

FILED

April 26/2019
GARY L. HARRISON, Clerk
A Jackson

Deputy

APR 29 2019

ARIZONA SUPERIOR COURT, PIMA COUNTY

HON. MICHAEL BUTLER

CASE NO. CR20182146-001

COURT REPORTER: Cynthia McDevitt
Courtroom - 802

DATE: April 24, 2019

STATE OF ARIZONA

Jeffrey G Amlee, Esq. for Ian M Daranyi, Esq.
counsel for State

VS.

DEAN DREUNIQUE FINLEY (-001)
Defendant

Justin S Cluck, Esq. counsel for Defendant

DATE OF BIRTH: 5/29/1978

MINUTE ENTRY

SENTENCE OF PROBATION

Defendant present, out of custody.

The defendant is advised of the charges and the determination of guilt, and all parties are given the opportunity to make recommendations/statements to the Court.

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

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

Upon due consideration of the offenses, and the facts, law and circumstances involved in this case, and 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 COUNT ONE: ARSON OF AN OCCUPIED STRUCTURE, a Class Two Felony, non-dangerous, non-repetitive offense, in violation of A.R.S. § 13-1704A committed on May 07, 2018.

THE COURT FINDS that the defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

A. Jackson
Deputy Clerk

MINUTE ENTRY

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Date: April 24, 2019

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IT IS ORDERED suspending imposition of sentence and placing the defendant on probation for a period of SEVEN (7) YEARS, commencing on April 24, 2019, under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order signed by the Court suspending sentence and imposing terms of probation.

IT IS THE JUDGMENT OF THE COURT that the defendant is guilty of COUNT TWO: AGGRAVATED ASSAULT OF A MINOR UNDER FIFTEEN, DOMESTIC VIOLENCE, a Class Two Felony, non-dangerous, non-repetitive offense, in violation of A.R.S. §§ 13-1204.A2, 13-3601 committed on May 07, 2018.

THE COURT FINDS that the defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

IT IS ORDERED suspending imposition of sentence and placing the defendant on probation for a period of SEVEN (7) YEARS, commencing on April 24, 2019, under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order signed by the Court suspending sentence and imposing terms of probation.

IT IS ORDERED that this sentence shall be concurrent with the sentence imposed in Count One.

IT IS THE JUDGMENT OF THE COURT that the defendant is guilty of AMENDED COUNT THREE: CRUEL MISTREATMENT OF AN ANIMAL, DOMESTIC VIOLENCE, a Class Six Felony, non-dangerous, non-repetitive offense, in violation of A.R.S. §§ 13-2910A9, 13-3601 committed on May 07, 2018.

THE COURT FINDS that the defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

IT IS ORDERED suspending imposition of sentence and placing the defendant on probation for a period of THREE (3) YEARS, commencing on April 24, 2019, under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order signed by the Court suspending sentence and imposing terms of probation.

IT IS ORDERED that this sentence shall be concurrent with the sentence imposed in Count One and Count Two.

IT IS ORDERED that the defendant be placed on the SMI – Seriously Mentally Ill Caseload.

IT IS ORDERED that the defendant abide by all conditions of probation as set forth in the Uniform Conditions of Supervised Probation.

A. Jackson
Deputy Clerk

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IT IS FURTHER ORDERED that the defendant shall pay the following:

1. Time Payment Fee in the amount of \$20.00.
2. Reduced attorney's fees in the amount of \$100.00.
3. Indigent Administrative Assessment Fee in the amount of \$25.00.
4. Monthly probation services fee at the rate of \$65.00.
5. Probation Assessment in the amount of \$20.00.
6. Surcharge Assessment in the amount of \$13.00.
7. Address Confidentiality Program fee in the amount of \$50.00.
8. Domestic Violence Services Fund in the amount of \$50.00.
9. Restitution to City of Tucson Risk Management in the amount of \$38,099.50.
10. Victim Rights Enforcement Fund Fee in the amount of \$2.00.

The Court retains jurisdiction over the issue of restitution in this matter for a period of SIXTY (60) DAYS.

The Court notes that, pursuant to the Presentence Report, restitution is in the amount of \$44, 674.51; however, the State will have SIXTY (60) DAYS to verify the correct amount of restitution.

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

IT IS ORDERED that any outstanding bond that has not been previously referred for a bond forfeiture proceeding is hereby exonerated.

IT IS ORDERED, pursuant to the plea, that all remaining counts and allegations shall be dismissed as to this cause number only.

The defendant is advised of her Rights of Review and Notice of Right to Apply to Have Conviction Set Aside, signs and receives a copy of same.

A. Jackson
Deputy Clerk

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Let the record reflect that the defendant's fingerprint is permanently affixed to the signature page of this sentencing order in open court.

FILED IN COURT: Uniform Conditions of Supervised Probation; Financial Judgment and Order; Notice of Rights of Review; Notice of Right to Apply to Have Conviction Set Aside; Presentence Report




HON. MICHAEL J. BUTLER
(ID: 6502bf46-8103-4aa0-99b3-d88417c0601d)

cc: Hon. Michael Butler
Ian M Daranyi, Esq.
Justin S Cluck, Esq.
Adult Probation
Clerk of Court - Accounting Unit
Clerk of Court - Appeals Unit
Clerk of Court - Criminal Unit
Clinical Coordinator
County Attorney - Victim Notification
Office of Court-Appointed Counsel
Pretrial Services

A. Jackson
Deputy Clerk

April 24, 2019

BY: A Jackson
DEPUTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
UNIFORM CONDITIONS OF SUPERVISED PROBATION

STATE OF ARIZONA

COUNTY/DIVISION: Pima / 09

VS.

CR: 20182146-001

Finley, Dean D.

§13-901.01 Offense: ☐ 1st ☐ 2nd ☐ Ineligible

PID#: AZ 25435532

OFFENSE(S): 1) Arson of an occupied structure (F2) 2) Aggravated assault of a minor under fifteen - DV (F2) 3) Cruel mistreatment of animals - DV (F2)

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 a period of 7 ☒ year(s) ☐ month(s) ☐ days ☐ lifetime
- ☒ to begin 4/24/19 or
- ☐ upon absolute discharge from prison for a separate offense or
- ☐ upon release from prison for felony DUI (months; days credit for time served)
- ☐ upon release from prison pursuant to A.R.S. § 13-603(K)
- ☐ **REINSTATING** the defendant on probation for a period of ☐ year(s) ☐ month(s) ☐ days ☐ lifetime
- ☐ to begin / / with a revised expiration date of / /

I AGREE TO THE FOLLOWING AS CONDITIONS OF THE SUSPENSION OF IMPOSITION OR EXECUTION OF SENTENCE: (Conditions Checked Also Apply)

LAW ABIDING BEHAVIOR

1. I will maintain a crime-free lifestyle by obeying all laws, and not engaging or participating in any criminal activity.
2. I will not possess or control any stun guns, tasers, firearms, ammunition, deadly or prohibited weapons as defined in A.R.S. § 13-3101.
3. I will report any contact I have with law enforcement to the APD within 72 (or 24) hours.
4. I will submit to search and seizure of person and property by the APD without a search warrant.
5. If deported or processed through voluntary departure, I will not return to the United States without legal authorization during the term of my probation. If I am deported or processed through voluntary departure, all conditions remain in effect except for .

REPORTING TO APD

6. I will report to the APD within 72 (or 24) 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.

RESIDENCE

7. I will provide the APD safe, unrestricted access to my residence and receive prior approval of the APD before changing my residence. I will reside in a residence approved by the APD.
8. I will request and obtain written permission of the APD prior to leaving the state ☒ county).
9. I may apply for Interstate Compact supervision in the state of and will not proceed to that state until reporting instructions are received and the APD issues a written travel permit.
10. I may apply for an Inter-County transfer and will not proceed to that County until APD issues written authorization.

TREATMENT/BEHAVIOR CHANGE/PRO-SOCIAL ACTIVITIES

11. I will actively participate and cooperate in any program of counseling or assistance as determined by APD, or as required by law, given assessment results and/or my behavior. I will sign any release or consent required by the APD so the APD can exchange information in relation to my treatment, behavior and activities.
12. I will not possess or use illegal drugs or controlled substances and will submit to drug and alcohol testing as directed by the APD.
13. I will obtain written approval of the APD prior to associating with anyone I know who has a criminal record. I will not knowingly associate with any person engaged in criminal behaviors.