

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

**THE STATE OF NEBRASKA,**  
Plaintiff,

vs.

**EDWIN L. HOLMSTEDT,**  
Defendant.

Case No. CR03-3

**COMMITMENT**

STATE OF NEBRASKA            )  
  ) ss.  
COUNTY OF BROWN            )

THE STATE OF NEBRASKA,  
BROWN COUNTY,

**To the Sheriff of said County:**

WHEREAS, at a regular term of the District Court for said county, which term was begun and held at the courthouse, in Ainsworth, in said county, on January 1, 2003, before the Hon. William B. Cassel, one of the judges of said court; and,

WHEREAS, David M. Streich, County Attorney in and for the County of Brown, State of Nebraska, on April 2, 2003, came into court, and presented a certain information in due form of law against Edwin L. Holmstedt, which information was by order of the court filed and the cause docketed; and afterwards on June 27, 2003, further proceedings were had upon said information, to-wit:

The said defendant, Edwin L. Holmstedt, was duly arraigned and entered his plea of guilty to Count No. 1 of the charges contained in the information, which Count No. 1, after due hearing, was enhanced for punishment as a second offense, and Count No. 2 was dismissed; and,

WHEREAS, on August 29, 2003, the said Edwin L. Holmstedt 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, Edwin L. Holmstedt, is sentenced:

On Count No. 1: for Driving Under the Influence, second offense (§ 60-6,196(1)), a Class W misdemeanor,

to imprisonment and committed to the Brown County Jail for a period of 90 days, with 1 day credit for time served before sentencing; and,

to pay, to the clerk of this court, a fine of \$500.00, to be paid in monthly installments of \$50.00 commencing on December 1, 2003 and on the first day of each month thereafter until paid;

to not drive any motor vehicle for any purpose for a period of one year from the date of sentencing or, if appeal is timely filed, for a period of one year from the date entry of judgment upon the mandate of the appellate court;

to have all motor vehicles owned by the defendant immobilized at the defendant's expense for a period of eight months from the date of sentencing or, if appeal is timely filed, for a period of eight months from the date entry of judgment upon the mandate of the appellate court; and,

to pay court costs of \$\_\_\_\_\_ to the clerk of this court within six months after the date of sentencing.

It is therefore ordered that the defendant be remanded to the custody of the Sheriff of Brown County, Nebraska, for execution of sentence, and commitment 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.

**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 Ainsworth, Nebraska, on August 29, 2003.

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Clerk of District Court