

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ COUNTY, ALABAMA  
STATE OF ALABAMA v. \_\_\_\_\_

The Defendant appears in court for sentencing with counsel, \_\_\_\_\_, and having pled or been found guilty, is **adjudicated** guilty of \_\_\_\_\_, under Section \_\_\_\_\_, *Code of Alabama* 1975, as charged/embraced/amended in Count \_\_\_\_\_ of the Information/Indictment. A **Presentence Report**  is considered by the Court  is waived  will be considered at probation hearing. Having been given an opportunity to say why sentence should not now be imposed, the Defendant is hereby **sentenced** to a term of \_\_\_\_\_ months in the custody of :

- Department of Corrections
- Community Corrections
- County Jail.

The Defendant shall be given  \_\_\_\_\_ **days jail credit**  **jail credit** in an amount certified by the Court Clerk.

The sentence shall run  consecutively  concurrently, with \_\_\_\_\_.

**I. SENTENCE LENGTH DETERMINATION**

A. This is a sentencing event covered by the sentencing standards.  Yes  No

1. If no, go to paragraph B.

2. If yes, the Court has considered the worksheet recommendations.  Yes  No

3. The recommended sentence disposition is  Prison  Non-Prison.

4. The recommended sentence length is \_\_\_\_\_ to \_\_\_\_\_ months (total); \_\_\_\_\_ to \_\_\_\_\_ months (incarceration portion, if split).

B. Because this sentence is not imposed under the sentencing standards, the following enhancements apply:

- 1.  Habitual Offender Act; the Court finds the Defendant has been duly convicted of \_\_\_\_\_ prior adult felony offense(s) and had reasonable notice of the State's intention to seek enhancement under this Act
- 2.  5 years for the Sale of Drugs within 3 miles of a school
- 3.  5 years for the Sale of Drugs within 3 miles of a housing project
- 4.  Firearm or Deadly Weapon enhancement
- 5.  \_\_\_\_\_

**II. COURT COSTS, FINES, ASSESSMENTS, FEES & RESTITUTION**

A. The Defendant shall pay to the Court Clerk:

Court Costs.

Fine of \$ \_\_\_\_\_.

Alabama Crime Victims Compensation Assessment of \$ \_\_\_\_\_.

Appointed Attorney Fees of  \$ \_\_\_\_\_  in an amount to be determined.

Restitution (jointly & severally with any co-defendant) to \_\_\_\_\_ of  \$ \_\_\_\_\_  in an amount to be determined by further hearing on \_\_\_\_\_.

\_\_\_\_\_.

B. The following are remitted: \_\_\_\_\_.

**III.  DRUG OFFENSE** – The Defendant shall surrender all Driver's Licenses to the Department of Public Safety for suspension, pay CRO Fees, successfully complete a Substance Abuse Program, pay the Forensic Science Trust Fund fee of \$100, and pay the Drug Demand Reduction Assessment of \$\_\_\_\_,000 which may be suspended pursuant to Section 13A-12-284, *Code of Alabama* 1975.

**IV. PAYMENT**

A. The full amount shall be paid:  in full by \_\_\_\_\_  in installments in the amount of \$ \_\_\_\_\_ each month with the first payment on \_\_\_\_\_ and on or before the same day each month thereafter.

B. Payment shall be a condition of probation, parole, community corrections, work release, SIR, SRP or any other release program.

C. ADOC or the Sheriff, if the inmate is incarcerated in the county jail, shall collect monthly \_\_\_\_\_% of the inmate's institutional account and forward payments to the Court Clerk at least once every three months.

D.  Court Clerk shall apply payments to restitution first.

**V.  APPLICATION FOR PROBATION** is set for a hearing on \_\_\_\_\_. Imposition of this sentence is hereby suspended and the Defendant is continued on the  same  \$ \_\_\_\_\_ bond until the hearing. A pre-sentence investigation report  shall  shall not be prepared.

**DONE and ORDERED** \_\_\_\_\_ (date)

**JUDGE**

**VI. DISPOSITION**

- This is a **straight** sentence to be served.
- This sentence is **suspended**. The Defendant is placed on straight probation for a term of \_\_\_\_\_ months. The Defendant shall abide by all conditions, rules and regulations of the supervising agency and those specifically noted in this Order.

This probation shall be supervised by:

- State Probation    Community Corrections    \_\_\_\_\_    Unsupervised.

- This is a **split** sentence. The Defendant shall **serve** a term of \_\_\_\_\_ months, in the:
  - Department of Corrections    Community Corrections    County Jail    \_\_\_\_\_, beginning on \_\_\_\_\_.
  - The Court may reconsider the split portion of this sentence after the defendant completes
    - ADOC Substance Abuse Program    \_\_\_\_\_

Following incarceration, the unserved portion of the sentence shall be suspended and the defendant shall be placed on probation for a term of \_\_\_\_\_ months.

The Defendant shall abide by all conditions, rules and regulations of the supervising agency and those noted in this Order.

This probation shall be supervised by:

- State Probation    Community Corrections    \_\_\_\_\_    Unsupervised.

**VII. SPECIAL CONDITIONS**

The Defendant shall fulfill every item marked as a special condition of probation, community corrections or other such program.

Enroll in, cooperate fully with, and successfully complete all of the following marked programs as directed by any supervising agency, and file proof of completion with the supervising agency:

- |  |   |
|--|---|
| <input type="checkbox"/> Anger Management Training             | <input type="checkbox"/> Parenting Skills Training            |
| <input type="checkbox"/> Domestic Violence Education/Treatment | <input type="checkbox"/> Sex Offender Evaluation /Treatment   |
| <input type="checkbox"/> Life Skills Training                  | <input type="checkbox"/> Substance Abuse Evaluation/Treatment |
| <input type="checkbox"/> Mental Health Evaluation/Treatment    | <input type="checkbox"/> _____                                |

- Avoid initiating any contact with \_\_\_\_\_
- Complete \_\_\_\_\_ hours of community service at \_\_\_\_\_
- \_\_\_\_\_

**VIII. APPEAL**

The Defendant pled guilty and for appeal    did not reserve any issues    reserved these issues:

\_\_\_\_\_

**IX. DISTRIBUTION OF COPIES**

If the conviction is a sentencing standards worksheet offense (see I.A.), the Court Clerk shall forward to the Alabama Sentencing Commission within 45 days of this Order a copy of this Sentencing Order and a copy of the Sentencing Standards worksheet in this case.

The Court Clerk shall provide a copy of this Sentencing Order to counsel for all parties.

**DONE and ORDERED** \_\_\_\_\_ (date) \_\_\_\_\_, **JUDGE**