

CLERK OF COURTS

CRIMINAL

45662

TERRY MICHAEL HOPKINS

1994

EXHIBIT 67

94CRD45662

94CRD45662

No.

THE STATE OF OHIO

vs.

G *1/30/95*
Zerry Michael
Adkins

Lorain County Common Pleas

Filed *9/13/94*

Decided *Jan.* Term *1995*

App. Doc. Page

Record Page

Journal *702* Page *380*

Dwight A. White
Prosecuting Attorney

Defendant's Attorney

COMMON PLEAS COURT
LORAIN COUNTY - GENERAL DIVISION
COURTHOUSE - ELYRIA, OHIO
DONALD J. ROTHGERY, CLERK
DOCKET SHEET

STYLE: OHIO VS. HOPKINS
ACTION: CRIMINAL
JUDGE: KOSMA J. GLAVAS

PAGE 0001
CASE NO. 94CR045662
FILED: 7/12/94

P 001
STATE OF OHIO

ATTORNEY(S):

GREGORY A WHITE
PROSECUTOR'S OFFICE
226 MIDDLE AVENUE
ELYRIA, OHIO 44035

** VS **

D 001
TERRY MICHAEL HOPKINS
3061 ELYRIA AVE.
LORAIN, OH
SSN: -9208
DOB: 12/11/69
RACE/SEX: W/MALE
BOND: \$15,000 CASH
MUNI CT #: LORAIN MUNI 94 CRA 2393

ATTORNEY(S):

JOSEPH R GRUNDA
522 BROADWAY
LORAIN, OHIO 44052

JOSEPH C GRUNDA
522 BROADWAY
LORAIN, OHIO 44052

DATE	TYPE	DESCRIPTION
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7/12/94	TRANSCRIPT	TRANSCRIPT FILED. FROM LORAIN MUNICIPAL COURT (2) 94 CRA 2393 - AGGRAVATED BURGLARY, ATTEMPTED FELONIOUS ASSAULT 94 CRB 2394 - DOMESTIC VIOLENCE BOND SET AT \$15,000.00 CASH. NOT POSTED. COMMITTED.
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9/13/94	INDICTMENT	INDICTMENT FILED. SUMMONS W/COPY OF INDICTMENT ISSUED TO LORAIN COUNTY SHERIFF. INDICTMENT FOR AGGRAVATED BURGLARY, 2911.11(A)93; ATTEMPTED FELONIOUS ASSAULT, 2923.02(A)/2903.11(A)(1); DOMESTIC VIOLENCE, 291925(A); CRIMINAL DAMAGING, 2909.06(A)(1)
---------	------------	--

9/14/94	ARRNMENT.	DEFENDANT ARRAIGNED. WAIVED STATUTORY 24 HOUR SERVICE REQUIREMENT OF INDICTMENT. WAIVED READING OF INDICTMENT. ENTERED PLEA OF NOT GUILTY. BOND CONT'D. CASE ASSIGNED TO JUDGE GLAVAS. PRE-TRIAL SET FOR 9/19/94 AT 8:30 A.M. (KJG)
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COMMON PLEAS COURT
LORAIN COUNTY - GENERAL DIVISION
COURTHOUSE - ELYRIA, OHIO
DONALD J. ROTHGERY, CLERK
DOCKET SHEET

STYLE: OHIO VS. HOPKINS
ACTION: CRIMINAL
JUDGE : KOSMA J. GLAVAS

PAGE 0002
CASE NO. 94CR045662
FILED: 7/12/94

VOLUME # 683 PAGE # 332

9/14/94 ATTY APPT IT APPEARING DEFENDANT IS INDIGENT, THE COURT HEREBY
APPOINTS AS COUNSEL FOR DEFENDANT ATTORNEY
JOSEPH C. GRUNDA.

9/20/94 (KJG) FIRST PRE TRIAL HAD . DEFT DOES REQUEST DISCOVERY AND BILL
OF PARTICULARS. PROSECUTOR TO PROVIDE DISCOVERY AND BILL
OF PARTICULARS ON OR BEFORE 10/3/94. DEFT TO PROVIDE
PROSECUTOR WITH DISCOVERY ON OR BEFORE 10/10/94. ALL
MOTIONS SHALL BE FILED ON OR BEFORE 10/10/94. CASE IS SET
FOR HEARING(S) ON MOTION(S) AND SECOND PRE-TRIAL ON 10/17/94
AT 8:30 AM. DEFT WAIVES STATUTORY TIME PURSUANT TO R.C.
2945.71 ET SEQ. VOL.684 PAGE.278

9/21/94 RETURN SHERIFF'S RETURN - I MADE PERSONAL SERVICE ON DEFENDANT ON
SEPTEMBER 14, 1994, MARTIN J MAHONY SHERIFF

10/04/94 FILING BILL OF PARTICULARS FILED BY
STATE

10/04/94 FILING DISCOVERY FILED BY STATE

10/07/94 (KJG) UPON REQUEST OF DEFENSE COUNSEL, PRETRIAL SCHEDULED FOR
10/17/94 IS HEREBY RESCHEDULED TO 10/24/94 AT 8:30 A.M.
VOL 687 PAGE 216

10/24/94 PLEA/WAIVE PLEA OF GUILTY, WAIVER OF RIGHTS FILED.

10/24/94 PLEA DEFENDANT IN COURT WITH COUNSEL, WITHDRAWS FORMER PLEA OF
NOT GUILTY AND ENTERS PLEA OF GUILTY TO
ATTEMPTED AGG BURG, ATTEMPT FELONIOUS ASSAULT, DOMESTIC
VIOLENCE, CRIMINAL DAMAGING, D.R.C. SECTION 2923.02(A);
2911.11(A)(3) AFF. F-2 2923.02(A)/2903.11(A)(1) AGG F-3,
2919.25 (A); 2909.06 (A)(1) IN THE DEGREE, WHICH PLEA IS
ACCEPTED. DEFENDANT IS REFERRED TO THE LORAIN COUNTY
ADULT PROBATION DEPARTMENT FOR A PRE-SENTENCE EVALUATION
AND REPORT; BOND RESET TO \$2,500.00 CASH.
(KJG)
VOL 689 PAGE 267

10/25/94 BOND BOND POSTED:
\$2,500.00 SURETY BOND POSTED BY BERG BAIL BONDING.

10/25/94 WRIT WARRANT TO DISCHARGE ISSUED TO LORAIN COUNTY SHERIFF

12/12/94 (KJG) AT REQUEST OF STATE, A BOND REVOCATION HEARING IS
SET FOR 12-13-94 AT 8:30 A.M.
VOL 696 PAGE 238

COMMON PLEAS COURT
LC IN COUNTY - GENERAL DIVISION
COURTHOUSE - ELYRIA, OHIO
DONALD J. ROTHGERY, CLERK
DOCKET SHEET

STYLE: OHIO VS. HOPKINS
ACTION: CRIMINAL
JUDGE : KOSMA J. GLAVAS

PAGE 0003
CASE NO. 94CR045662
FILED: 7/12/94

12/13/94 (KJG) AT THE REQUEST OF THE STATE, THE HEARING SET FOR TODAY ON
BOND REVOCATION IS HEREBY CANCELLED. THE COURTS PRIOR NO
CONTACT ORDER BETWEEN THE DEFENDANT AND TEMEKA FOGLEND
IS HEREBY TERMINATED. DEFENDANT SHALL BE ABLE TO HAVE
CONTACT FOR PURPOSES OF VISITATION WITH THE PARTIES MINOR
CHILD.
VOL 696 PAGE 289

1/06/95 REPORT PRE-SENTENCE REPORT FILED.

1/26/95 SENTENCING DEFENDANT IN COURT WITH COUNSEL FOR SENTENCING. DEFENDANT
SENTENCED TO
5-15 YEARS IN LCI ON COUNT 1. 3-10 YEARS IN LCI ON COUNT 2.
6 MONTHS IN LCI AND PAY FINE OF \$500.00 ON COUNT 3.
90 DAYS IN LCI AND PAY FINE OF 250.00 ON COUNT 4.
SEE JOURNAL. (KJG)
VOLUME 702 PAGE 380

1/30/95 SENT/CONV C/C OF INDICTMENT, JOURNAL ENTRY, AND SENTENCE ISSUED TO
LORAIN COUNTY SHERIFF ALONG WITH WARRANT TO CONVEY TO:
LORAIN CORRECTIONAL INSTITUTION.

2/01/95 RETURN SHERIFF'S RETURN - I CONVEYED THE DEFENDANT TO PLACE
DESIGNATED ON
JANUARY 31, 1995, MARTIN J MAHONY SHERIFF

8/04/95 MOTION MOTION FILED
BY DEPT FOR SHOCK PROBATION

8/11/95 FILING STATE RESPONSE TO DEFT'S MOTION FOR SHOCK PROBATION
FILED

9/12/95 (KJG) MOTION FOR PROBATION UNDER R.C., SECTION 2947.061 IS
HEREBY GRANTED. DEFT., TERRY HOPKINS, #302-015, IS PLACED
ON PROBATION FOR A PERIOD OF 5 YEARS FROM AND AFTER THE
DATE OF THIS JUDGMENT ENTRY. DEFT. SHALL PAY COSTS OF THIS
CASE TO THE CLERK OF THIS COURT WITHIN 60 DAYS. DEFT.
SHALL ASSUME COURT-APPOINTED ATTORNEY FEES WITHIN 18 MONTHS.
DEFT. TO PAY FINE IN THE AMT. OF \$750.00 PAYABLE IN
MONTHLY PAYMENTS OF \$75.00 PER MONTH COMMENCING 11/1/95
UNTIL THE ENTIRE BALANCE IS PAID IN FULL. DEFT. TO BE
PLACED IN A HALFWAY HOUSE FACILITY, AS DEEMED APPROPRIATE
BY THE PROBATION DEPT. THE SUPERINTENDENT OF ALLEN
CORRECTIONAL INSTITUTION/LIMA, OHIO, IS HEREBY DIRECTED
TO RELEASE THE DEFT. TO THE SHERIFF OF LORAIN COUNTY, OHIO
OR HIS AUTHORIZED DEPUTY, FOR TRANSPORTATION TO LORAIN
COUNTY ON OR ABOUT MONDAY, 9/25/95.
DEFT. TO MAKE RESTITUTION WITHIN 12 MONTHS. SEE JOURNAL.
VOLUME 725 PAGE 854

COMMON PLEAS COURT
LORAIN COUNTY - GENERAL DIVISION
COURTHOUSE - ELYRIA, OHIO
DONALD J. ROTHGERY, CLERK
DOCKET SHEET

PAGE 0004

STYLE: OHIO VS. HOPKINS

CASE NO. 94CR045662

ACTION: CRIMINAL

FILED: 7/12/94

JUDGE : KOSMA J. GLAVAS

9/12/95 WARRANT WARRANT TO CONVEY TO
LORAIN COUNTY

9/26/95 RETURN SHERIFF'S RETURN - I CONVEYED THE DEFENDANT TO PLACE
DESIGNATED ON
SEPTEMBER 21, 1995, MARTIN J MAHONY SHERIFF

10/19/95 ENTRY DEFENDANT HAVING BEEN SENTENCED & HAVING BEEN ORDERED TO
REIMBURSE COURT APPOINTED ATTORNEY FEES, THE CLERK SHALL
TAX SAID SUM AS COSTS. DATE OF SENTENCING & AMOUNT DUE:
SENTENCE ON OCTOBER 19, 1995. ATTORNEY FEES ARE \$300.00.
(KJG)
VOL 728 PAGE 463

5/15/96 (KJG) AT THE REQUEST OF ADULT PROBATION DEPT, ANITA UPTON
P.O. A PROBABLE CAUSE HEARING IS SET FOR 6/24/96 AT
8:30 AM. JOURNAL 741 PAGE 1727

6/25/96 (KJG) DEFT IN COURT WITH COUNSEL FOR PROBABLE CAUSE
HEARING ON PROBATION VIOLATION. DEFT WAIVES
HEARING AND ADMITS PROBABLE CAUSE. MERITS SET FOR
9/23/96 AT 8:30 AM. BOND SET AT \$2,500. PERSONAL
CONDITION OF BOND IS 100 HOURS OF COMMUNITY SERVICE.
JOURNAL 744 PAGE 846

9/24/96 ENTRY BOND CONVERTED TO PERSONAL ON CONDITION THAT DEFENDANT
COOPERATE WITH EFFORTS TO PLACE HIM IN A RESIDENTIAL DRUG
TREATMENT FACILITY. MERITS HEARING CONTINUED TO 11-25-96 AT
8:30 A.M.
JOURNAL 750, PAGE 1273

11/25/96 (KJG) DEFT IN COURT WITH COUNSEL FOR MERITS HEARING. HEARING
CONTINUED. MERITS HEARING RESET FOR 2/3/97 AT 8:30 AM.
DEFT TO ENROLL IN NEXT ANGER/MANAGEMENT COUNSELING
SESSION. VOL 754 PAGE 1097

1/10/97 (KJG) AT THE REQUEST OF ADULT PROBATION AND AS THE DEFENDANT HAS
FAILED TO REPORT TO HIS PROBATION OFFICER AND AS HIS
WHEREABOUTS ARE PRESENTLY UNKNOWN, THE DEFENDANT IS FOUND
TO BE IN VIOLATION OF HIS PROBATION. A CAPIAS IS HEREBY
ORDERED FOR THE ARREST OF THE DEFENDANT AS A PROBATION
VIOLATOR, AND THE RUNNING OF HIS PROBATIONARY TERM IS
TOLLED.
JOURNAL 757, PAGE 910

1/10/97 CAPIAS CAPIAS ISSUED TO LORAIN COUNTY SHERIFF.

2/03/97 RETURN SHERIFF'S RETURN - I ARRESTED DEFENDANT ON
FEBRUARY 1, 1997 MARTIN J. MAHONY, SHFF

LORAIN COUNTY - GENERAL DIVISION
COURTHOUSE - ELYRIA, OHIO
DONALD J. ROTHGERY, CLERK
D O C K E T S H E E T

STYLE: OHIO VS. HOPKINS
ACTION: CRIMINAL
JUDGE : KOSMA J. GLAVAS

PAGE 0005
CASE NO. 94CR045662
FILED: 7/12/94

2/03/97 (KJG) DEFT IN COURT WITH COUNSEL FOR MERITS HEARING. HEARING
HAD. DEFT FOUND IN VIOLATION OF PROBATION. ORIGINAL
SENTENCE OF 5-15 YEARS ON COUNT 1; 3-10 YEARS ON COUNT 2;
6 MONTHS ON COUNT 3; 90 DAYS ON COUNT 4; ALL CONCURRENT
IS REIMPOSED. CREDIT FOR TIME SERVED IS AWARDED.
VOL. 759 PAGE 35

2/04/97 SENT/CONV C/C OF INDICTMENT, JOURNAL ENTRY, AND SENTENCE ISSUED TO
LORAIN COUNTY SHERIFF ALONG WITH WARRANT TO CONVEY TO:
LORAIN CORRECTIONAL INSTITUTION.

WARRANT TO CONVEY TO LORAIN CORRECTIONAL INSTITUTION

STATE OF OHIO
LORAIN COUNTY COMMON PLEAS COURT

ENTERED

THE STATE OF OHIO

VS.

TERRY MICHAEL HOPKINS

*
*
*
*

CASE NO. 94CR045662

Indictment for
AGG BURGLARY, ATT FEL ASSAULT,
DOMESTIC VIOLENCE, CRIMINAL
DAMAGING

TO THE SHERIFF OF SAID COUNTY:

WHEREAS, the said defendant,
TERRY MICHAEL HOPKINS was indicted for,
AGG BURGLARY, ATT FEL ASSAULT, DOMESTIC VIOLENCE, CRIMINAL
DAMAGING

and said defendant PLED guilty of
ATT AGG BURGLARY, ATT FELONIOUS ASSAULT, DOMESTIC VIOLENCE,
CRIMINAL DAMAGING
and was sentenced by the Court to the Lorain Correctional
Institution.

You are therefore commanded to take charge of, and convey the
said TERRY MICHAEL HOPKINS
to the Lorain Correctional Institution and make due return of
your proceedings herein to this office.

IN TESTIMONY WHEREOF, I have hereunto
set my hand and affixed the seal of
said Court at Elyria, Ohio, 2/04/97.

DONALD J. ROTHGERY
LORAIN COUNTY CLERK OF COURTS

BY: _____

Deputy Clerk

WARRANT TO CONVEY TO LORAIN COUNTY

THE STATE OF OHIO, LORAIN COUNTY COMMON PLEAS COURT

THE STATE OF OHIO

VS.

TERRY MICHAEL HOPKINS

)
)
)
)
)

CASE NO. 94CR045662

ENTERED

TO THE SHERIFF OF LORAIN COUNTY:

WHEREAS, at the JULY Term of Court, begun and held at Elyria, Ohio in said County, on SEPTEMBER 12, 1995, the said defendant

FURTHER EXECUTION OF SENTENCE IS SUSPENDED. THE SUPERINTENDENT OF THE ALLEN CORRECTIONAL INSTITUTION IS HEREBY DIRECTED TO RELEASE THE DEFENDANT TO THE SHERIFF OF LORAIN COUNTY ON OR ABOUT MONDAY SEPTEMBER 25, 1995. PLACED ON 5 YRS PROBATION

KOSMA J. GLAVAS, Judge

You are therefore commanded to take charge of and convey the said defendant, TERRY MICHAEL HOPKINS

TO LORAIN COUNTY

and make due return of your proceedings herein to this office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court at Elyria, Ohio, 9/15/95.

DONALD J. ROTHGERY
LORAIN COUNTY CLERK OF COURTS

By:

Roberta Buckley
Deputy Clerk

CASE NO. 94CR045662
OHIO VS. HOPKINS

SHERIFF'S RETURN

I received this writ on September 15, 19 95 at 10:45 A.M.,
and on SEPTEMBER 21, 19 95, I executed the same by conveying
TERRY MICHAEL HOPKINS to the place designated,
as shown by the receipt endorsed herein.

MARTIN J. MAHONY
LORAIN COUNTY SHERIFF

BY *[Signature]*
Deputy

SHERIFF FEES

Service & Return	\$	<u>5.00</u>
Mileage <u> </u> mi.		<u>52.30</u>
TOTAL	\$	<u>\$7.30</u>

SEP 15 10:45
LORAIN COUNTY
SHERIFF

FILED
LORAIN COUNTY

AUG 11 2 14 PM '95

IN THE COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO

RECEIVED

AUG 14 1995

JUDGE KOSMA J. GLAVAS

ENTERED

CLERK OF COMMON PLEAS
STATE OF OHIO ROTHGERY

Plaintiff

vs.

TERRY HOPKINS

Defendant

CASE NO. 94CR045662

JUDGE KOSMA J. GLAVAS

STATE RESPONSE TO
DEFENDANT'S MOTION
FOR SHOCK PROBATION

Now comes the State of Ohio, by and through the office of
the Lorain Prosecuting Attorney, and hereby submits it will be
satisfied with the judgment of the court in this matter.

Respectfully submitted,

GREGORY A. WHITE
Prosecuting Attorney
Lorain County, Ohio
Supreme Court #0019528

By:

Lisa A. Locke Graves
LISA A. LOCKE GRAVES
Assistant Prosecuting Attorney
Supreme Court #0052114
226 Middle Avenue, 4th Floor
Elyria, Ohio 44035
(216) 329-5422

PROOF OF SERVICE

This is to certify that a copy of the foregoing States
Response to Motion for Probation was served by regular U.S. mail
this 11th day of August, 1995 to: Joseph C. Grunda, Esq., 522
Broadway Avenue, Lorain, Ohio 44052

Lisa A. Locke Graves
LISA A. LOCKE GRAVES

I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE.

RON WABAKOWSKI, LORAIN COUNTY
CLERK OF THE COURT OF COMMON PLEAS

Robert M. Myers
DEPUTY

FILED
LORAIN COUNTY

AUG 11 2 14 PM '95

IN THE COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO

RECEIVED
AUG 14 1995

JUDGE KOSMA J. GLAVAS

ENTERED

CLERK OF COURT PLEAS
STATE OF OHIO
LORAIN COUNTY

Plaintiff

vs.

TERRY HOPKINS

Defendant

CASE NO. 94CR045662

JUDGE KOSMA J. GLAVAS

STATE RESPONSE TO
DEFENDANT'S MOTION
FOR SHOCK PROBATION

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Respectfully submitted,

GREGORY A. WHITE
Prosecuting Attorney
Lorain County, Ohio
Supreme Court #0019528

By:

Lisa A. Locke Graves
LISA A. LOCKE GRAVES
Assistant Prosecuting Attorney
Supreme Court #0052114
226 Middle Avenue, 4th Floor
Elyria, Ohio 44035
(216) 329-5422

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Response to Motion for Probation was served by regular U.S. mail
this 11 day of August, 1995 to: Joseph C. Grunda, Esq., 522
Broadway Avenue, Lorain, Ohio 44052

I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE.

RON WABAKOWSKI, LORAIN COUNTY
CLERK OF THE COURT OF COMMON PLEAS

Robert M. Myers
DEPUTY

Lisa A. Locke Graves
LISA A. LOCKE GRAVES

ENTERED

FILED
LORAIN COUNTY

JOURNAL ENTRY

SEP 12 11 46 AM '95

COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO

CLERK OF COMMON PLEAS
DONALD J. ROTHGERY

DONALD J. ROTHGERY, CLERK

CASE NO. 94CR045662

STATE OF OHIO
PLAINTIFF

ATTORNEY FOR PLAINTIFF

TERRY HOPKINS
DEFENDANT

ATTORNEY FOR DEFENDANT

DATE 9/11/95 J.E.

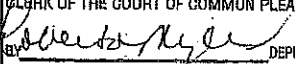
VOL. 725 PAGE 854

MOTION FOR PROBATION UNDER R.C., SECTION 2947.061
IS HEREBY GRANTED. SEE JOURNAL ENTRY.


JUDGE KOSMA J. GLAVAS

I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE.

RON NABAKOWSKI, LORAIN COUNTY
CLERK OF THE COURT OF COMMON PLEAS

BY  DEPUTY

FILED
LORAIN COUNTY

IN THE COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO

SEP 12 11 46 AM '95

STATE OF OHIO
Plaintiff,

CASE NO.

CLERK OF COMMON PLEAS
DOACR045662
COURTHOUSE

-vs-

JUDGE KOSMA J. GLAVAS

TERRY HOPKINS
Defendant.

JOURNAL ENTRY

ON THIS 11th DAY OF September, 19 95, THERE CAME ON FOR CONSIDERATION BY THE COURT THE MOTION OF DEFENDANT FOR AN ORDER SUSPENDING THE FURTHER EXECUTION OF THE DEFENDANT'S SENTENCE AND PLACING THE DEFENDANT ON PROBATION IN ACCORDANCE WITH THE PROVISIONS OF R.C., SECTION 2947.061. HAVING CONSIDERED THE BRIEFS SUBMITTED BY COUNSEL, THE COURT FINDS THAT SAID MOTION IS WELL TAKEN AND SHOULD BE GRANTED.

IT IS THEREFORE ORDERED THAT THE FURTHER EXECUTION OF THE DEFENDANT'S SENTENCE BE AND THE SAME IS HEREBY SUSPENDED. THE SUPERINTENDENT OF Allen Correctional Institution, Lima, OHIO, IS HEREBY DIRECTED TO RELEASE THE DEFENDANT TO THE SHERIFF OF LORAIN COUNTY, OHIO OR HIS AUTHORIZED DEPUTY, FOR TRANSPORTATION TO LORAIN COUNTY ON OR ABOUT Monday, September 25, 19 95.

WHEREFORE, SAID DEFENDANT, Terry Hopkins, #302-015, IS PLACED ON PROBATION IN THE MANNER PROVIDED BY LAW, FOR A PERIOD OF five (5) YEARS FROM AND AFTER THE DATE OF THIS JUDGMENT ENTRY, ON THE FOLLOWING TERMS AND CONDITIONS:

1. X THAT SAID DEFENDANT SHALL CONDUCT himself AS A DECENT AND LAW ABIDING CITIZEN;
2. X THAT SAID DEFENDANT SHALL REPORT TO THE CHIEF ADULT PROBATION OFFICER OF LORAIN COUNTY, OHIO, AT SUCH TIMES AND AT SUCH PLACE AS SHALL BE DETERMINED BY SAID PROBATION OFFICER AND THAT HE SHALL COMPLY WITH SUCH REASONABLE TERMS AND CONDITIONS OF PROBATION AS SHALL BE PRESCRIBED BY SAID PROBATION OFFICER;
3. X THAT SAID DEFENDANT SHALL PAY THE COSTS OF THIS CASE TO THE CLERK OF THIS COURT WITHIN 60 DAYS.
4. X THAT SAID DEFENDANT SHALL REPORT TO THE CHAMBERS OF JUDGE KOSMA J. GLAVAS WITH PROBATION OFFICER UPON RELEASE;
5. X THAT SAID DEFENDANT OBTAIN/MAINTAIN FULL-TIME, VERIFIABLE EMPLOYMENT;
6. X THAT SAID DEFENDANT MAKE RESTITUTION IN 12 DAYS : 12 MONTHS: YEARS, AS DETERMINED BY ADULT PROBATION DEPARTMENT;

Journal 725 Page 85 4

7. THAT SAID DEFENDANT SHALL OBTAIN GED OR VOCATIONAL TRAINING;
8. X THAT SAID DEFENDANT SHALL UNDERGO ALCOHOL/DRUG ABUSE EVALUATION AND/OR CONTINUE COUNSELING AND SUBMIT TO RANDOM DRUG/URINALYSIS TESTING (At HIS OWN EXPENSE);
9. X THAT SAID DEFENDANT SHALL ASSUME COURT-APPOINTED ATTORNEY FEES WITHIN DAYS: 18 MONTHS: YEARS.
10. X THAT SAID DEFENDANT BE PLACED IN A HALFWAY HOUSE FACILITY, AS DEEMED APPROPRIATE BY THE PROBATION DEPARTMENT
11. X THAT SAID DEFENDANT BE REQUIRED TO UNDERGO PSYCHOLOGICAL EVALUATION SCREENING AND FOLLOWING THROUGH WITH ANY RECOMMENDATIONS MADE BY THE EVALUATING INSTITUTION.
12. X THAT SAID DEFENDANT PAY FINE IN THE AMOUNT OF \$750.00 payable in monthly payments of \$75.00 per month commencing 11/1/95 until the entire balance is paid in full

YOUR FAILURE TO REPORT TO THE LORAIN COUNTY ADULT PROBATION DEPARTMENT WILL BE CONSIDERED AS A VIOLATION OF THE TERMS OF YOUR PROBATION SUPERVISION AND WILL RESULT IN A PROBABLE CAUSE HEARING BEING SCHEDULED.

Conroy

[Signature]

JUDGE KOSMA J. GLAVAS

I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE.

RON NABAKOWSKI, LORAIN COUNTY
CLERK OF THE COURT OF COMMON PLEAS

[Signature] DEPUTY

RECEIVED

AUG - 4 1995

JUDGE KOSMA J. GLAVAS

FILED
LORAIN COUNTY

AUG 4 11 28 AM '95

CLERK OF COMMON PLEAS
DONALD J. KOTHGERY

IN THE COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO

ENTERED

STATE OF OHIO

Plaintiff

VS

TERRY HOPKINS

Defendant

CASE NO. 94CR045662

JUDGE KOSMA J. GLAVAS

MOTION FOR SHOCK PROBATION

Now comes the Defendant, who through counsel, moves this Honorable Court for an order granting him shock probation under O.R.C. 2947.061 (A). The Defendant further requests this Court issue an order suspending further execution of his sentence and placing him on probation upon such terms as the Court determines are reasonable.

The Defendant was sentenced to a term of imprisonment in the Lorain Correctional Institute on the 26th day of January, 1995, and was received by the facility on the 31st day of January, 1995. It has now been more than six months since the Defendant has been delivered into the custody of the institution in which he is now serving a sentence.

1. The offense was a result of circumstances which are unlikely to recur; due to the fact that the Defendant is no longer

I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE

ROY NABAKOWSKI, LORAIN COUNTY
CLERK OF THE COURT OF COMMON PLEAS

DEPUTY

associated with the victim.

2. The victim of the offense induced or facilitated it; as the Defendant found his girlfriend and mother of his child in bed with another man.

3. There are substantial grounds tending to excuse or justify the offense, through failing to establish a defense.

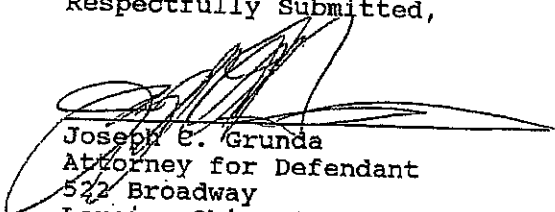
4. The offender acted under strong provocation, as he was enraged at finding his girlfriend with another man.

5. The offender has no history of prior delinquency or criminal activity, or has led a law-abiding life for a substantial time before commission of the present offense.

6. The offender is likely to respond quickly to correctional or rehabilitative treatment.

7. The Defendant is likely to respond affirmatively to any diversion the Court would consider in its probation order. Exhibit A - Letter to Judge Glavas, from Terry Hopkins, attached hereto and made a part hereof.

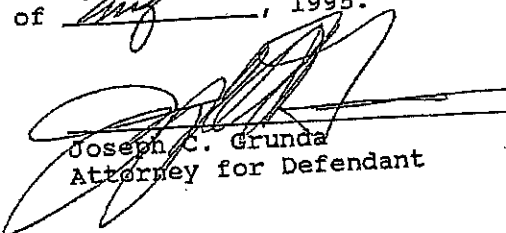
Respectfully Submitted,



Joseph E. Grunda
Attorney for Defendant
522 Broadway
Lorain, Ohio 44052
(216) 244-1389

PROOF OF SERVICE

A copy of the foregoing Motion for Shock Probation was served by ordinary U.S. Mail to D. Robinson, Assistant County Prosecutor, Lorain County Administration Building, 226 Middle Avenue, Elyria, Ohio 44035, on this 4th day of Aug, 1995.


Joseph C. Grunda
Attorney for Defendant

Honorable Judge Blawas,

I have found that I am eligible for
suspension of probation and I would like
you to be aware that I have been staying
completely out of trouble, and studying for
my GED, and also going to A.A. meetings.

Your Honor the reason why I feel I
should get out of prison is that I have
learned my lesson and this is not a place
that I want to be in. I was getting
on the right track while I was out on
bond waiting for my G.S.I. to be completed.
I feel that I had taken the biggest steps
of my life to change myself and I felt good
about that.

So all I want to do is come home
and do the right thing. I sincerely regret
what I done and I know that this is not
how I want to live my life. I have dis-
covered that if I don't change there are
places for me until I do. This is a 2nd
chance for me and I will not mess it
up! If I get out, I plan to work,
get my own apartment and start acting
like a responsible adult and father.
Before it's all too late.

Yours Truly,

Terry M. Hopkins

TERRY M. HOPKINS 302015

PO Box 4571

Lima Ohio 45802

Exhibit A

COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO
FILED Donald J. Rothgery, Clerk
LORAIN COUNTY

STATE OF OHIO,

CASE NO. 94CR045662

Plaintiff Jan 26 10 08 AM '95

Assistant Prosecuting Attorney

-vs-

TERRY HOPKINS

CLERK OF COMMON PLEAS
DONALD J. ROTHGERY

Attorney for Defendant

JUDGMENT ENTRY OF CONVICTION AND SENTENCE

1. Defendant appeared in Court for sentencing after having entered a plea of guilty to the following charge(s):

1. ATTEMPTED AGGRAVATED BURGLARY

a violation of O.R.C. 2923.03(A) a 2ND degree felony/~~misdemeanor~~

2. ATTEMPTED FELONIOUS ASSAULT

a violation of O.R.C. 2923.03(A)/2903.11 a 3RD degree felony/~~misdemeanor~~

3. DOMESTIC VIOLENCE (A)(1)

a violation of O.R.C. 2919.25(A) a 1ST degree felony/~~misdemeanor~~

4. CRIMINAL DAMAGING

a violation of O.R.C. 2909.06(A)(1) a 2ND degree felony/~~misdemeanor~~

2. A pre-sentence Report and Investigation were ordered and completed. A copy was ~~not~~ shown to the defense.

3. Defendant was present with counsel in open court for sentencing 1-23, 1995. A stenographer was present. Defendant's counsel and defendant were afforded an opportunity to speak and present any information in mitigation of punishment, pursuant to Criminal Rule 32(A)(1).

4. Upon consideration of all matters set forth by law it is the judgment of law and sentence of the Court that defendant be sentenced to a term of confinement of:

1. 5-15 YEARS

in the LCI and pay fine of \$ on Ct. I

2. 3-10 YEARS

in the LCI and pay fine of \$ on Ct. II

3. 6 MONTHS

in the LCI and pay fine of \$ 500. on Ct. III

4. 90 DAYS

in the LCI and pay fine of \$ 250. on Ct. IV

5. The Defendant shall:
- (a) Pay a mandatory fine pursuant to O.R.C. 2925.03(H) of \$ _____ on Ct. I; \$ _____ on Ct. II; \$ _____ on Count III; \$ _____ on Ct. IV.
 - (b) The mandatory fine listed in 5(a) shall be paid to the Clerk of Courts, who in turn shall pay the same to _____ and 25% to the Lorain County Prosecutor.
 - (c) Mandatory drug fines under any section of O.R.C. 2925 (other than R.C. 2925.03) shall be disbursed by the Clerk of Courts as follows: 50% in care of the Ohio State Board of Pharmacy, _____ % to _____ and 25% to the Lorain County Prosecutor.
 - (d) _____ (If checked) Mandatory fines are HELD IN ABEYANCE pending hearing or/SUSPENDED pursuant to the affidavit of indigency.
6. Defendant is ordered to pay the costs of prosecution _____.
7. Sentence of imprisonment in the _____ is suspended, the fine and costs are not suspended, and the defendant is placed on probation for _____ year(s) ending _____, 199____. Defendant is ordered to serve the first _____ days of his probationary period in the Lorain County Jail.
8. _____ (If checked) Defendant shall be committed to the Lorain County Correctional Facility and, thereafter, be released to the Adult Probation Department for _____ days for electronic monitoring.
9. Defendant is entitled to a credit of _____ days pursuant to R.C. 2967.191, to be applied to his minimum and maximum sentences if confined _____.
10. As a Specific condition of probation, the defendant is ordered to:
- _____ Obey all orders and directions of the Adult Probation Department.
 - _____ Seek Drug/Alcohol Abuse evaluation/counseling.
 - _____ Make restitution in the amount of \$ _____.
 - _____ Seek and maintain employment/vocational training.
 - _____ No association with _____.
 - _____ Random urinalysis at Defendant's expense.
 - _____ Repay court appointed attorney fees within _____.
 - _____ Fine and costs to be paid within _____ and to be paid at increments of _____.
 - _____ Intensive Supervision Program.
11. After expiration of the appellate process, all property not forfeited is hereby ordered returned to the victim(s)/owner(s) or sold at public auction with proceeds distributed as provided by law.
- _____ Seized money/property _____ in the custody of the police department is ordered forfeited pursuant to Defendant's plea and may be used or sold by the agency with proceeds deposited into law enforcement trust accounts as follows: _____ and 25% to the Prosecutor.
12. After expiration of the appellate process, all contraband and/or drugs are hereby ordered destroyed by the law enforcement agency.
13. Money not distributed pursuant to paragraph 5 is ordered distributed as follows:
- _____
- _____
- _____


JUDGE

FILED
LORAIN COUNTY

OCT 4 9 15 AM '94

CLERK OF COMMON PLEAS
DONALD J. ROTHGERY

IN THE COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO

ENTERED

STATE OF OHIO

Plaintiff

vs.

TERRY HOPKINS

Defendant

CASE NO. 94CR045662

JUDGE KOSMA J. GLAVAS

BILL OF PARTICULARS

The State of Ohio provides the following as its Bill of
Particulars in this matter:

COUNT ONE:

On or about July 8, 1994, at approximately 0430 hours, the defendant did by force trespass in an occupied structure, to wit: the residence of Temeka Foglyano, 1515 Hamilton Avenue, Apartment 2, Lorain, Ohio. The defendant kicked a wood door open splintering the door frame. The defendant's conduct violated R.C. 2911.11(A)(3).

COUNT TWO:

On or about July 8, 1994, at approximately 0430 hours, the defendant, did engage in conduct which if successful would have constituted felonious assault in violation of R.C. 2903.11(A)(1), in violation of R.C. 2923.02(A). The defendant, while at 1515 Hamilton Avenue, Apartment 2, Lorain, Ohio, at approximately 0430 hours, bit Jason Justin in the chest area.

COUNT THREE:

On or about July 8, 1994, at approximately 0430 hours, the defendant, while at 1515 Hamilton Avenue, Apartment 2, Lorain, Ohio, did attempt to cause physical harm to Temeka Foglyano, the mother of his child by attempting to hit her in violation of R.C. 2919.25(A).

COUNT FOUR:

On or about July 8, 1994. at approximately 0430 hours, the defendant, knowingly caused physical harm to the property of another without his consent, in violation of R.C. 2909.06(A)(1). The defendant kicked in a wooden door and splintered the frame at 1515 Hamilton Avenue, Apartment 2, Lorain, Ohio. At that same residence the defendant also punched a hole in a bedroom wall.

Respectfully submitted,

GREGORY A. WHITE
Prosecuting Attorney
Lorain County, Ohio
Supreme Court #0019528

By:

Lisa A. Locke Graves
LISA A. LOCKE GRAVES
Assistant Prosecuting Attorney
Supreme Court #0052114
226 Middle Avenue, 4th Floor
Elyria, Ohio 44035
(216) 329-5422

PROOF OF SERVICE

This is to certify that a copy of the foregoing Bill of Particulars was mailed by regular U.S. Mail this 4th day of October, 1994 to Joseph R. Grunda, attorney for defendant, 522 Broadway Avenue, Lorain, Ohio 44052.

Lisa A. Locke Graves
LISA A. LOCKE GRAVES
Assistant Prosecuting Attorney

FILED
LORAIN COUNTY

SEP 20 1 59 PM '94

CLERK OF COMMON PLEAS
DONALD J. ROTHGERY

JOURNAL ENTRY

COURT OF COMMON PLEAS

Lorain County, Ohio

Donald J. Rothgery, Clerk

Case. No. 94CR045662

STATE OF OHIO

vs.

Plaintiff

Attorney for Plaintiff

Defendant

Attorney for Defendant

Date

9-19-94

J.E.

Vol.

1084

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FIRST PRE TRIAL HAD. DEFENDANT ~~DOES~~ DOES NOT REQUEST DISCOVERY AND BILL OF PARTICULARS.

PROSECUTOR TO PROVIDE DISCOVERY ~~AND~~ OR BILL OF PARTICULARS ON OR BEFORE 10-3-94.

DEFENDANT TO PROVIDE PROSECUTOR WITH DISCOVERY ON OR BEFORE 10-10-94.

ALL MOTIONS SHALL BE FILED ON OR BEFORE 10-10-94. CASE IS SET FOR HEARING(S)

ON MOTION(S) AND SECOND PRE-TRIAL ON 10-17-94 8:00AM. DEFENDANT WAIVES STATUTORY

TIME PURSUANT TO R.C. 2945.71 ET SEQ. Terry M. Hopkins

Judge