

DEC 14 2023

Case Number: 27-CR-22-22521
Charge: BURG 2 (FEL) - CH
Minn Stat §: 609.582.2(a)(1)
Type: Criminal

Dennis Joseph Barry

SENTENCE

- ☐ *Stay of Adjudication.* Entry of judgment is stayed for _____ years. You are placed on probation. Successful completion of probation will lead to this case being dismissed. (Dismissal does not mean your court record is expunged.)
- ☒ *Stay of Imposition.* Imposition of the sentence is stayed for 3 years. You are placed on probation. Successful completion of probation will result in ☒ the conviction being reduced to a misdemeanor or ☐ per your plea agreement, vacation of the plea and dismissal of the charge. (Dismissal does not mean your court record is expunged.)
- ☐ *Stay of Execution.* You are sentenced to the Hennepin County Adult Corrections Facility for _____ days. Execution of this sentence is stayed for _____ year(s).
- ☐ *Executed Sentence.* You are ordered to serve your entire sentence at the Adult Corrections Facility. See below.
- ☐ There is no adjudication for included offense(s), Count(s) _____ (Minn. Stat. § 609.04).
- ☐ There is no sentence for offense(s) within the same behavioral incident, Count(s) _____ (Minn. Stat. § 609.035).
- ☒ As a result of your plea, the following is/are dismissed: CHS 3-5; 27CR21-10675
- ☐ This sentence follows the terms of your plea agreement.
- ☐ This sentence is a ☐ dispositional departure ☐ durational departure.
- ☒ This sentence is ☒ concurrent ☐ consecutive to 27-CR-22-5370

LOCAL CONFINEMENT

- ☐ You are ordered to serve _____ days with credit for _____ days.
- ☐ You must serve time in the Hennepin County Adult Corrections Facility (ACF).
- Report to the ACF ☐ immediately / at ☐ 9:00 a.m. / ☐ _____ a.m./p.m. on _____.
- While at the ACF, if eligible:
- ☐ You are not approved for: ☐ EHM ☐ work/school release (Huber) ☐ ACF Sentence to Service Crew.
- ☐ You are approved for EHM after _____ actual days.
- ☐ You are approved for work/school release (Huber) ☐ immediately or ☐ after _____ actual days.
- ☐ You are approved for the following furlough(s) ☐ immediately or ☐ after _____ actual days:
- ☐ job-seeking ☐ treatment ☐ medical care ☐ other _____.
- ☐ Instead of additional confinement, serve _____ days on Electronic Home Monitoring. If eligible, you are approved for immediate furloughs for job-seeking, treatment, and medical care. Report to Client and Community Restoration at 3000 North 2nd Street in Minneapolis on _____ to start EHM.
- ☐ Instead of additional confinement, you must perform _____ days of Sentence to Service or _____ hours of Community Work Service within _____ days.

FINANCIAL ORDER

Must be paid within six months.

- Pay: ☒ Fine of \$ _____ with \$ _____ stayed for the length of probation, \$ _____ total due or ☒ the fine is waived
- ☒ Surcharge of \$75 or ☐ \$25 Transit per § 609.855 subd. 1, 3, 3a or ☒ the surcharge is waived.
- ☒ Law Library fee of \$3 or ☒ the law library fee is waived.
- ☐ Prosecution costs of \$ _____.
- ☐ Mandatory trafficking/pornography assessment pursuant to § 609.3241 of \$ _____ (\$100 for indigent, or \$500-\$1,000)
- ☐ Instead of paying the ☐ fine / ☐ surcharge / ☐ law library fee, you may perform _____ days of Sentence to Service or _____ hours of Community Work Service within six months, including while at the ACF if available.
- ☒ Any outstanding non-cash bond is discharged. Any previously forfeited bail or bond remains forfeited.
- ☐ Cash bail is: ☐ fully refunded or ☐ by your agreement, applied to any restitution, fine, surcharge, or fees, with any remaining bail to be refunded.
- The \$75 public defender co-pay, if applicable, is waived unless this box is checked: ☐

CONDITIONS OF PROBATION

Probation time served out of custody will not count in a future jail term if the stay is revoked.

☒ Complete the Veterans Court program. Obey all rules of Veterans Court – see below.

Do not commit any:

- | | | |
|---|---|---|
| <input type="checkbox"/> same or similar offense | <input type="checkbox"/> new crime | <input type="checkbox"/> disorderly conduct |
| <input type="checkbox"/> assault | <input type="checkbox"/> theft | <input type="checkbox"/> weapon offense or possession |
| <input type="checkbox"/> violation of protection order | <input type="checkbox"/> prostitution | <input type="checkbox"/> obstruct legal process/false information |
| <input type="checkbox"/> interference with emergency call | <input type="checkbox"/> public urination | <input type="checkbox"/> _____ |

☐ Do not have direct or indirect contact (including through social media) with _____.

Stay away from a three-block radius of any such person and where they live, work, or go to school.

Except ☐ with a police escort to recover personal clothing, prescription medication, and toiletries

☐ to facilitate parenting time/childcare, for which ☐ contact through _____ ☐ written contact is permitted

☐ as authorized by a later-issued order (which is in your possession) from Family Court or Juvenile Court.

☐ Stay away from _____.

☐ Do not use any alcohol or illegal or non-prescribed mood-altering drugs; testing as Probation determines. If there is a positive test or a refusal to submit to testing, Probation may require you to enter treatment and/or complete a substance use disorder assessment (with Probation as collateral) and follow all recommendations.

☐ Complete the following as directed by Probation, including further related evaluation and programs:

- ☐ anger management program ☐ substance use disorder assessment (w/Probation collateral) ☐ cognitive skills assessment
☐ domestic violence program ☐ mental health evaluation/counseling ☐ sex offender treatment program

☒ Restitution is: ☐ granted in a separate order for \$ _____ or ☒ reserved for 30 days.

☐ A record was made regarding the defendant's income, resources, and obligations.

☐ Make good-faith efforts to obtain/maintain employment and/or pursue educational program as directed by Probation.

☒ Give a DNA sample.

☒ Do not use, possess, or transport any firearm, ammunition, or explosive.

☒ Follow all Probation Rules (see below).

☐ _____.

☐ _____.

VETERANS COURT RULES AND CONDITIONS OF PROBATION

- Appear for judicial reviews as directed by the court or probation. You must be on time.
- Stay in contact with your probation officer and attend all scheduled appointments with your probation officer.
- Call your Probation Officer within 48 hours of sentencing and/or release from custody at 612-348-9225.
- Do not use alcoholic beverages, non-prescribed drugs, or any substance listed on the ETG Agreement.
- Submit to random drug and alcohol testing as directed by probation and/or law enforcement at any time in this program.
- Complete treatment, therapy, or programming as directed by the Veterans Court Team.
- You must take all medications as prescribed.
- You are only allowed to use one hospital, one prescribing primary physician, one psychiatrist or mental health professional (if needed) and one pharmacy.
- You cannot reside anywhere a firearm is present.

Note: Participants who are absent from the Veterans Court program for more than 60 days are suspended. Participants are terminated from Veterans Court if absent more than one year. Your Veterans Court Participant Handbook contains additional information about these and other Veterans Court conditions.


Judge of District Court

12/14/23
Date

I HAVE READ AND UNDERSTAND THE CONDITIONS OF MY SENTENCE.

Defendant

Date

APPEAL: You have the right to appeal any verdict, as well as this sentence. If you do not have funds to hire a lawyer, you may contact the State Public Defender's Office at 540 Fairview Avenue North, St. 300, St. Paul, MN 55104 (651-201-6700). Generally, you have 90 days to file your appeal. You can contact the Clerk of the Appellate Courts (651-296-2581) for more information. Information is also available on the internet. See <https://www.mncourts.gov/CourtOfAppeals/COAHelpTopics.aspx>.

PROBATION RULES

It is your responsibility to follow all of these rules of the Hennepin County Department of Community Corrections and Rehabilitation Adult Field Services ("Probation" or "AFS") and stay in contact. If you have any question about these rules or the conditions of your probation, contact your Probation Officer.

1. Call your Probation Officer within 72 hours of sentencing and/or release from custody. If you do not have the name and number of your Probation Officer, call Probation Intake (612-348-2110) or email POconnect@hennepin.us for further instructions.
2. Submit to the electronic and/or physical search of your person and/or premises upon the request of a Probation Officer per the search and seizure policies of the Department of Community Corrections and Rehabilitation.
3. Report any arrests, charges, or contacts with law enforcement to your Probation Officer within 72 hours.
4. Meet with your Probation Officer as your Probation Officer directs.
5. Keep your Probation Officer informed of your current address, telephone number and employment.
6. Do not move from Minnesota unless you have the permission of your Probation Officer and you comply with all the rules of the "receiving state." Your Probation Officer can help you complete the required forms.
7. Provide verification of your participation in, and completion of, required services, programs, or evaluations.

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