

JUDGE'S DOCKET SHEET - JUDGMENT IN A MISDEMEANOR CASE

Defendant's Name: John McKinley

Case Number: 20BA 020066

APPEARANCES

State by HWA, defendant in person and (by counsel Sicola) (  State waives jail time).  
 State by \_\_\_\_\_ and defendant. Defendant knowingly and intelligently waives right to counsel and files written waiver.  
 State by \_\_\_\_\_ and defendant by counsel \_\_\_\_\_. All parties agree that defendant need not be present.

FILINGS

State (files/amends) (substitute/\_\_\_\_\_ amended) information (by interlineation). Formal arraignment waived.  
State enters nolle pros to Count(s) \_\_\_\_\_. Count(s) \_\_\_\_\_ are dismissed.

FINDINGS

Defendant (withdraws plea of not guilty and) enters plea of guilty (to Count(s) \_\_\_\_\_). Defendant is advised of rights and plea is held informed and voluntary. Court finds defendant guilty.  
Defendant (withdraws plea of not guilty and) enters plea of guilty (to Count(s) \_\_\_\_\_). Defendant is advised of rights and plea is held informed and voluntary. Court declines plea agreement. After being advised of the range of punishment, defendant maintains plea of guilty. Court finds defendant guilty.  
For crimes involving harm to a person, State has notified or attempted to notify the victim.

JUDGMENT AND SENTENCE

Count 1  
 Incarceration in Boone County Jail for 365 days (to begin \_\_\_\_\_) (credit for \_\_\_\_\_ days served since \_\_\_\_\_).  
Sentence to run (concurrent with/consecutive to) \_\_\_\_\_  
Fine of \$ \_\_\_\_\_. Execution of \$ \_\_\_\_\_ stayed on condition: \_\_\_\_\_  
 Execution/Imposition/\$ \_\_\_\_\_ of sentence suspended and defendant placed on probation for \_\_\_\_\_ one year  two years.  
Probation supervised by \_\_\_\_\_ Probation and Parole.  Adult Court Services until all special conditions are met. \_\_\_\_\_ unsupervised.

Count \_\_\_\_\_  
Incarceration in Boone County Jail for \_\_\_\_\_ (to begin \_\_\_\_\_) (credit for \_\_\_\_\_ days served since \_\_\_\_\_).  
Sentence to run (concurrent with/consecutive to) \_\_\_\_\_  
Fine of \$ \_\_\_\_\_. Execution of \$ \_\_\_\_\_ stayed on condition: \_\_\_\_\_  
(Execution/Imposition/\$ \_\_\_\_\_) of sentence suspended and defendant placed on probation for \_\_\_\_\_ one year \_\_\_\_\_ two years.  
Probation supervised by \_\_\_\_\_ Probation and Parole. \_\_\_\_\_ Adult Court Services until all special conditions are met. \_\_\_\_\_ unsupervised.

Count \_\_\_\_\_  
Incarceration in Boone County Jail for \_\_\_\_\_ (to begin \_\_\_\_\_) (credit for \_\_\_\_\_ days served since \_\_\_\_\_).  
Sentence to run (concurrent with/consecutive to) \_\_\_\_\_  
Fine of \$ \_\_\_\_\_. Execution of \$ \_\_\_\_\_ stayed on condition: \_\_\_\_\_  
(Execution/Imposition/\$ \_\_\_\_\_) of sentence suspended and defendant placed on probation for \_\_\_\_\_ one year \_\_\_\_\_ two years.  
Probation supervised by \_\_\_\_\_ Probation and Parole. \_\_\_\_\_ Adult Court Services until all special conditions are met. \_\_\_\_\_ unsupervised.

DEPARTMENT OF REVENUE ACTION

Pursuant to § 302.302.5, RSMo, defendant is allowed to complete a driver improvement program in lieu of points as to Count \_\_\_\_  
Pursuant to § 302.303 and 303.025.3(3), RSMo, defendant is placed under supervision of the Director of Revenue in lieu of assessment of points for failure to maintain financial responsibility as charged in Count \_\_\_\_  
Pursuant to § 302.400.1, RSMo, Court finds defendant guilty of the following offense(s) and that the defendant was under 21 years of age at the time the offense was committed:

- 1.  An alcohol-related traffic offense
  - 2.  An offense involving the possession or use of alcohol, committed while operating a motor vehicle
  - 3.  An offense involving the possession or use of a controlled substance as defined in Chapter 195, RSMo. & Chapter 579 RSMo.
  - 4.  An offense involving the possession or use of alcohol for a second time and a determination of guilt or its equivalent was made for the first offense and both offenses were committed by defendant when defendant was under 18 years of age
- For each offense noted directly above, the court further finds that the conviction is/was for a violation of state law or county or municipal ordinance, the judge was an attorney, and the defendant was represented by counsel or waived the right to an attorney in writing.
- 5.  An offense involving alteration, modification or misrepresentation of a license to operate a motor vehicle in violation of §311.328, RSMo.

Director of Revenue is ordered, pursuant to § 302.400.6, RSMo, to:  
 Suspend defendant's driving privileges for 90 days (first offense)  
 Revoke defendant's driving privileges for one year (second/subsequent offense)

Pursuant to § 302.400.2, RSMo, Court finds defendant committed a crime or violation of § 311.325, RSMo, and defendant was more than 15, and under 21, years of age when the crime or violation was committed. Pursuant to § 302.400.2, RSMo, the Director of Revenue is ordered to:  
 Suspend defendant's driving privileges for: \_\_\_\_\_ 30 days (first offense) \_\_\_\_\_ 90 days (second offense)  
 Revoke defendant's driving privileges for one year (third and subsequent offense)

Pursuant to § 302.405, RSMo, Court finds defendant guilty of a violation of a state, county, or municipal law involving the possession or use of a controlled substance, as defined in Chapter 195, RSMo, and Chapter 577, RSMo, while operating a motor vehicle, and defendant was 21 years of age or older at the time the offense was committed.  
 Director of Revenue is ordered to revoke defendant's driving privileges for one year.  
 Defendant is ordered to surrender his/her license to the court.

Order of supervision/revocation entered pursuant to  
 §311.321, RSMo, Possession of Altered License  
 §302.286, RSMo, Motor Fuel Theft

SPECIAL CONDITIONS OF PROBATION (OR STAY OF FINE) - Defendant is ordered to:

- 1. Complete (Victim Impact Panel / STOP/Batter's Intervention Program/Anger Management Program/ ) and file proof of completion within 60 days.
- 2. Receive a substance abuse assessment by a certified SATOP agency within 60 days and follow the recommendation.
- 3. Not violate the law and report any arrest (or summons) within 48 hours.
- 4. Submit to a chemical test at request of any law enforcement officer.
- 5. Not enter establishments whose primary purpose is the sale or distribution of alcohol.
- 6. Not possess or consume intoxicants (until attaining age 21 years), and not possess or consume any controlled substances.
- 7. Pay (reimbursement of law enforcement agency expenses pursuant to § 488.5334 RSMo/laboratory charges for drug testing pursuant to § 488.029 RSMo) which shall be included in the total amount assessed for court costs.
- 8. Seek and complete \_\_\_\_\_ counseling as directed by probation officer \_\_\_\_\_.
- 9. Not operate a motor vehicle unlawfully.
- 10. Pursuant to Section § 302.442 RSMo, defendant shall not operate a motor vehicle for \_\_\_\_\_ years unless it is equipped with a functioning Ignition Interlock Device and defendant to file proof to the court of installation of Ignition Interlock Device when driving privileges are reinstated.
- 11. Not maintain a checking account and not write checks.
- 12. Have no unlawful contact with G.O.K.
- 13. Not possess firearms or weapons unless approved by A.C.S.
- 14. Not be on premises of \_\_\_\_\_
- 15. Serve \_\_\_\_\_ days of shock detention in the Boone County Jail commencing \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.
- 16. Complete \_\_\_\_\_ hours Community Service Work within \_\_\_\_\_ under (PP/PA/ACS) supervision.
- 17. Submit to fingerprinting.
- 18. Pay the Prosecuting Attorney's administrative fee in the amount of \$ \_\_\_\_\_ and a M.O.P.S. fee of \$ \_\_\_\_\_.
- 19. Pay child support as ordered in case number \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ per month plus \$ \_\_\_\_\_ per month toward arrearages. Said payments to be made by the \_\_\_\_\_ day of each month commencing \_\_\_\_\_.
- 20. Pay restitution (in the amount of \$ \_\_\_\_\_ and 9% interest as accrued to the Prosecuting Attorney) (To be filed by Prosecutor and approved by court) (within \_\_\_\_\_/with payments of at least \$ \_\_\_\_\_ per month commencing \_\_\_\_\_./as directed/jointly and severally with \_\_\_\_\_).
- 21. Court costs and Crime Victim Compensation Fund Judgment of \$10.00 ordered paid to the Circuit Clerk at time of disposition. Cash bond if any, applied to balance due.
- 22. Fine Payment: Defendant to report to Adult Court Services on date of disposition or within 24 hours of release from Jail. All fines and associated court costs not paid forthwith to Circuit Clerk are ordered to be paid in full within 90 days. Cash bond if any, applied to balance due.
- 23. Pay a time payment fee of \$25.00 if all court costs and fines are not paid in full within 30 days, and the time payment fee shall be included in the total amount assessed for court costs.
- 24. Not be discharged from supervised probation until all costs, fines and restitution are paid.
- 25.
  - Obtain advance permission from Adult Court Services before making any change in residency.
  - Report any changes to employment to Adult Court Services within 48 hours.
  - Report immediately to, and as directed by Adult Court Services. Abide by any directives given to you by Adult Court Services.
  - Enter and successfully complete supervision and abide by all rules and program requirements as directed by the Court or Adult Court Services.
- 26. Abide by OUSA

Show cause hearing is set and defendant is ordered to appear at 1:30 p.m. on 1/4/21.

FURTHER ORDERS:

- At defendant's request, defendant (will be allowed to serve/has served) \_\_\_\_\_ days in the Boone County Jail in satisfaction Of court costs and fines. Crime Victim Compensation Fund Judgment remains due on Civil Judgment Index.
- Home Detention Study ordered. State ( ) opposed ( ) not opposed ( ) defers.
- If defendant is allowed to serve shock detention/sentence on home detention under supervision of entity approved by ACS commencing \_\_\_\_\_ it shall be at no cost to Boone County and defendant is ordered To file written proof of commencement and successful completion.
- Show cause hearing is set \_\_\_\_\_ and defendant is ordered to appear if proof of \_\_\_\_\_ is not filed.
- Work Release Petition (filed/to be filed). State ( ) opposed ( ) not opposed. Petition ( ) approved ( ) denied.
- Defense Counsel given leave to withdraw after disposition.

Defendant hereby acknowledges receipt of judgment and order including conditions of probation, if any.

DEFENDANT'S SIGNATURE \_\_\_\_\_

DATE 11-4-2020  
Kimberly Shaw  
JUDGE'S SIGNATURE \_\_\_\_\_