

VALERIE WYANT CLERK
18 APR 27 AM 11:43
FILED

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCONINO

Mark R. Moran, Presiding Judge
Division 3
Date: April 18, 2018

Valerie Wyant, Clerk
Jan Shepard, Deputy Clerk
Jonna Baker, Court Reporter

MINUTE ENTRY

THE STATE OF ARIZONA,)	
)	
Plaintiff,)	
)	
vs.)	Cause No. CR 2017-00840
)	
LAWRENCE JACOB SAMPSON-KAHN,)	
[DOB: 01/29/1999])	
)	
Defendant.)	

ACTION: Sentence of Intensive Probation (3 Years)

APPEARANCES: Ammon Barker, Deputy County Attorney, appearing on behalf of the State. The Defendant is appearing with Counsel Gavin O'Connor and Counsel Charles Doughy, Deputy Public Defenders.

9:12 a.m. Court is in session.

The Defendant is advised of the charges and the determination of guilt.

For the record, the Court has reviewed the Pre-Sentence Report and other portions of the file.

Several members of the Defendant's family present statements to the Court.

Several members of the Victim's family present statements to the Court.

The Defendant's fingerprint is taken by the Bailiff.

Counsel and Defendant present statements.

State v. Lawrence Jacob Sampson-Kahn
Cause No. CR 2017-00840
April 18, 2018

Upon Court inquiry, defense counsel has no objection to additional time for the State to determine Restitution.

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 of:

Count 1 (Amended): NEGLIGENT HOMICIDE, a class 4 felony offense, non-dangerous and non-repetitive, in violation of A.R.S. §§ 13-1102(A), 13-607, 13-704, 13-710, 13-712, 13-801, 13-804, 13-301, 13-302, 13-303, committed on or about September 7, 2017.

The Court finds the following Aggravating circumstances:

1. The great family suffering, emotional harm as a result of the loss of their son and brother
2. The Defendant's criminal misdemeanor history
3. The presence of accomplices

The Court finds the following Mitigating circumstances:

1. The Defendant's young age
2. The Defendant has no prior felony convictions
3. The Defendant suffered child neglect which probably contributed to his lack of moral judgment
4. The diminished capacity to appreciate the wrongfulness of his conduct, but not so impaired as to constitute a defense to prosecution
5. The Court gives great weight on the Defendant's remorse
6. The Defendant has family support
7. The Defendant is gainfully employed
8. The Defendant's compliance on Pretrial Services Release
9. The Defendant's actions were less culpable in the offense

The Court addresses the Defendant.

State v. Lawrence Jacob Sampson-Kahn
Cause No. CR 2017-00840
April 18, 2018

The Court addresses the Victim's family and friends.

IT IS ORDERED suspending imposition of sentence and placing the Defendant on **Intensive Probation** for the term of **three (3) years**, commencing **April 18, 2018**, 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:

ORDERED that the Defendant shall be **incarcerated** in the Coconino County Jail for a period of **seventy-seven (77) days**. The Defendant is to be given **credit** for **seventy-seven (77) days** of pre-sentence incarceration.

ORDERED the Defendant shall comply with Terms 1-16 of Conditions of Probation.

ORDERED the Defendant must participate and cooperate in any counseling or assistance as directed by the Adult Probation Department including substance abuse counseling and any recommended treatment.

ORDERED the Defendant shall not consume or possess any substance containing alcohol nor enter any bars.

ORDERED the Defendant shall have no contact with the family of the Victim.

ORDERED the Defendant shall be subject to up to sixty (60) hours of community supervision, or deferred incarceration up to one hundred twenty (120) days in the county jail as a sanction, at the discretion of the Court upon recommendation from the Adult Probation Department.

ORDERED the Defendant shall comply with Terms 1-4 of Conditions of Intensive Probation.

ORDERED that a period of deferred electronic monitoring / home detention / alcohol monitoring is imposed, to be used as an intermediate sanction at a later date, if necessary and approved by the Court.

State v. Lawrence Jacob Sampson-Kahn
Cause No. CR 2017-00840
April 18, 2018

TIME PAYMENT FEE if Restitution is Ordered

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 that the Defendant shall make and pay restitution to the victim of this crime, for the Victim's economic loss, through the Clerk of the Superior Court of Coconino County in the total amount **to be determined, and will be paid jointly and severally with the Co-Defendants.**

ORDERED the State shall have until the end of the calendar year to submit a Stipulation to Restitution or request a Restitution Hearing. If the State fails to file a Stipulation or request a Restitution Hearing in that time period, any further request for Restitution shall be deemed waived.

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.

COST OF DEFENSE

ORDERED that the Defendant shall pay **\$500.00** toward the cost of his attorney. Said cost to be paid at a rate to be determined by the Adult Probation Department.

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.

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

ORDERED exonerating any bond.

State v. Lawrence Jacob Sampson-Kahn
Cause No. CR 2017-00840
April 18, 2018

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.

[]



[Fingerprint]

Mark R. Moran
Judge of the Superior Court
Division 3

cc: County Attorney - Barker
Public Defender - O'Connor & Doughty
Adult Probation
Financial Clerk

PD
4.27.18