

VALERIE WYANT CLERK

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

21 MAY -6 PM 4:15

IN AND FOR THE COUNTY OF COCONINO

FILED JW

Ted S. Reed, Judge
Division 1
Date: April 30, 2021

Valerie Wyant, Clerk
Lauren Wells, Deputy Clerk
Jonna Baker, Court Reporter

MINUTE ENTRY

STATE OF ARIZONA)
)

Plaintiff,)
)

vs.)
)

VICTOR JOHN VARELA,)
[DOB: 09/25/1961])
)

Defendant.)
)

Cause No. CR 2020-00609

ACTION: Sentence of Standard Probation: Two (2) Years

APPEARANCES: Todd Lawson, Assistant Attorney General, is present, appearing on behalf of the State. The Defendant is present, appearing out of custody, with Counsel, Dennis Harrison.

11:10 a.m. Court is in session.

The Defendant's fingerprint is taken by the Bailiff.

The Defendant is advised of the charge(s) and the determination of guilt.

For the record, the Court has reviewed the Pre-Sentence Report and the State's Pre-Sentence Recommendation.

Counsel and Defendant present statements.

Pursuant to A.R.S. Section 13-607, the Court finds as follows:

WAIVER OF TRIAL: The Defendant knowingly, intelligently, and voluntarily waived his right to a trial with or without a jury, his right to confront and cross-examine witnesses, his right to testify or remain silent and his right to present evidence and call his own witnesses after having been advised of these rights. The determination of guilt was based upon a plea of guilty.

Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence.

IT IS THE JUDGMENT OF THE COURT that the Defendant is guilty of the crime(s) of:

Count 2 (Amended): PRESENTMENT OF A FALSE INSTRUMENT FOR FILING, a class 6 felony offense, undesignated, non-dangerous and non-repetitive, in violation of A.R.S. §§ 39-161, 13-2001, 13-701, 13-702, 13-70, 13-801, 13-802 and 16-351(G), committed on or about April 6, 2020.

The Court finds the following Aggravating circumstances:

1. The Defendant's conduct caused harm to the public confidence in elections.

The Court finds the following Mitigating circumstances:

1. The Defendant has no prior felony or misdemeanor criminal history.
2. The Defendant is employed.
3. The Defendant appears to be amendable to rehabilitation.

IT IS ORDERED suspending imposition of sentence and placing the Defendant on **Standard Probation** for the term of **two (2) years**, commencing **April 30, 2021**, under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order suspending sentence and the standard terms and conditions of probation signed by the Court.

AS ADDITIONAL TERMS OF PROBATION:

IT IS ORDERED imposing Terms 1-15 of the Uniform Conditions of Supervised Probation.

ORDERED imposing Term 22, the Defendant shall write an apology letter to the community of Flagstaff, Arizona and said letter shall be published in the Arizona Daily Sun for three (3) consecutive weeks, once per week, at the Defendant's own expense.

The Defendant shall pay the following fines, fees and/or assessments:

SUPERVISION FEE

ORDERED the Defendant shall pay a monthly probation services fee to the Clerk of the Superior Court at the rate of **\$75.00** per month during the term of probation.

PROBATION ASSESSMENT

ORDERED that the Defendant shall pay a Probation Assessment in the amount of **\$20.00**.

FINE

ORDERED that the Defendant shall pay a fine to the Clerk of the Superior Court of Coconino County in the total amount of **\$5,500.00, which equals a fine of \$5,000.00, plus a 10% surcharge of \$500.00**.

CRIMINAL PENALTY ASSESSMENT

ORDERED, pursuant to statute, the Defendant shall pay a **\$13.00** Criminal Penalty Assessment to the arresting agency.

VICTIM COMPENSATION FUND

ORDERED that the Defendant shall pay **\$9.00** towards the Victim Compensation Fund.

PEACE OFFICER TRAINING AND EQUIPMENT FUND

ORDERED that the Defendant shall pay a fee of **\$4.00** towards the Peace Officer Training and Equipment Fund.

VICTIM'S RIGHTS ENFORCEMENT FUND

ORDERED that the Defendant shall pay a Victim's Rights Enforcement Fund in the amount of **\$2.00**.

JUDICIAL COLLECTION ENHANCEMENT FUND

ORDERED the Defendant shall pay **\$20.00** towards the Judicial Collection Enhancement Fund.

TIME PAYMENT FEE

ORDERED that the Defendant shall pay a time payment fee in the amount of **\$20.00**. Should the Defendant pay all penalties, fine and/or assessments in full this date, said fee is not applicable.

RESTITUTION

ORDERED allowing the State **thirty (30) days** to request a Restitution Hearing or file a Stipulation regarding Restitution or the Court will deem the matter regarding same as waived.

FURTHER ORDERED that the above stated financial obligations shall be paid through the Clerk of the Superior Court at a rate to be determined by the Probation Department of this Court, unless Ordered otherwise.

The Defendant is advised concerning his rights of review after conviction and written notice of the rights is provided.

Based on the stipulation of the Parties, **IT IS ORDERED** pursuant to A.R.S. § 16-351(G), the Defendant shall not be eligible to seek election to a public office for a period of not less than five (5) years from today's date.

ORDERED exonerating any bond.

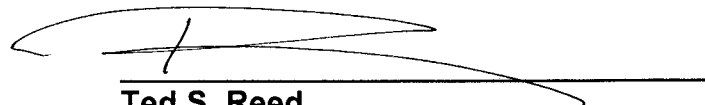
ORDERED any matters set forth in the Plea Agreement as being dismissed are dismissed.

ORDERED the offense(s) shall remain undesignated until further Order of the Court.

The written terms and conditions of probation are handed to the defendant for explanation, acceptance and signature. Defendant agrees to the stated waiver of right to extradition. The Defendant is advised concerning the consequences of failure to abide by the conditions of probation.

FILED: Notice of Rights of Review after Conviction, signed by Defendant.

[]



Ted S. Reed
Judge of the Superior Court
Division 1

[Fingerprint]

cc: County Attorney
5-14-21 ✓ Dennis Harrison
Adult Probation
✓ Financial Clerk

EDMS Barcode Cover Page

Category

CR



Case Number

S0300CR202000609



Filing Date

4/30/2021



Event Code

1256225



Sequence

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Party Type

D



Party Number

D-1



Document Id

1729464



Sealed Flag

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Restricted Flag

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