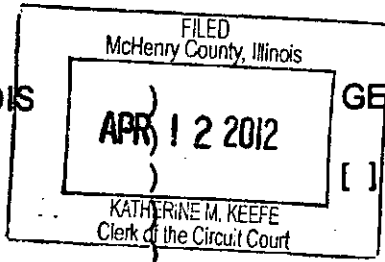


STATE OF ILLINOIS)
)
COUNTY OF McHENRY)

ss IN THE CIRCUIT COURT OF THE 22ND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS



GEN. NO. 10CF1065
[] JURY [] NON-JURY

PEOPLE OF THE STATE OF ILLINOIS

vs.

Christopher Bates

ORDER AND CERTIFICATE OF FELONY PROBATION/CONDITIONAL DISCHARGE

This cause comes on to be heard for sentencing. Defendant is present in person and by counsel. The above named Defendant has been heretofore adjudicated guilty of the Crime(s) of Aggravated DUI

The Court, pursuant to Illinois Compiled Statutes, Chapter 730, Sec. 5/5-4-1, has:

Class 4 Felony

- a. Considered all the evidence, if any, received upon the trial or the stipulation of facts or the factual basis for the adjudication of guilt;
- b. Considered the presentence investigation report, if any;
- c. Considered the evidence and information offered, if any, by the parties in aggravation and mitigation;
- d. Heard arguments as to sentencing alternatives;
- e. Considered the agreement, if any, of the parties to imposition of a specific sentence;
- f. Afforded the Defendant an opportunity to make a statement in his/her own behalf; and based upon an independent assessment of all of the above.

THE COURT FINDS AS FOLLOWS:

1. In accordance with Illinois Compiled Statutes, Chapter 730, Sec. 5/5-5-3.1, the following factors of MITIGATION are present:
- The Defendant's criminal conduct neither caused nor threatened serious physical harm to another person.
 - The Defendant did not contemplate that his/her criminal conduct would cause or threaten serious physical harm to another.
 - The Defendant acted under a strong provocation.
 - There were substantial grounds tending to excuse or justify the Defendant's conduct, thought failing to establish a defense.
 - The commission of the offense was induced or facilitated by someone other than the Defendant.
 - The Defendant has compensated or will compensate the victim for the damage or injury.
 - The Defendant has no history of prior delinquency or criminal activity or he/she has led a law abiding life for a substantial period before the commission of the present crime.
 - The Defendant's conduct was a result of circumstances unlikely to recur.
 - The Defendant's character and attitudes indicate he/she is unlikely to commit another crime.
 - The Defendant is likely to comply with the terms of a period of probation.
 - The imprisonment of the Defendant would entail excessive hardship on his/her dependents.
 - The imprisonment of the Defendant would endanger his/her medical condition.
 - Other mitigating factors, if any, considered by the Court: _____

2. In accordance with Illinois Compiled Statutes, Chapter 730, Section 5/5-5-3.2, the following factors of AGGRAVATION are present:
- The Defendant inflicted or attempted to inflict serious bodily injury to another a person.
 - The Defendant received compensation for committing the offense.
 - The Defendant has a history of prior delinquency or criminal activity.
 - The Defendant, by the duties of his/her office or by his position, was obligated to prevent the particular offense committed or bring the offenders committing it to justice.
 - The Defendant held public office at the time of the offense and the offense related to the conduct of that office.
 - The Defendant utilized his/her professional reputation in the community to commit the offense or to afford him/her an easier means of committing it.
 - The sentence is necessary to deter others from committing the same crime.
 - Other aggravating factors, if any, considered by the Court: _____

HP

IT IS THEREFORE ORDERED as follows:

Having regard to the nature and circumstances of the offense and to the history, character, and conditions of the offender:
I. The Defendant is sentenced to a term of 18 months ~~(probation)~~ ~~(conditional discharge)~~ beginning today and ending on 10/15/13. Defendant shall appear in Court that day at 9:30 a.m., Court Room 309. A violation of any obligation imposed below may result in Defendant's arrest, a revocation of this sentence and a resentencing on the original offense to any authorized disposition including jail. The conditions of said ~~(probation)~~ ~~(conditional discharge)~~ shall be as follows:

- 1. The Defendant shall not violate any criminal statute of any jurisdiction.
- 2. The Defendant shall not leave the State of Illinois temporarily or permanently without the consent of the Court or the permission of the Adult Probation Division.
- 3. The Defendant shall refrain from possessing a firearm or other dangerous weapon.
- 4. The Defendant shall report immediately to the Adult Probation Division and at such other times as directed by the Probation Officer.
- 5. The Defendant shall pay through the office of the Circuit Clerk a fine of \$ 250 as follows: _____ and court costs as determined by the Clerk of the Court to include statutory probation service fees, if applicable.
- 6. The Defendant shall make restitution to _____ in the amount of \$ _____ which amount does not exceed actual out of the pocket expenses or loss proximately caused by the conduct of the Defendant with said restitution paid through the office of the Circuit Clerk.
- 7. The Defendant shall perform _____ hours of Public Service work at the time and place as directed by the Public Service Unit of the Department of Court Services as follows: _____ and/or _____ at the rate of 20 hours per week unless engaged in full time employment or educational training.
- 8. The Defendant shall undergo medical treatment, psychiatric treatment, treatment for drug addiction/alcoholism, as follows: obtain DUI evaluation follow all recommendations and/or as directed by the Probation Officer.
- 9. The Defendant shall attend or reside in a facility established for the instruction or residence of defendants on probation or conditional discharge as follows: _____
- 10. The Defendant shall permit the Probation Officer to visit him/her at home or elsewhere to the extent necessary to discharge the officer's duties and shall advise the Probation Officer of his/her residence, employment, conduct and shall furnish any other information relating to the conditions of his/her probation as may be required by the Probation Officer under whose charge he/she has been placed.
- 11. The Defendant shall support his/her dependents.
- 12. The Defendant is sentenced to the following term of imprisonment as a condition of the sentence and shall abide by the rules and regulations of said facility to which he/she is ordered. Do not do credit
 A determinate term of 4 days in the custody of the County Sheriff. Probation
 A periodic determinate term of _____ weekends in the custody of the County Sheriff commencing _____ and/or serve _____ weekend(s) of the month for the months of _____

The Defendant is hereby given credit for the time spent in custody as a result of offense for which the sentence is imposed.

13. Other conditions: 60 days of McKey Court jail stay until full pay of fees
10TR28048, 10TR28049 are well proceed

A true copy of this order shall be furnished to Defendant as a Certificate of Probation or Conditional Discharge, setting forth the terms hereof.

ENTERED at Woodstock, Illinois this 12 day of April 20 12

[Signature]
JUDGE

I, the above-named Defendant, acknowledge the receipt of this document.
[Signature]
NAME

4/12/12
DATE