

IN THE DISTRICT COURT OF HOLT COUNTY, NEBRASKA

THE STATE OF NEBRASKA,
Plaintiff,

vs.

JOSH CARLSON, a/k/a JOSHUA A. CARLSON,
Defendant.

Case No. CR99-41

**ORDER MODIFYING
PROBATION**

HEARING DATE: January 14, 2002.

APPEARANCES:

For plaintiff: Thomas P. Herzog, Holt County Attorney.
For defendant: defendant with counsel, Rodney W. Smith, Holt County Public Defender.

CHARGES: Count 1: violation of probation on original conviction for Theft By Receiving Stolen Property

PROCEEDINGS:

Prior Proceedings: 9 reviewed by court;
9 no motions.
Presentence: 9 presentence report previously waived by both parties
Restitution Hrg: 9 restitution previously determined.
Evidence: plaintiff: 9 has no evidence 9 adduces evidence on sentencing
defendant: 9 has no evidence 9 adduces evidence on sentencing
Arguments: argument of plaintiff's counsel is: 9 heard 9 waived
argument of defendant's counsel is: 9 heard 9 waived
Allocution: upon inquiry by Court, defendant:
9 makes no statement 9 exercises right of allocution

FINDINGS: 9 stated on record 9 not specifically stated

SENTENCE: IT IS THE JUDGMENT AND SENTENCE OF THE COURT that the Order of Probation rendered on June 1, 2000, is modified as follows:

1. Paragraph 4 of the June 1, 2000, order is modified to add: Notwithstanding any other provision of this paragraph 4, the defendant shall fully and timely comply with all provisions of the installment payment schedule filed on November 21, 2001.
2. Paragraph 13 is added thereto as follows: Based upon the consent of the defendant established by entering into the agreement in the nature of a plea bargain regarding the violation of probation, the defendant shall take the prescription medication which had been prescribed for the defendant by any and all licensed physicians as of the date of the admissions of violation of probation on November 19, 2001, in accordance

with all terms of the prescription(s). Such terms of the prescription(s) include, but are not limited to, the quantity and timing of consumption of such medication.

3. The defendant is strictly admonished to fully complete with all terms and conditions of probation as so modified.

Bond: After deduction of any statutory fees, the defendant's bond:
9 shall be released upon defendant's acceptance in writing of terms and conditions of probation.
9 is hereby released, discharged, and any surety thereon exonerated.
9 was previously forfeited.

Other: 9 _____.

SIGNED ON: January 14, 2002. (Deemed "entered" upon filing by court clerk)

If checked, the Court Clerk shall:

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

BY THE COURT:

William B. Cassel
District Judge