

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

**THE STATE OF NEBRASKA,**  
Plaintiff,

Case No. CR02-3

vs.

**JUDGMENT AND SENTENCE**

**MICHAEL M. LAPOINTE,**  
Defendant.

**HEARING DATE:** May 3, 2002.

**APPEARANCES:**

For plaintiff: Eric A. Scott, Cherry County Attorney.  
For defendant: defendant with counsel, James H. Quigley.

**CHARGES:** Count 1: Unauthorized Use of a Propelled Vehicle; § 28-516; Class III misd.

**PROCEEDINGS:**

Prior Proceedings: 9 reviewed by court;  
9 no motions.  
Restitution Hrg: 9 plaintiff previously waived restitution.  
Presentence: 9 presentence report previously waived.  
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. 1: 9 to imprisonment in the Cherry County Jail for a period of 12 days, with 12 days credit for time served before sentencing;  
9 to pay court costs of \$\_\_\_\_\_ to the clerk of this court.

Remand/Commitment: 9 Because the credit for time served equals the sentence, there is no further time to be served and no commitment to issue.

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.

**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 at **Valentine**, Nebraska, on **May 3, 2002**;  
DEEMED ENTERED upon file stamp date by court clerk.  
If checked, the court clerk shall:

BY THE COURT:

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

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

Mailed to: