

SUPERIOR COURT OF ARIZONA
COUNTY OF MARICOPA

Clerk of the Superior Court
*** Electronically Filed ***
A. Rowe, Deputy
8/19/2024 8:00:00 AM
Filing ID 18352714

CR2023-007436-001 DT

HONORABLE KEVIN WEIN

THE STATE OF ARIZONA)
)
 V.) TIFFANY LEIGH BRADY
)
 DANNY GLEN TINER (001)) AURELIE M COUTURIER
)
 DOB: 7/8/1986)
 _____)

SENTENCING ORDER
Imprisonment

This is the time set for Sentencing hearing held on August 16, 2024 at 1:30 PM in the South Court Tower - 5B for CR2023-007436-001 DT and Defendant DANNY GLEN TINER.

Hearing Start: 01:52 PM

Present in the courtroom,

Attorney	Brady, Tiffany Leigh
Defendant	DANNY TINER
Defendant's Attorney	Aurelie Couturier

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.

§13-1102A NEGLIGENT HOMICIDE, Felony 4

A.R.S. § 13-702

Date of Offense: 1/12/2023

Non 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.

§13-1102A NEGLIGENT HOMICIDE, Felony 4

A.R.S. § 13-702

Date of Offense: 1/12/2023

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

Count 003

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

§13-1102A NEGLIGENT HOMICIDE, Felony 4

A.R.S. § 13-702

Date of Offense: 1/12/2023

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

Count 004

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

§13-1102A NEGLIGENT HOMICIDE, Felony 4

A.R.S. § 13-702

Date of Offense: 1/12/2023

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

Count 005

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

§13-1102A NEGLIGENT HOMICIDE, Felony 4

A.R.S. § 13-702

Date of Offense: 1/12/2023

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

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 less than Presumptive term of 4.5 years to begin on: 8/16/2024 with a presentence credit for 415 day(s) (time served).

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 002 - A less than Presumptive term of 4.5 years with a presentence credit for 0 day(s) (time served).

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 003 - A less than Presumptive term of 4.5 years with a presentence credit for 0 day(s) (time served).

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 004 - A less than Presumptive term of 4.5 years with a presentence credit for 0 day(s) (time served).

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 005 - A less than Presumptive term of 4.5 years with a presentence credit for 0 day(s) (time served).

Community Supervision: Count(s) [001],[002],[003],[004],[005] imposed pursuant to A.R.S. § 13-603(I).

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.

IT IS ORDERED that the imprisonment in CR2023007436-001 (Count - 005) is consecutive to CR2023007436-001 (Count - 004) is consecutive to CR2023007436-001 (Count - 003) is consecutive to CR2023007436-001 (Count - 002) is consecutive to CR2023007436-001 (Count - 001)

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 5 Years.

The Court will retain jurisdiction over restitution for Count 003. No hearing is set at this time. In the event a restitution hearing is set, Defendant does not waive presence.
Restitution is to remain open for 5 Years.

The Court will retain jurisdiction over restitution for Count 004. No hearing is set at this time. In the event a restitution hearing is set, Defendant waives presence.
Restitution is to remain open for 5 Years.

The Court will retain jurisdiction over restitution for Count 005. No hearing is set at this time. In the event a restitution hearing is set, Defendant waives presence.
Restitution is to remain open for 5 Years.

LET THE RECORD REFLECT that Attorneys Dan Collier, John Kelley, Jamal Allen and Robert Kleinschmidt are present on behalf of the 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.

IT IS FURTHER ORDERED dismissing: Count(s): **[006],[007],[008],[009],[010]**.

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: 03:17 PM



DONE IN OPEN COURT 08/16/2024

Hon. Kevin Wein
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: CR2023-007436-001
E-FILING ID #: 18352714

SIGNATURE DATE: 8/16/2024
FILED DATE: 8/19/2024 8:00:00 AM

AURELIE M COUTURIER

JAMAL F ALLEN

JOHN EUGENE KELLY

ROBERT H KLEINSCHMIDT

TIFFANY LEIGH BRADY

AZ DOC

RFR