

IN THE CIRCUIT COURT FOR MORGAN COUNTY, ALABAMA

STATE OF ALABAMA vs. \_\_\_\_\_, defendant.

The defendant, his/her attorney and counsel for the State of Alabama appear in open court for the defendant to be sentenced on his/her conviction[s] of \_\_\_\_\_  
\_\_\_\_\_ as charged/embraced/amended in Count[s] \_\_\_\_\_.

A Presentence Report  is considered by the court  is waived  will be considered at probation hearing.

After allocution, the defendant is **sentenced** to serve \_\_\_\_\_ in the custody of:  
 Department of Corrections  Morgan Co. Community Corrections  Morgan County Jail.

The sentence[s] shall run:

- consecutive to  each other;  other sentence[s] in Case No.[s] \_\_\_\_\_;  sentence[s] defendant is presently serving.
- concurrent with  each other;  other sentence[s] in Case No.[s] \_\_\_\_\_;  sentence[s] defendant is presently serving.

The defendant shall be given jail credit for the time served on this offense to date.

**I. SENTENCE LENGTH DETERMINATION**

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

1. If no, proceed to paragraph B below.
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 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 Circuit Court Clerk:

- Court costs
  - Fine of \$ \_\_\_\_\_
  - Alabama Crime Victim's Assessment of \$ \_\_\_\_\_
  - The defendant shall reimburse the State for attorney's fees incurred in this matter
  - Restitution (jointly and severally with any convicted co-defendant) in the amount of \$ \_\_\_\_\_ to \_\_\_\_\_  Name and address to be supplied by the district attorney.
- the issue of restitution is reserved by the court. If an agreement for the amount of restitution cannot be reached by the State and the defendant and submitted to the court, then, upon motion of the district attorney, a restitution hearing will be scheduled.

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 and pay the Drug Demand Reduction Assessment of \$ \_\_\_\_\_  on each count which may be suspended pursuant to Section 13A-12-284, *Code of Alabama*, 1975.

**IV. PAYMENT**

- A. The Circuit Court Clerk shall apply payments to restitution first.
- B. The full payment of all court-ordered monies is due  on or before \_\_\_\_\_  as directed by the defendant’s probation officer, community corrections and/or parole officer.
- C. Payment shall be a condition of probation, parole, community corrections, work release, SIR, SRP or any other release program.
- D. 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 Circuit Court Clerk at least once every three months.

**V. DISPOSITION/PROBATION**

- This is a **straight** sentence to be served.
- Probation is  denied by the court  knowingly, intelligently and voluntarily waived by the defendant.
  
- This is a **suspended** sentence. The defendant is placed on straight probation for a term of \_\_\_\_\_ under the supervision of  State Probation Office  Community Corrections  \_\_\_\_\_  unsupervised  
**The defendant shall abide by all conditions, rules and regulations of the supervising agency and those specifically noted herein.**

- This is a **split** sentence. The defendant shall **serve** a term of \_\_\_\_\_ in  Department of Corrections,  Community Corrections  County Jail  \_\_\_\_\_ beginning  immediately  \_\_\_\_\_.
  - The court may reconsider the split portion of this sentence after the defendant completes  ADOC Substance Abuse Program or  \_\_\_\_\_.
- Following incarceration, the unserved portion of the sentence shall be suspended and the defendant shall be placed on probation for a period of \_\_\_\_\_ under the supervision of  State Probation Office  Community Corrections  unsupervised  
**The defendant shall abide by all conditions, rules and regulations of the supervising agency and those specifically noted herein.**

- This is a **split** sentence with \_\_\_\_\_ to serve in  Department of Corrections,  Community Corrections  County Jail and the remainder suspended. Service of the split sentence is postponed for \_\_\_\_\_ so long as the defendant complies with all conditions, rules and regulations of probation or community corrections.  
**The defendant shall abide by all conditions, rules and regulations of the supervising agency and those specifically noted herein.**

**VI. 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 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"/> Mental Health Evaluation/Treatment | <input type="checkbox"/> Substance Abuse Evaluation/Treatment |
| <input type="checkbox"/> Domestic Violence Education/Treatment | <input type="checkbox"/> Parenting Skills Training          | <input type="checkbox"/> Obtain GED within _____              |
| <input type="checkbox"/> Life Skills Training                  | <input type="checkbox"/> Sex Offender Evaluation/Treatment  | <input type="checkbox"/> _____                                |
  
  - Not use/possess illegal controlled substances or narcotics prescribed for someone else.
  - Avoid contact with \_\_\_\_\_.
  - Complete \_\_\_\_\_ hours of community service at \_\_\_\_\_.
  - Shall be electronically monitored in home detention.
  - \_\_\_\_\_.

**VII. APPEAL**

- Defendant has been determined to have knowingly, voluntarily and intelligently waived his/her right to appeal and right to seek post-conviction relief.
- Defendant pled guilty and for appeal  did not reserve any issues  reserved these issues: \_\_\_\_\_
- Defendant gives oral notice of appeal.
- Defendant is advised of his/her right to appeal, right to appointed counsel and free transcript.

**VIII. DISTRIBUTION OF COPIES**

If the conviction is a sentencing standards worksheet offense, 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 copies of this Sentencing Order to:

- District Attorney
- Defendant’s counsel
- Defendant
- State Probation Office
- Community Corrections
- Morgan County Sheriff
- Alabama Department of Corrections
- Alabama Department of Public Safety
- \_\_\_\_\_.

**DONE and ORDERED** this \_\_\_\_\_

\_\_\_\_\_  
**GLENN E. THOMPSON, CIRCUIT JUDGE**