

IN THE DISTRICT COURT OF HOLT COUNTY, NEBRASKA

THE STATE OF NEBRASKA,
Plaintiff,

vs.

LARRY L. RUEGGE II,
Defendant.

Case No. CR02-33

COMMITMENT

STATE OF NEBRASKA)
) ss.
COUNTY OF HOLT)

THE STATE OF NEBRASKA,
HOLT 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 O'Neill, in said county, on January 1, 2002, before the Hon. William B. Cassel, one of the judges of said court; and,

WHEREAS, Thomas P. Herzog, County Attorney in and for the County of Holt, State of Nebraska, on October 24, 2002, came into court, and presented a certain amended information in due form of law against Larry L. Ruegge II for Count No. 1, Possession of a Controlled Substance, with other charges, which information was by order of the court filed and the cause docketed; and afterwards on March 11-12, 2003, further proceedings were had upon said information, to-wit:

A jury was empaneled and sworn in due form, the said Larry L. Ruegge II put upon trial, and the said jury returned a verdict of guilty; and,

WHEREAS, on June 9, 2003, the said Larry L. Ruegge II 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, Larry L. Ruegge II, is sentenced:

On Count No. 1: for Possession of a Controlled Substance (§ 28-416(3)),
 a Class IV 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 20 months, nor more than 60 months, with 3 days credit for time served before sentencing; and,

to pay court costs of \$_____ to the clerk of this court to be paid within 6 months after the date of judgment or defendant's final release date from imprisonment, whichever is later.

On Count No. 3: for Possession of Drug Paraphernalia (§ 28-441), an infraction,

to pay, to the clerk of this court, a fine of \$ 100.00 _____, to be paid within 6 months after the date of judgment or defendant's final release date from imprisonment, whichever is later.

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

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.

William B. Cassel, District Judge

WITNESS, my hand and seal of said court, at O'Neill, Nebraska, on June 9, 2003.

Clerk of District Court