



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

THE STATE OF OKLAHOMA,
Plaintiff,

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

CASE NO. CF-2010-4774
OCT 10 2010

vs. Kristine Marie Smith
Defendant.
SSN: 554-11-2233
DOB: 2-17-69

~~PATRICIA PRESLEY, COUNTY CLERK~~ USE A SEPARATE
DEPUTY FOR EACH CASE NUMBER
PART B: SENTENCE ON PLEA

PLEA OF GUILTY
PART B: SENTENCE ON PLEA

THE COURT SENTENCES THE DEFENDANT AS FOLLOWS:

TIME TO SERVE

1. YOU ARE SENTENCED TO CONFINEMENT UNDER THE SUPERVISION OF THE DEPARTMENT OF
CORRECTIONS FOR A TERM OF YEARS AS FOLLOWS:
(List in same order as in Question No. 12 in Part "A")

- (CT) 1. 8 yrs _____ (CT) 6. _____
- 2. _____ 7. _____
- 3. _____ 8. _____
- 4. _____ 9. _____
- 5. _____ 10. _____

2. THE SENTENCE(S) ARE TO RUN CONCURRENTLY CONSECUTIVELY NOT APPLICABLE.
3. Balance 365 upon completion of
BSAT or equivalent

3. THE DEFENDANT SHALL RECEIVE CREDIT FOR TIME SERVED, or
 NO CREDIT FOR TIME SERVED

DEFERRED SENTENCE

1. THE SENTENCE DATE IS DEFERRED TO THE _____ DAY OF _____ 20____ AT 9:00 A.M.
2. THE DEFENDANT SHALL SERVE DAYS WEEKENDS IN THE OKLAHOMA COUNTY JAIL.
3. YOU WILL NOT BE SUPERVISED. SUPERVISED ONLY UNTIL ALL COURT ORDERED COURT COSTS, FINES, OR RESTITUTION ARE PAID OR COMMUNITY SERVICE OR SPECIAL CONDITIONS OF PROBATION ARE COMPLETED. THE TERMS SET FORTH IN THE RULES AND CONDITIONS OF PROBATION FOUND IN ADDENDUM D SHALL BE THE RULES YOU MUST FOLLOWING DURING THE PERIOD OF DEFERMENT.
4. BEGINNING ON THE _____ DAY OF _____ 20____, YOU ARE TO PAY A PROBATION FEE TO THE DEPARTMENT OF CORRECTIONS.

SUSPENDED SENTENCE OR SUSPENDED AS TO PART

1. YOU ARE SENTENCED TO CONFINEMENT UNDER THE SUPERVISION OF THE DEPARTMENT OF CORRECTIONS FOR A TERM OF YEARS AS FOLLOWS:
(List in same order as in Question No. 12 in Part "A")
 1. _____
 2. _____
 3. _____
 4. _____
 5. _____
 6. _____
 7. _____
 8. _____
 9. _____
 10. _____

TO BE SUSPENDED AS FOLLOWS:

- ALL SUSPENDED
- SUSPENDED EXCEPT AS TO THE FIRST _____ MONTHS YEARS OF THE TERM(S), DURING WHICH TIME YOU ARE TO BE HELD IN THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS, THE REMAINDER OF THE SENTENCE(S) TO BE SUSPENDED UNDER THE TERMS SET FORTH IN THE RULES AND CONDITIONS OF SUPERVISED PROBATION.
- SUSPENDED EXCEPT AS TO THE FIRST _____ MONTHS YEARS OF THE TERM(S), DURING WHICH TIME YOU ARE TO BE HELD IN THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS, TO BE SERVED IN THE OKLAHOMA COUNTY JAIL, IN LIEU OF THE DEPARTMENT OF CORRECTIONS, PURSUANT TO THE COMMUNITY SERVICE SENTENCING PROGRAM, 22 OKLA. STAT. §991a-4.1.
- SUSPENDED EXCEPT AS TO THE FIRST _____ DAYS TO BE SERVED IN THE OKLAHOMA COUNTY JAIL, THE REMAINDER OF THE SENTENCE(S) TO BE SUSPENDED UNDER THE TERMS SET FORTH IN THE PROBATION GUIDELINES.

DEFENDANT'S TERM OF INCARCERATION SHALL BE CALCULATED:

- AS _____ CALENDAR DAYS WITH CREDIT FOR GOOD BEHAVIOR ONLY (57 OKLA. STAT. §65)
 - BY THE SHERIFF WITH ALL CREDITS ALLOWED BY LAW.
2. THE SENTENCE(S) ARE TO RUN CONCURRENTLY CONSECUTIVELY NOT APPLICABLE
 3. DEFENDANT SHALL NOT RECEIVE CREDIT FOR TIME SERVED ON THIS CASE.

4.

5. BEGINNING ON THE _____ DAY OF _____, 200____ YOU ARE ORDERED TO PAY A PROBATION FEE TO THE DEPARTMENT OF CORRECTIONS FOR YOUR SUPERVISION AND AS DETERMINED BY THE DEPARTMENT OF CORRECTIONS AND FOR AS LONG AS YOU ARE SUPERVISED. IF YOU ARE FIRST HELD IN THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS YOUR PROBATION FEE SHALL BEGIN ON THE FIRST DAY OF THE SECOND MONTH AFTER YOUR RELEASE.

PROBATION

THE SENTENCING DATE OF A DEFERRED SENTENCE MAY BE ACCELERATED AND JUDGMENT AND SENTENCE IMPOSED OR THE IMPOSITION OF A SUSPENDED SENTENCE MAY BE REVOKED AND THE ENTIRE JUDGMENT AND SENTENCE ENFORCED WITHOUT SUSPENSION IF YOU VIOLATE ANY CITY, STATE OR FEDERAL LAW AND/OR THE CONDITIONS OF PROBATION ORDERED BY THE COURT PER ANY SEPARATE ORDER AND INCORPORATED AS PART OF THIS ORDER.

FINES AND COSTS

YOU ARE ORDERED TO PAY TO THE OKLAHOMA COUNTY COURT CLERK INSTANTLY ACTUAL COURT COSTS, AS DETERMINED BY THE OKLAHOMA COUNTY COURT CLERK, AND ACTUAL WITNESS FEES TO BE TAXED AS COURT COSTS. YOU ARE FURTHER ORDERED TO PAY ANY FINES, COSTS, ASSESSMENTS, FEES TO THE OKLAHOMA COUNTY COURT CLERK. YOU ARE FURTHER ORDERED TO PERFORM COMMUNITY SERVICE AND/OR PAY RESTITUTION PER ANY SEPARATE SCHEDULING ORDER AND INCORPORATED AS A PART OF THIS ORDER.

CHECK THE APPROPRIATE BOX:

- FINES TOTALING THE AMOUNT OF \$ 50
- VICTIM COMPENSATION ASSESSMENT IN THE AMOUNT OF \$ 50
- A LABORATORY FEE FOR THE BENEFIT FOR _____ OF \$ _____
- COURT APPOINTED ATTORNEY FEE IN THE AMOUNT OF \$ 175
- MENTAL HEALTH ASSESSMENT FEE IN THE AMOUNT OF \$ _____
- PRE-SENTENCE INVESTIGATION REPORT TO THE DEPARTMENT OF CORRECTIONS IN THE AMOUNT OF \$ _____
- DPS FEE \$ _____
- DISTRICT ATTORNEY FEE \$ 25
- DNA FEE \$ 150
- TRAUMA CARE FEE \$ _____
- DRUG EDUCATION REVOLVING FUND \$ _____
- INCARCERATION COST waived \$ _____
- PAY RESTITUTION PER THE SCHEDULE AND INCORPORATED AS A PART OF THIS ORDER.
- PERFORM COMMUNITY SERVICE PER THE SCHEDULE AND INCORPORATED AS A PART OF THIS ORDER.
- YOU WILL SUBMIT TO A BUCCAL SWAB FOR DNA ANALYSIS NOT APPLICABLE

PLEA OF GUILTY

PART B: SENTENCE ON PLEA

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NOTICE OF RIGHT TO APPEAL

TO APPEAL FROM THIS CONVICTION, OR ORDER DEFERRING SENTENCE, ON YOUR PLEA OF GUILTY, YOU MUST FILE IN THE DISTRICT COURT CLERK'S OFFICE A WRITTEN APPLICATION TO WITHDRAW YOUR PLEA OF GUILTY WITHIN TEN (10) DAYS FROM TODAY'S DATE. YOU MUST SET FORTH IN DETAIL WHY YOU ARE REQUESTING TO WITHDRAW YOUR PLEA. THE TRIAL COURT MUST HOLD A HEARING AND RULE UPON YOUR APPLICATION WITHIN THIRTY (30) DAYS FROM THE DATE IT IS FILED. IF THE TRIAL COURT DENIES YOUR APPLICATION, YOU HAVE THE RIGHT TO ASK THE COURT OF CRIMINAL APPEALS TO REVIEW THE DISTRICT COURT'S DENIAL BY FILING A PETITION FOR WRIT OF CERTIORARI WITHIN NINETY (90) DAYS FROM THE DATE OF DENIAL. WITHIN TEN (10) DAYS FROM THE DATE THE APPLICATION TO WITHDRAW PLEA OF GUILTY IS DENIED, NOTICE OF INTENT TO APPEAL AND DESIGNATION OF RECORD MUST BE FILED PURSUANT TO OKLAHOMA COURT OF CRIMINAL APPEALS RULE 4.2(D). IF YOU ARE INDIGENT, YOU HAVE THE RIGHT TO BE REPRESENTED ON APPEAL BY A COURT APPOINTED ATTORNEY AND THE RIGHT TO A RECORD AND TRANSCRIPT AT PUBLIC EXPENSE.

DO YOU UNDERSTAND EACH OF THESE RIGHTS TO APPEAL? YES NO
DO YOU WANT TO REMAIN IN THE COUNTY JAIL TEN (10) DAYS BEFORE BEING TAKEN TO THE PLACE OF CONFINEMENT? YES NO
HAVE YOU FULLY UNDERSTOOD THE QUESTIONS THAT YOU HAVE BEEN ASKED? YES NO
HAVE YOUR ANSWERS BEEN FREELY AND VOLUNTARILY GIVEN? YES NO

I ACKNOWLEDGE AND UNDERSTAND MY RIGHTS AND SENTENCE IMPOSED.

Joshua M. Smith
DEFENDANT

I, THE UNDERSIGNED ATTORNEY, HAVE ADVISED THE DEFENDANT OF HIS/HER APPELLATE RIGHTS.

Michael Bush
ATTORNEY FOR THE DEFENDANT (PRINTED)

[Signature]
ATTORNEY FOR THE DEFENDANT (SIGNATURE)

Emily Vanderariff
ASSISTANT DISTRICT ATTORNEY (PRINTED)

[Signature]
ASSISTANT DISTRICT ATTORNEY (SIGNATURE)

DONE IN OPEN COURT THIS 19 DAY OF Oct, 2010

[Signature]
DEPUTY COURT CLERK

[Signature]
GREGORY J. RYAN, JUDGE
COURT REPORTER