

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

**THE STATE OF NEBRASKA,**  
Plaintiff,

vs.

**BRIAN OBST,**  
Defendant.

Case No. CR02-7

**COMMITMENT**

STATE OF NEBRASKA            )  
  ) ss.  
COUNTY OF CHERRY            )

THE STATE OF NEBRASKA,  
CHERRY COUNTY,

**To the Sheriff of said County and the Nebraska Department of Correctional Services:**

WHEREAS, at a regular term of the District Court for said county, which term was begun and held at the courthouse, in Valentine, in said county, on January 1, 2002, before the Hon. William B. Cassel, one of the judges of said court; and,

WHEREAS, Eric A. Scott, County Attorney in and for the County of Cherry, State of Nebraska, on July 10, 2002, came into court, and presented a certain information in due form of law against Brian Obst for two counts of Burglary and one count of Theft By Unlawful Taking, which information was by order of the court filed and the cause docketed; and afterwards the count of Theft By Unlawful Taking was dismissed by the court; and afterwards on December 13, 2002, further proceedings were had upon said information, to-wit:

The said defendant, Brian Obst, was duly arraigned and entered his plea of guilty to the charges contained in Counts Nos. 1 and 2 of the information; and,

WHEREAS, on February 7, 2003, the said Brian Obst was duly arraigned before the court for sentence, and was then by the said judge sentenced, in these words:

IT IS THE JUDGMENT AND SENTENCE OF THE COURT that the defendant, Brian Obst, is sentenced:

On Count No. 1:     for Burglary (§ 28-507), a Class III felony,

to imprisonment and committed to an institution under the jurisdiction of the Nebraska Department of Correctional Services for a period of not less than 36 months, nor more than 120 months, with 350 days credit for time served before sentencing; and,

to pay court costs of \$\_\_\_\_\_ to the clerk of this court within six months after defendant's final release date from imprisonment.

On Count No. 2:     for Burglary (§ 28-507), a Class III felony,

to imprisonment and committed to an institution under the jurisdiction of the Nebraska Department of Correctional Services for a period of not less than 36 months, nor more than 120 months, with 350 days credit for time served before sentencing, to be served concurrently with the sentence imposed on Count No. 1.

It is therefore ordered that the defendant be remanded to the custody of the Sheriff of Cherry 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.

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.

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 his minimum term before attaining parole eligibility and upon his maximum term before attaining mandatory release.

YOU ARE THEREFORE COMMANDED TO PROCEED TO EXECUTE SAID SENTENCE AND JUDGMENT OF THE COURT.

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William B. Cassel, District Judge

WITNESS, my hand and seal of said court, at Valentine, Nebraska, on February 7, 2003.

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Clerk of District Court