

SUPERIOR COURT OF ARIZONA
COUNTY OF MARICOPA

CR2021-001430-001 DT

HONORABLE MARGARET B. LABIANCA

THE STATE OF ARIZONA)

V.)

TODD C LAWSON

TRACEY KAY MCKEE (001))

TOM HENZE

DOB: 9/6/1957)
_____)

SENTENCING ORDER

Supervised Probation

This is the time set for Sentencing hearing held on April 29, 2022 at 8:30 AM in the Central Court Building - 901 for CR2021-001430-001 DT and Defendant TRACEY KAY MCKEE.

Hearing Start: 08:47 AM

Present in the courtroom,

Attorney	Lawson, Todd C
Defendant	Tracey McKee
Defendant's Attorney	Janey Cook
Retained Counsel	Tom Henze

A record of the proceedings is recorded by Court Reporter, WANDA BAUER.

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the following offense(s):

Count 001

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

As Amended, §16-1016.1 ATTEMPT TO COMMIT VOTING-NOT ENTITLED, Felony 6

A.R.S. § 13-702

Date of Offense: 10/7/2020

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on Probation for:

Count 001 - Supervised Probation for a term of 2 years to begin on: 4/29/2022

IT IS ORDERED that the Defendant shall abide by all standard terms and conditions of probation including:

Condition: 3	I will report any contact I have with law enforcement to the APD within 72 hours.
Condition: 6	I will report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. I will also keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. I will provide a sample for DNA testing if required by law.
Condition: 8	I will request and obtain written permission of the APD prior to leaving the state.
Condition: 9	I may apply for Interstate Compact supervision in the state of California and will not proceed to that state until reporting instructions are received and the APD issues a written travel permit.
Condition: 17	I will complete a total of 100 hours of community restitution. I will complete a set number of hours per month as directed in writing by my probation officer. I will complete these hours at a site approved by the APD.
Condition: 22	Defendant agrees not to re- register to vote unless Defendant is discharged from probation and the Court restores the Defendant's right to vote as part of the restoration of civil rights set forth in A.R.S § 13-907(A).

Condition 15: IT IS ORDERED that the Defendant shall pay financial obligations through the Clerk of the Superior Court as directed.

	Total	Payment	Begin	Note
Probation Assess.	\$20.00		05/02/2022	
Interstate Compact App. Fee***	\$300.00		05/02/2022	
Criminal Penalty Assessment	\$13.00		05/02/2022	AZ Office of the Attorney General
Victim Rights/Compensation Fund	\$9.00		05/02/2022	
Probation Svc Fee/Standard		\$65.00	05/02/2022	
Non Drug Fine with surcharge	\$1780.00		05/02/2022	To be paid to the Attorney General's Anti-Racketeering Revolving Fund
Time Payment Fee	\$20.00		05/02/2022	
Victim Rights Enforcement Assessment	\$2.00		05/02/2022	

IT IS ORDERED denying the objections raised in Defendant's Notice Pursuant to Arizona Rule of Criminal Procedure 26.8, filed 04/27/2022.

LET THE RECORD REFLECT John Hulburd testifies.

LET THE RECORD REFLECT Rich Robertson testifies.

10:15 a.m. Court stands in recess.

10:25 a.m. Court reconvenes with Counsel and Defendant present.

Court reporter Wanda Bauer is present.

A record of the proceedings is also made digitally.

LET THE RECORD REFLECT Defendant makes a statement to the Court.

10:24 a.m. Court reconvenes with Counsel and Defendant present.

Court Reporter, Wanda Bauer, is present.

A record of the proceedings is also made digitally.

LET THE RECORD REFLECT Defendant makes a statement to the Court.

IT IS FURTHER ORDERED that the Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant who is placed on probation and who does not already have a State Identification Number (SID) established in this matter be fingerprinted.

IT IS FURTHER ORDERED dismissing: Count(s): **[002]**.

IT IS ORDERED dismissing allegation(s) as listed in paragraph 3 of the Plea Agreement.

IT IS FURTHER ORDERED that the Defendant must submit to DNA testing for law enforcement identification purposes in accordance with ARS §13-610.

Defendant is advised that pursuant to ARS §13-805 that failure to maintain contact with the Adult Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

The Adult Probation Department has prepared a presentence investigation and recommendation to be filed under the case number.

Hearing Concludes: 10:39 AM

Margaret B. LaBianca

DONE IN OPEN COURT 04/29/2022

Hon. Margaret B. LaBianca
Maricopa County Superior Court

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include the date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

Let the record reflect that the Defendant's right index fingerprint is attached to this sentencing order in open court.



Right Index finger

ENDORSEMENT PAGE

CASE NUMBER: CR2021-001430-001

SIGNATURE DATE: 4/29/2022

E-FILING ID #: 14245084

FILED DATE: 5/2/2022 8:00:00 AM

TODD C LAWSON

TOM HENZE

RFR

VICTIM WITNESS DIV-AG-CCC