

STATE OF MINNESOTA
COUNTY OF HENNEPIN
State of Minnesota
v.

Filed in District Court
State of Minnesota
MAY 17 2019

DISTRICT COURT
FOURTH JUDICIAL DISTRICT
Case #: 27-CR-19-901
Charge: Count 1 -2nd DWI – Refuse to submit to chemical
testing
Dismissed Count 2-3
Type: Traffic

Eyuael Gonfa Kebede

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 _____ years. You are placed on probation. Successful completion of probation will result in ☐ the conviction being reduced to a misdemeanor *or* ☐ 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 ("workhouse") for 365 days. Execution of 275 days is stayed for 4 year(s). You are placed on probation for 4 years on the conditions below.
- ☐ *Executed Sentence.* You are ordered to serve your entire sentence at the Adult Corrections Facility ("ACF" or "Workhouse").

LOCAL CONFINEMENT

- ☒ You are ordered to serve 90 days with credit for 3 days.
- ☐ You must serve time in the Hennepin County Adult Corrections Facility ("ACF" or "workhouse"). Report to the ACF ☐ immediately / at ☐ 9:00 a.m. / ☐ a.m./p.m. on _____.
- While at the ACF/workhouse, if eligible:
- ☐ You are not approved for: ☐ EHM ☐ work/school release (Huber) ☐ ACF Sentence to Service (STS) 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 87 days on Electronic Home Monitoring (EHM). If eligible, you are approved for immediate furloughs for job-seeking, work-release, treatment/aftercare/sober support groups/VIP, Saturday worship services from 12:00 pm to 4:00 pm, court appearance in Anoka County, and school. Report to Client and Community Restoration (CCR) at 3000 North 2nd Street in Minneapolis on May 31, 2019 by 7 pm to start EHM; read the EHM handout before you go to CCR.
- ☐ Instead of additional confinement at the ACF/workhouse, you must perform _____ days of Sentence to Service (STS) within _____ days.

FINANCIAL ORDER

- Pay: ☒ Fine of \$50 with \$ _____ stayed for _____ year(s), due within 270 days *or* ☐ the fine is waived
- ☐ Prosecution costs of \$ _____ due within _____ days
- ☒ Surcharge of \$78, due within 270 days
- ☐ Instead of paying the ☐ fine / ☐ co-pay / ☐ surcharge, you may perform _____ days of Sentence to Service (STS) within six months, including while at the workhouse if that is available.
- The \$75 public defender co-pay, if applicable, is waived unless this box is checked: ☐ ☐ Unless this box is checked, the chemical dependency surcharge, if applicable, is waived due to indigency, undue hardship, or because the defendant is participating in the One-Day DWI Program or the Drive With Care Program.
- ☒ Restitution is reserved for 60 days to allow the prosecutor to submit any claim and documentation to the court. Restitution shall be paid prior to other fines, charges, or costs. Restitution is joint and several with any/all

convicted co-defendant(s). ☐ The court grants the prosecution's motion to keep the victim's contact sheet confidential in District Court records.

Any outstanding non-cash bond is discharged.

Cash bail is: ☐ fully refunded. or ☐ by your agreement, applied to the ☐ restitution / ☐ surcharge / ☐ fine / ☐ co-pay, with any remaining bail to be refunded.

CONDITIONS OF PROBATION

☐ Complete One-Day DWI Program *or* ☒ Complete Post-DWI assessment and follow recommendations

☐ Comply with supervision level determined by Probation, which may include:

☐ No use of alcohol or illegal or non-prescribed mood-altering drugs, with random testing

☐ Attending AA/NA or other substance abuse support group

☒ Attend a Victim Impact Panel

☒ Do not commit any:

☐ new crime ☒ driver's license violation ☒ msd moving violation ☒ same or similar offense ☒ driving without insurance

☐ obstruction/false information ☒ alcohol-/drug-related driving offense ☒ careless or reckless driving ☐ fleeing the police ☒ DWI

☐ Do not use any alcohol or illegal or non-prescribed mood-altering drug; testing as Probation determines.


☐ If there is a positive test or a refusal to submit to testing, then, *at a minimum*, complete a chemical health assessment and follow all recommendations as directed by Probation.

☐ Do not operate a vehicle unless it has an ignition interlock device installed.

☐ Follow all Probation Rules (*see below*).

☒ Defendant shall take action to resolve his Anoka case, 02CR18-4755, by having the warrant quash ^{ed} or scheduled for a new court on or by Wednesday, May 22, 2019.

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

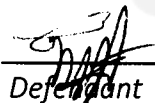


Judge of District Court

MAY 17, 2019

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 www.mncourts.gov/About-The-Courts/CourtOfAppeals.

PROBATION RULES

It is your responsibility to follow all of these conditions of probation and rules of the Hennepin County Department of Community Corrections and Rehabilitation Adult Field Services ("Probation"). You must stay in contact with your Probation Officer. If you have any question about these conditions of your probation or the rules of Probation, contact your Probation Officer. If you do not have the name and number of your Probation Officer, call Probation Intake (612-348-2110) for further instructions.

1. Meet with your Probation Officer as your Probation Officer directs.
2. Tell your Probation Officer within 72 hours of any of the following:
 - a. you are sentenced and/or released from custody
 - b. you have any contact with law enforcement
 - c. you are charged with a new crime
 - d. your residence or contact information changes
 - e. your employment status changes
3. 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. Cooperate with the search of your person, residence, vehicle, workplace, property, and things as directed by your Probation Officer.
4. Do not leave 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.
5. Provide verification of your participation in, and completion of, required services, programs, or evaluations. Sign releases of information, as needed, to allow Probation to confirm your involvement with such services, programs, or evaluations.

It is your responsibility to stay in contact with AFS/Probation.

MINNESOTA
JUDICIAL
BRANCH