

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

**THE STATE OF NEBRASKA,**  
Plaintiff,

Case No. CR01-7

vs.

**JUDGMENT AND SENTENCE**

**JORDAN CRANE,**  
Defendant.

**HEARING DATE:** April 5, 2002.

**APPEARANCES:**

For plaintiff: Eric A. Scott, Cherry County Attorney.

For defendant: defendant with counsel, Bill Quigley.

**CHARGES:** Count 1: Attempted Burglary; §§ 28-201 & 28-507; Class IV felony;  
Count 2: Theft By Unlawful Taking, § 28-511, Class II misd.

**PROCEEDINGS:**

Prior Proceedings: 9 reviewed by court;  
9 no motions;

Presentence: 9 updated 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, Jordan Crane, is sentenced:

On Count No. 1: 9 to imprisonment and committed to the Cherry County Jail for a period of 180 days, with 97 days credit for time served before sentencing; and,

9 to pay court costs of \$\_\_\_\_\_ to the clerk of this court.

On Count No. 2: 9 to imprisonment and committed to the Cherry County Jail for a period of 60 days, with no additional credit due for time served before sentencing, to be served consecutively to the sentence imposed on Count No. 1;

Remand/ Commitment: 9 It is therefore ordered that the defendant be remanded to the custody of the Sheriff of Cherry County, Nebraska, for execution of sentence, and commitment thereto is hereby ordered accordingly and shall be immediately issued by the court clerk under seal of this court.

Further App.: 9 It is further ordered that in the event the defendant shall fail to pay any costs 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.

Good Time: 9 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, before attaining mandatory release

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.

Stay: Upon defendant's motion, and after consideration of any objections thereto and arguments thereon, the:  
9 request for stay of execution is denied.  
9 execution of sentence is stayed until \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ .M., at which time the defendant shall appear and surrender to the said sheriff for execution of sentence, and bond is continued to secure such appearance and surrender.  
9 the execution of sentence is stayed, upon verbal notice of intention to appeal, until the first to occur: (1) the expiration of time for appeal if no appeal is timely filed and perfected, or, (2) entry of judgment upon the mandate of the appellate court if appeal is timely filed and perfected. Upon expiration of stay, commitment shall issue in accordance with the final judgment and the defendant shall appear and surrender to the said county sheriff for execution of sentence.  
9 Upon any failure to appear and surrender, upon appropriate affidavit and motion, the defendant shall be subject to: (1) forfeiting bond, (2) prosecution for the separate crime of Failure

to Appear, and/or (3) arrest upon bench warrant.

Other:        9        \_\_\_\_\_.

SIGNED ON: April 5, 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:

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William B. Cassel  
District Judge