

SUPERIOR COURT OF ARIZONA
COUNTY OF MARICOPA

Clerk of the Superior Court
*** Electronically Filed ***
Y. King, Deputy
6/30/2022 8:00:00 AM
Filing ID 14490430

CR2021-112435-001 SE

HONORABLE BARBARA LOUISE SPENCER

THE STATE OF ARIZONA)
)
 V.)
)
 RAUL MEZA PORTILLO (001))
)
 DOB: 2/24/1981)
)

HILARY L WEINBERG

RAYMOND A KIMBLE

SENTENCING ORDER

Imprisonment/Supervised Probation

This is the time set for Sentencing hearing held on June 28, 2022 at 10:00 AM in the Central Court Building - 1002 for CR2021-112435-001 SE and Defendant RAUL MEZA PORTILLO.

Hearing Start: 10:05 AM

Present in the courtroom,

Attorney	Weinberg, Hilary L
Court Appointed	Raymond Kimble
Defendant	Raul Portillo

A record of the proceedings is made digitally in lieu of a court reporter.

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the following offense(s):

Count 001

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

§13-1103A1 MANSLAUGHTER-RECKLESS, Felony 2

A.R.S. § 13-702

Date of Offense: 4/2/2021

Dangerous - Non Repetitive (pursuant to 13-704(A))

Count 002

WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

§28-661B FAIL TO STAY/WITH DEATH/INJURY, Felony 2

A.R.S. § 13-702, 28-3304

Date of Offense: 4/2/2021

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED the Defendant is sentenced to a term of imprisonment and is committed to Department of Corrections/Arizona State Prison as follows:

Count 001 - A Minimum term of 7 years to begin on: 6/28/2022 with a presentence credit for 452 day(s) (time served).

Community Supervision: Count(s) [001] - Waived pursuant to A.R.S. § 13-603(K), due to a term of probation in Count(s) [002].

In the event the Defendant is released by the Department of Corrections on a temporary release basis, and a term of Community Supervision has been waived, the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. § 13-901(B).

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

The Court will retain jurisdiction over restitution for Count 001. No hearing is set at this time. In the event a restitution hearing is set, Defendant waives presence.

Restitution is to remain open for 1 Years.

IT IS ORDERED The defendant shall have no contact with the victim(s) whatsoever.

IT IS ORDERED Defendant shall pay restitution for all economic loss to all victims.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED that a copy of the Order of Confinement together with all presentence reports, probation violation reports and medical and psychological reports that are not sealed in this case be remitted to the Arizona Department of Corrections.

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:

Count 002 - Supervised Probation for a term of 3 years upon release from prison pursuant to §13-603(k)

IT IS ORDERED that the Defendant shall abide by all standard terms and conditions of probation including:

Condition: 3	I will report any contact I have with law enforcement to the APD within 72 hours.
Condition: 6	I will report to the APD within 72 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.
Condition: 16	I will not consume or possess any substances containing alcohol.
Condition: 22	The defendant shall have no contact with the victim(s) whatsoever. Defendant shall pay restitution for all economic loss to all victims. Defendant shall complete substance abuse treatment, including relapse prevention and aftercare. Defendant shall participate in the MADD Victim Impact Panel.

Condition 15: IT IS ORDERED that the Defendant shall pay financial obligations through the Clerk of the Superior Court as directed.

	Total	Payment	Begin	Note
Probation Svc Fee/Standard		\$65.00	To be determined	
Probation Assess.	\$20.00		To be determined	
Time Payment Fee	\$20.00		To be determined	
Criminal Penalty Assessment	\$13.00		To be determined	Tempe PD
Victim Rights Enforcement Assessment	\$2.00		To be determined	
Peace Officer Training Equipment Fund	\$4.00		To be determined	

The Court will retain jurisdiction over restitution for Count 002. No hearing is set at this time. In the event a restitution hearing is set, Defendant waives presence.

Restitution is to remain open for 1 Years.

IT IS FURTHER ORDERED that the Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant who is placed on probation and who does not already have a State Identification Number (SID) established in this matter be fingerprinted.

IT IS ORDERED dismissing allegation(s) as listed in paragraph 3 of the Plea Agreement.

IT IS FURTHER ORDERED that the Defendant must submit to DNA testing for law enforcement identification purposes in accordance with ARS §13-610.

Defendant is advised that pursuant to ARS §13-805 that failure to maintain contact with the Adult Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

The Adult Probation Department has prepared a presentence investigation and recommendation to be filed under the case number.

Hearing Concludes: 10:22 AM



DONE IN OPEN COURT 06/28/2022

Hon. Barbara Louise Spencer
Maricopa County Superior Court

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include the date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

Let the record reflect that the Defendant's right index fingerprint is attached to this sentencing order in open court.



Right Index finger

ENDORSEMENT PAGE

CASE NUMBER: CR2021-112435-001

SIGNATURE DATE: 6/28/2022

E-FILING ID #: 14490430

FILED DATE: 6/30/2022 8:00:00 AM

HILARY L WEINBERG

RAYMOND A KIMBLE

AZ DOC

DISPOSITION CLERK-CSC

RFR