

IN THE DISTRICT COURT OF BROWN COUNTY, NEBRASKA

THE STATE OF NEBRASKA,
Plaintiff,

Case No. CR03-1

vs.

JUDGMENT AND SENTENCE

JOHN M. METCALF, JR.,
Defendant.

HEARING DATE: March 21, 2003.

APPEARANCES:

For plaintiff: David M. Streich, Brown County Attorney.
For defendant: defendant with counsel, Mark Kozisek.

CHARGES: Count 1: Criminal Attempt of Possession of a Controlled Substance; § 28-201 & 28-416(3); Class I misd.

PROCEEDINGS:

Prior Proceedings: reviewed by court;
 no motions;
 motion for _____ considered,
 no evidence, evidence for defendant, evidence for plaintiff,
argument for defendant: heard waived,
argument for plaintiff: heard waived,
motion is denied granted, further relief _____

Restitution Hrg: plaintiff waives/previously waived restitution.

Presentence: presentence report disclosed to defendant
 defendant has reviewed report
 defendant has not reviewed report, granted add'l time, recess taken
 defendant has not reviewed report, waives further review
defendant's objections, additions, corrections: none stated, ruling on record
plaintiff's objections, additions, corrections: none stated, ruling on record

Evidence: plaintiff: has no evidence adduces evidence on sentencing
defendant: has no evidence adduces evidence on sentencing

Arguments: argument of plaintiff's counsel is: heard waived
argument of defendant's counsel is: heard waived

Allocution: upon inquiry by Court, defendant:
 states no reason why sentence should not be pronounced, and,
 makes no statement exercises right of allocution

FINDINGS: stated on record not specifically stated

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

On Count No. 1: ☎ to imprisonment and committed to the Brown County Jail for a period of 112 days with 112 days credit for time served before sentencing;

☎ to pay court costs of \$_____ to the clerk of this court within 120 days from the date of sentencing.

Remand/Commitment: ☎ Because the credit for time served equals or exceeds the time of the jail sentence, no further commitment is required.

Further App.: ☎ It is further ordered that in the event the defendant shall fail to pay any fine, costs, or restitution 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.

Other: ☎ _____.

Signed at **Ainsworth**, Nebraska, on **March 21, 2003**;
DEEMED ENTERED upon file stamp date by court clerk.
If checked, the court clerk shall:

☎ Mail a copy of this judgment to all counsel of record and any pro se parties.
Done on _____, 20____ by _____.

☎ Immediately transcribe trial docket entry dictated in open court.
Done on _____, 20____ by _____.

☎ Deliver certified copy of judgment and original commitment to sheriff for execution of sentence.
Done on _____, 20____ by _____.

☎ Mail postcard/notice required by § 25-1301.01 within 3 days.
Done on _____, 20____ by _____.

☎ Enter judgment on the judgment record.
Done on _____, 20____ by _____.

Mailed to:

BY THE COURT:

William B. Cassel
District Judge