

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT KETCHIKAN

Filed in the Trial Courts
State of Alaska
First Judicial District
at Ketchikan

DEC 12 2003

Clerk of the Trial Courts

By _____ Deputy

STATE OF ALASKA)

Plaintiff,)

vs.)

TIMMY CANADA)

Defendant.)

CASE NO. 1KE-03-686CR

JUDGMENT AND
COMMITMENT

ID No. 7196800 ATN 107036919

Defendant has been convicted upon plea of guilty entered 9/25/03 of:

Count	Date of Offense	Offense	Statute Violated	DV Offense Per AS18.66.990(3) &(5) (Yes or No)
1		Attempted Sexual Assault in the First Degree REDUCED TO: Sexual Assault in the Second Degree	AS11.31.100(a) (d)(2), AS11.41.410(a)(1) REDUCED TO: AS11.41.420(a)(1)	

and the following charges were dismissed:

Count	Date of Offense	Offense
2		Assault in the Second Degree, AS11.41.210(a)(1)

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Defendant came before the court on 12/12/03 with counsel, PD Crocker and the District Attorney Present.

IT IS ORDERED that the defendant is hereby committed to the care and custody of the Commissioner of the Department of Corrections for the following period(s): 5 years with 4 years suspended, 1 year to serve

The sentence is:

- all or partially presumptive. The defendant is ineligible for parole, except as provided in AS33.16.090(b) and (c).
- non-presumptive. The defendant is eligible for parole.

IT IS ORDERED that the defendant is fined \$ _____ with \$ _____ suspended. The unsuspended \$ _____ is to be paid _____.

SURCHARGE. IT IS ORDERED that the defendant pay the following surcharge within ten days:

Count	Surcharge Amount
1	\$ 100.00

DNA IDENTIFICATION:

If this conviction is for a "crime against a person" as defined in AS44.41.035(j), or a felony under AS 11 or AS 28.35, the defendant is ordered to provide samples for the DNA Registration System when requested to do so by a health care professional acting on behalf of the state and to provide oral samples when requested by a correctional, probation, parole or peace officer. AS 12.55.015(h).

- Defendant shall report to Alaska State Troopers at 5150 North Tongass Highway, Ketchikan, Alaska, 907/225-5118, or at 415 Main Street, Room 309, Ketchikan, Alaska, to submit to DNA sampling within 5 days of this judgment.
- Defendant shall, on request of the Department of Public Safety, submit a DNA sample while in custody. If a DNA sample is not taken while defendant is in custody, defendant shall report to Alaska State Troopers at 5150 North Tongass Highway, Ketchikan, Alaska, 907/225-5118, or at 415 Main Street, Room 309, Ketchikan, Alaska, to submit to DNA sampling within 5 days of release from custody.

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IT IS FURTHER ORDERED that

IT IS FURTHER RECOMMENDED that

IT IS ORDERED that, after serving any term of incarceration imposed, the defendant is placed on probation under the following conditions:

GENERAL CONDITIONS OF PROBATION

1. Comply with all direct court orders listed above by the deadlines stated.
2. Report to the Department of Corrections Probation Office on the next business day following the date of sentencing, or, if time is to be served prior to probation, report to the Department of Corrections Probation Office on the next business day following release from an institution.
3. Secure the prior written permission of a probation officer of the Department of Corrections before changing employment or residence or leaving the region of residence to which assigned.
4. Make a reasonable effort to secure and maintain steady employment. Should you become unemployed, notify a probation officer of the Department of Corrections as soon as possible.
5. Report in person between the first day and the tenth day of each month, or as otherwise directed, to your assigned office of the Department of Corrections. Complete in full a written report when your probation officer is out of the office to insure credit for that visit. You may not report by mail unless you secure prior permission to do so from your probation officer.
6. Do not possess firearms or deadly weapons as defined by AS11.18.900(b)(13).
7. Do not knowingly associate with a person who is on probation or parole or a person who has a record of a felony conviction unless prior written permission to do so has been granted by a probation officer of the Department of Corrections.

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8. Make a reasonable effort to support your legal dependants.
9. Do not consume intoxicating liquor.
10. Comply with all municipal, state and federal laws.
11. Report all purchases, sales and trades of motor vehicles belonging to you, together with current motor vehicle license numbers for those vehicles, to your probation officer.
12. Upon the request of a probation officer, submit to a search of your person, personal property, residence or any vehicle in which you may be found by a probation officer or other law enforcement officers for the presence of contraband.
13. Abide by any special instructions given by the court or any of its duly authorized officers, including probation officers of the Department of Corrections.

SPECIAL CONDITIONS OF PROBATION

1. That the defendant have no direct or indirect contact
2. That the defendant participate and cooperate in sex offender treatment required by the Department of Corrections or a probation officer after release.
3. The defendant is to comply with all sex offender registration and annual registration requirements.
4. The defendant not consume or possess alcoholic beverages or enter into any establishments where alcohol is the primary item for sale.
5. The defendant obtain a substance abuse evaluation and follow the recommendations and do not terminate the program without the written permission of the probation officer.

THE PROBATION HEREBY ORDERED EXPIRES 5 years.

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Any appearance or performance bond in this case:

- is exonerated.
- is exonerated when defendant reports as ordered to jail to serve the sentence.
- was forfeited and any forfeited funds shall be applied to the restitution.
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12/12/03
Effective Date


Judge

Michael A. Thompson

