

IN THE DISTRICT COURT OF HOLT COUNTY, NEBRASKA

THE STATE OF NEBRASKA,
Plaintiff,

vs.

SHANE DEMPSEY,
Defendant.

Case No. CR01-7

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, 2003, before the Hon. William B. Cassel, one of the judges of said court; and,

WHEREAS, on December 1, 2003, the said Shane Dempsey 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, Shane Dempsey, 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 60 months, nor more than 120 months, with 235 days credit for time served before sentencing;

to pay \$708.35 restitution to the clerk of this court, less \$50.00 credit for restitution paid while on probation, for disbursement to William Krotter Co., to be paid within 59 months after the date of judgment or defendant's final release date from imprisonment, whichever is later; and,

to pay court costs of \$170.33, less \$50.00 credit for costs paid while on probation, to the clerk of this court, to be paid within 12 months after the date of judgment or defendant's final release date from imprisonment, whichever is later.

On Count No. 3: for Criminal Mischief (§ 28-519), 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 12 months, nor more than 60 months, with 235 days credit for time served before sentencing, to be served concurrently with the sentences imposed on all other counts in this case; and,

to pay \$487.88 restitution to the clerk of this court, for disbursement to Motors Insurance Co., to be paid within 59 months after the date of judgment or defendant's final release date from imprisonment, whichever is later.

On Count No. 4: for Unauthorized Use of a Propelled Vehicle (§ 28-516), a Class III misdemeanor,

to pay \$377.24 restitution to the clerk of this court, for disbursement to Motors Insurance Co., to be paid within 59 months after the date of judgment or defendant's final release date from imprisonment, whichever is later.

On Count No. 5: for Criminal Mischief (§ 28-519), a Class II misdemeanor,

to pay \$1,320.43 and \$69.50 restitution to the clerk of this court, for disbursement to William Krotter Co. and Motors Insurance Co., respectively, to be paid within 59 months after the date of judgment or defendant's final release date from imprisonment, whichever is later.

On Count No. 7: for Wilfull Reckless Driving (§ 60-6,214), a Class III misdemeanor,

to pay \$138.60, \$231.00, and \$785.40 restitution to the clerk of this court, for disbursement to Dale Neumiller, State Farm Insurance, and David Wirges, respectively, to be paid within 59 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 December 1,
2003.

Clerk of District Court