

IN THE CIRCUIT COURT OF ETOWAH COUNTY, ALABAMA

STATE OF ALABAMA,

PLAINTIFF

VS.

JONATHON WADE HORTON,

DEFENDANT

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CASE NO. CC-06-1285-WAM

SENTENCING ORDER

On the 29th day of January, 2007, the Defendant filed his Plea of Not Guilty and Waiver of Arraignment and on the 11th day of August, 2008, the Defendant withdrew his Plea of Not Guilty and entered a Plea of Guilty to the offense of Assault III, a lesser included offense of that as charged in the Indictment.

On the 11th day of August, 2008, Defendant present in open Court with his/her attorney present and being asked by the Court if he/she has anything to say why the Judgment of the Court and the Sentence of the Law should not be pronounced upon him/her, Defendant made no response.


It is therefore, CONSIDERED by the Court and it is the JUDGMENT AND SENTENCE of the Court that the Defendant be imprisoned in the Etowah County Detention Center for a term of twelve (12) months. Defendant's application for probation is granted and Defendant is placed on two (2) years unsupervised probation.

Defendant is further Ordered to pay the court costs herein, restitution to be added by affidavit within sixty (60) days and an Alabama Crime Compensation Commission Assessment of \$25.00. It is further Ordered by the Court that the Defendant be credited with time spent in jail awaiting trial.

The Defendant having waived his/her right of appeal as part of the plea agreement herein, the Court specifically finds:

1. Defendant has reserved no issues for appellant review. Defendant and the Court have entered into a colloquy wherein the Defendant was advised of the consequences of waiving his/her appeal right, his/her right to file a motion to withdraw his/her plea within thirty (30) days, and his/her right of appeal in the event the Court denies his/her motion to withdraw his/her plea.

DONE this the 11th day of August, 2008.


WM. ALLEN MILLICAN, CIRCUIT JUDGE

cc: District Attorney
Roy McCord, Esq.

FILED

AUG 12 2008

**BILLY YATES
CLERK, CIRCUIT COURT**