

SUPERIOR COURT OF ARIZONA
COUNTY OF MARICOPA

Clerk of the Superior Court
*** Electronically Filed ***
M. Cabral, Deputy
6/26/2019 8:00:00 AM
Filing ID 10591870

CR2018-142587-001 DT

HONORABLE SALLY SCHNEIDER DUNCAN

THE STATE OF ARIZONA)

V.)

CLAYTON ALEC LYNAS

DANIEL JAMES HINTON (001))

JACK DANIEL LITWAK

DOB: 5/27/1969)

SENTENCING ORDER

Imprisonment

This is the time set for Sentencing hearing held on June 25, 2019 at 8:30 AM in the Central Court Building - 402 for CR2018-142587-001 DT and Defendant DANIEL JAMES HINTON.

Hearing Start: 09:25 AM

Present in the courtroom,

Court Appointed

Jack Litwak

Defendant

Daniel Hinton

State's Attorney

Clayton Lynas

A record of the proceedings is recorded by Court Reporter, ROBIN BOBBIE.

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

Count 002

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

As Amended, §13-1103 MANSLAUGHTER, Felony 2

A.R.S. § 13-702, 13-704

Date of Offense: 2/22/2018

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 002 - A less than Maximum term of 11 years to begin on: 6/25/2019 with a presentence credit for 301 day(s) (time served).

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

	Total	Payment	Begin	Note
Probation Assess.	\$20.00		To be determined	
Criminal Penalty Assessment	\$13.00		To be determined	Scottsdale PD
Victim Rights Enforcement Assessment	\$2.00		To be determined	

Community Supervision: Count(s) [002] 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.

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 does not waive presence.
Restitution is to remain open for 6 Months.

Restitution is not to exceed \$1,000,000.00.

IT IS ORDERED Defendant shall not return to the scene of the crime. Defendant shall pay restitution for all economic loss to all victims. Defendant shall pay costs associated with DNA testing required pursuant to A.R.S. §13-610. The allegation of priors is dismissed. Defendant shall have no contact with the victim's family.

Defendant shall pay restitution in an amount not to exceed 1,000,000.00, regardless of whether the loss was caused by the Defendant or any accomplice.

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): **[001]**.

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: 09:33 AM

Sally S. Duncan

DONE IN OPEN COURT 06/25/2019

Hon. Sally Schneider Duncan
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: CR2018-142587-001

SIGNATURE DATE: 6/25/2019

E-FILING ID #: 10591870

FILED DATE: 6/26/2019 8:00:00 AM

CLAYTON ALEC LYNAS

JACK DANIEL LITWAK

AZ DOC

RFR