

FELONY SENTENCING - TRIAL

I have considered all the evidence presented at trial, any and all evidence presented at this hearing, the Pre-Sentence report arguments of counsel, (the statement of the Defendant), applicable case and statutory law, and the relevant portions of the Illinois Criminal Code, including Factors in Aggravation and Factors in Mitigation. I have also considered the weight and quality of the evidence expected to be presented. I have considered the circumstances of the offense, the history, character and condition of the defendant. I have considered the likelihood that the defendant will commit further crimes, how the defendant and the public would best be served, the interests of justice.

THE COURT SENTENCES THE DEFENDANT AS FOLLOWS:

- The Court finds that imprisonment or periodic imprisonment is necessary for the protection of the public
- That Probation or conditional discharge would deprecate the seriousness of the offender's conduct and would be inconsistent with the ends of justice.
- The average annual cost of incarceration in the Department of Corrections is \$26,331.
- _____ Department of Corrections
- _____ MSR
- _____ DNA Indexing + \$250 cost

- _____ jail
- Day for day credit to apply
- _____ Days credit for time served
- _____ years Probation Cond. Disch. Court Sup.
- No contact with _____
- _____ Days SWAP
- _____ Public Service Work
- _____ Fine + Court Costs
- _____ Counseling per Evaluation
- _____ Restitution

APPEAL - FOLLOWING TRIAL

Your right to appeal the judgment of conviction, excluding the sentence imposed, will be preserved only if a notice of appeal is filed in this court within thirty (30) days from the date on which sentence is imposed.

Prior to taking an appeal, if you seek to challenge the correctness of the sentence, or any aspect of the sentencing hearing, you must file in the trial court within 30 days of the date on which sentence is imposed - a written motion asking to have the trial court reconsider the sentence imposed, - or consider any challenges to the sentencing hearing, - setting forth in the motion all issues or claims of error regarding the sentence imposed or the sentencing hearing.

Any issue or claim of error regarding the sentence imposed or any aspect of the sentencing hearing not raised in the written motion shall be deemed waived.

In order to preserve the right to appeal following the disposition of the motion to reconsider sentence, - or any challenges regarding the sentencing hearing, - you must file a notice of appeal in the trial court within 30 days from the entry of the order disposing of your motion to reconsider sentence or order disposing of any challenges to the sentencing hearing.

You have the right to request the clerk to prepare and file a notice of appeal, and the right, if indigent, to be furnished without cost, with a transcript of the proceedings at the trial or hearing. You also have the right to have counsel appointed on appeal.

APPEAL - TRIAL

Judge Miller -Version 1.1.19