

IN THE COURT OF COMMON PLEAS
CLINTON COUNTY, OHIO

State of Ohio :
Plaintiff : CASE NO. 94-CR-29
-vs- :
Kenneth E. Gray, Jr. :
Defendant : JUDGMENT ENTRY

CLINTON COUNTY
JOHANN H. COOPER, CLERK

1994 MAY 19 PM 3:52

FILED - COURT OF COMMON PLEAS

This cause came on for hearing on the 20th day of April, 1994, with Richard W. Moyer, Assistant Prosecuting Attorney for Clinton County, Ohio; David G. Cox, Assistant Attorney General for the State of Ohio, appearing on behalf of the State of Ohio; and the Defendant, being in Court with his counsel, J. Michael Dobyns, for the purpose of sentencing.

Whereupon, the Court inquired of the defendant as to whether he had anything to say as to why sentence ought not be imposed on him. The defendant through his counsel did address the Court.

It is therefore ORDERED by the Court as follows:

(1) that the defendant, Kenneth E. Gray, Jr., be hereby sentenced and ordered transported to the Correctional Reception Center, Orient, Ohio for assignment to an appropriate penal institution for an indefinite term of not less than two (2) years but not more than four (4) years and shall pay a fine of Five Hundred Dollars (\$500.00) for Illegal Transportation of Hazardous Waste in violation of Section 3734.02 (F) of the Ohio Revised Code, an unclassified felony, as contained in the Bill of Information.

(2) that imposition of sentence of imprisonment be suspended and that the defendant, Kenneth E. Gray, Jr., be placed on probation for the period of three (3) years under the control and supervision of the Ohio Adult Probation and Parole Authority, from the date of this hearing, upon the conditions attached hereto and made a part hereof and including the following conditions:

(a) that the defendant, Kenneth E. Gray, Jr., shall serve a term of ninety (90) days of home incarceration with work release, to begin immediately, to be served in the following manner under the supervision of the Clinton County Sheriff's Department at the expense of the defendant:

Monday through Friday of each week the defendant shall be allowed to leave his home to perform work for Ruthman Pump and/or Fulflo/True-Torq. from 7:00 A.M. to 7:00 P.M.

From 7:00 P.M. on Friday until 7:00 A.M. on Monday, the defendant shall not be allowed to leave his home, except on Sundays he shall be allowed to attend church services with arrangements to be made with the Clinton County Sheriff's Department.

(b) The fine imposed herein shall be payable to Clinton County, Ohio through the Clerk of Courts herein, to be deposited into the General Fund within thirty (30) days from the date of this hearing.

(c) The defendant shall pay the costs of prosecution for which execution is awarded.

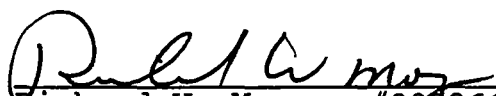
Further, the Court advises the defendant of his right to appeal; that if he is unable to pay the cost of an appeal, he has

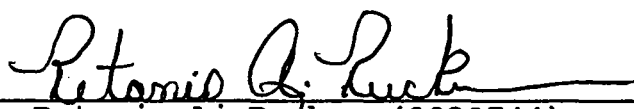
the right to appeal without payment; that if he is unable to obtain counsel for an appeal, counsel will be appointed without cost; that if he is unable to pay the cost of documents necessary to an appeal, such documents will be provided without costs; and that he has a right to have notice of appeal timely filed on his behalf, pursuant to Rule 32 (A) of the Ohio Rules of Criminal Procedure.

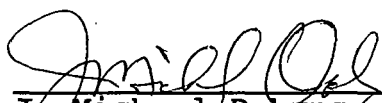
Pursuant to the Negotiated Plea Agreement filed herein, the defendant agreed to waive his Appellate rights as to the case sub judice and agreed to serve the full term of incarceration and not to apply to the Court for shock probation or to make any other application designed to shorten the period of such incarceration.

ENTER this 19th day of May, 1994.


William B. McCracken, JUDGE


Richard W. Moyer, #0039665
Assistant Prosecuting Attorney


Retanio A. Rucker (0039744)
David G. Cox (0042724)
Assistant Attorneys General
Environmental Enforcement


J. Michael Dobyne, #0031335
Attorney for Defendant

**IN THE COURT OF COMMON PLEAS
CLINTON COUNTY, OHIO**

State of Ohio

*

PLAINTIFF

*

CASE NO. _____

-vs-

*

Kenneth E. Gray, Jr.

*

JUDGMENT ENTRY
RULES OF PROBATION

DEFENDANT

*

* * * * *

The defendant shall be placed on probation for the period of three (3) years under the control and supervision of the Ohio Adult Probation and Parole Authority from the 20th day of April, 1994, upon the following conditions:

1. He/She shall observe all the laws of Ohio, and of the United States and of every jurisdiction thereof.
2. He/She shall not have under his/her control, or possess a firearm or deadly weapon.
3. He/She shall associate with no persons of questionable character, or persons on parole, or probation and shall avoid places of ill repute.
4. He/She shall abstain from the use of intoxicating liquors and narcotics.
5. He/She shall obtain permission from the Probation Officer before changing his/her place of residence, and without such permission he/she shall not change his/her residence.
6. He/She shall not leave the State unless he/she has permission from the Probation Officer.
7. He/She shall report to his/her probation officer as directed to him/her by his/her probation officer.
8. He/She shall observe and comply with other conditions and rules of probation as directed to him/her by his/her probation officer.

9. He/She shall make restitution through the Clerk of the Common Pleas Court of Clinton County, Ohio, in the sum of \$ _____, in accordance with the following payment schedule: _____

10. He/She shall pay court costs in the amount of \$ 150.00, as follows: _____

11. He/She shall pay fine(s) in the sum of \$ 500.00, as follows: within 30 days from date of hearing

I have reviewed the terms and conditions of probation this 20TH day of APRIL, 1994, at the direction of the probation officer and I understand said terms and conditions.

Kenneth E. Gray
(Signature of Defendant)
Kenneth E. Gray, Jr.

I have reviewed the terms and conditions of probation this 20TH day of APRIL, 1994, with KENNETH GRAY and he/she has acknowledged to me his/her understanding of these rules.

George Kral
PROBATION OFFICER

ENTER this 19th day of May, 1994.

William B. McCracken
William B. McCracken, JUDGE

WILLIAM E. PEELLE
PROSECUTING ATTORNEY
CLINTON COUNTY, OHIO

BY: David W. Peelle
Asst. Atty. Gen.
Assistant Prosecuting Attorney

J. Michael Dobyns
J. Michael Dobyns
Attorney for Defendant