctional Services for a period of not less than one year, nor more than four years, **9** with \_\_\_\_ days credit for time served before sentencing,  
: with no credit due for time served, because none was served on this case before sentencing; and,

: to pay court costs of \$91.40 to the clerk of this court.  
Remand/  
Commitment: : It is therefore ordered that the defendant be remanded to the custody of the Sheriff of Holt County, Nebraska, to be taken for execution of sentence to the Nebraska Penal and Correctional Complex at or near the City of Lincoln, Lancaster County, Nebraska, and commitment thereto is hereby ordered accordingly and shall be immediately issued by the court clerk under seal of this court

Good Time: : As required by law, the court advised the defendant on the record of the time required to be served on the sentence, assuming no good time for which the defendant is eligible is lost, upon:  
: minimum term before attaining parole eligibility  
: maximum term before attaining mandatory release

Bond: After deduction of any statutory fees, the defendant's bond:  
: is hereby continued pending surrender after stay.

Other: : Upon defendant's motion, and without objection by plaintiff, and with consent of Jean Pelc, bond assignee, execution of sentence stayed to 4-28-00 at 9:00 a.m. Defendant ordered to surrender to sheriff and advised of consequences.

**SIGNED ON: April 20, 2000.**

If checked, the Court Clerk shall:

- : Mail a copy of this order to all counsel of record.  
Done on \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.
- : Enter judgment for costs on the judgment record.  
Done on \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.
- : Mail postcard/notice required by § 25-1301.01 within 3 days.  
Done on \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.
- : Deliver certified copy of order and original commitment to sheriff for execution of sentence.  
Done on \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.
- : Immediately transcribe trial docket entry dictated in open court.  
Done on \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.

Mailed to:

**BY THE COURT:**

\_\_\_\_\_  
William B. Cassel  
District Judge