

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

**THE STATE OF NEBRASKA,**  
Plaintiff,

Case No. CR01-33

vs.

**JUDGMENT AND SENTENCE**

**DARRICK E. NEKUDA,**  
Defendant.

**HEARING DATE:** January 28, 2002.

**APPEARANCES:**

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

**CHARGES:** Count 2: Possession of Defaced Firearm; § 28-1207(1); Class IV felony  
Count 5: Possession of Drug Paraphernalia; § 28-441; an infraction  
Count 6: Hunting Without License; § 37-411; Class II misd.  
Counts 1, 3, 4 dismissed pursuant to plea bargain

**PROCEEDINGS:**

Prior Proceedings: 9 reviewed by court;  
9 no motions;  
Presentence: 9 presentence report disclosed to defendant  
9 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 9 stated, ruling on record  
plaintiff's objections, additions, corrections: 9 none 9 stated, ruling on record

Restitution Hrg: 9 plaintiff previously waived restitution.

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 defendant is sentenced:

On Count No. 2: 9 to probation in accordance with signed Order of Probation.

On Count No. 5: 9 to pay, to the clerk of this court, a fine of \$100.00, to be paid in

monthly installments of \$10.00, commencing on February 1, 2002, and on the first day of each month thereafter until paid.

On Count No. 6: 9 to pay, to the clerk of this court, a fine of \$75.00, to be paid in monthly installments of \$10.00, commencing on December 1, 2002 and on the first day of each month thereafter until paid.

Further App.: 9 It is further ordered that in the event the defendant shall fail to pay any fine as ordered above, the defendant shall appear at the first regular session of this court after the expiration of time for payment thereof, and show cause, if any there be, why the defendant should not be held in contempt of court and punished for failure to comply therewith.

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 28, 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 \_\_\_\_\_.

BY THE COURT:

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

Mailed to: