IN THE COURT OF COMMON PLEAS

Clinton County, Ohio

FILED - COMMON PLEAS
2024 OCT 15 PM 2:30
CLINTON COUNTY
CYNTHIA R. BAILEY, CLERK

THE STATE OF OHIO
PLAINTIFF

-VS.

ZACHARY R. HAUNERT
DEFENDANT

CASE NO: CRI 20245110

JUDGMENT ENTRY OF GUILTY with SENTENCE

Defendant appeared in open court October 15, 2024 having pled "not guilty" at arraignment on June 21, 2024 to the two charged offenses in the Indictment filed on May 10, 2024. Assistant Ohio Attorney Generals Kenneth Egbert, Jr. AND Amy Geocaris represented the state of Ohio. Clinton County public defender Alycia Bemmes represented defendant **who appeared late**. The case was before the court for a final pre-trial. The court first met with counsel in chambers while waiting for defendant to appear.

.Upon going on the record, the court inquired of defendant regarding his reasons for being late. Defendant provided an explanation. Counsel then advised the court of a proposed negotiated settlement which if accepted by the court could resolve the case without a trial.

The proposal was placed of record. Defendant was advised of all constitutional rights for the trial of this case and the possible consequences of any plea of guilty including the maximum jail sentence, maximum financial sanctions, and possible hunting license suspension. The court finds that the defendant understands those rights and consequences.

After being so advised, the defendant knowingly, intelligently, and voluntarily waived those rights for trial pursuant to Criminal Rule 11 and entered a plea of guilty to Count One as contained in the Indictment as charged, a third-degree misdemeanor. The written guilty plea executed and adopted by defendant in open court was accepted as knowingly and voluntarily entered and made part of the record in this case.

Based upon the admitted facts presented supporting the charge, the court finds the defendant **guilty of Aiding a Wildlife Offender involving taking or Possession of Deer, a third-degree misdemeanor, in violation of Title 15, § 1531.02. 1531.99 (B), 1531.99, and 1533.68 (A) {A}{4) of the Revised Code or Division Rule.**

With the consent of the special prosecuting attorney, the Second Count of the Indictment is dismissed. **By agreement of the parties, sentencing was conducted immediately.**

After considering the factors under misdemeanor sentencing, hearing from the parties, review of the state of Ohio's sentencing memorandum, the court enters the following sanctions:

1. Defendant is sanctioned to a one-year of monitored time supervision.
2. Defendant is sanctioned to serve sixty-days in jail; the entire jail term is suspended upon condition defendant comply with all conditions imposed herein.
3. Defendant is fined $250.00 payable to the Clerk of Courts for the state wildlife fund;
4. Defendant is ordered to pay **by agreement** $250.00 payable to the Clerk of Courts for TIP, Inc. P. O. Box 1, Chandlersville, Ohio, 43727 to encourage reporting of deer poaching and other wildlife crimes;
5. Defendant is ordered to pay all court costs.
6. Defendant shall report to the supervision department on the first floor of the courthouse prior to exiting the building. Defendant is to remain of general good behavior for one year and pay all assessed financial obligations.

While the state of Ohio is requesting a three-year suspension of defendant's hunting license, the court understands there is no discretion to modify that suspension under current Ohio law. The court's task is to impose the maximum suspension or none at all. The court believes a 3-year suspension is too punitive given defendant's involvement in the criminal activity. As such, no hunting license suspension is imposed.

The court advised defendant of his right to appeal this court's final Judgment but must timely act within 30-days or potentially lose the right to appeal. If defendant is indigent and unable to obtain counsel for an appeal, counsel will be appointed without cost to defendant upon defendant filing appropriate financial affidavits and documents. If defendant is unable to pay the costs of documents necessary to appeal, the documents will be provided without cost.

October 15, 2024

Jw Rudduck

John W. Rudduck, Judge

A copy of this Entry was served upon Defendant / defense counsel the date of this hearing by: K.N.