

SUPERIOR COURT OF ARIZONA
COUNTY OF MARICOPA

Clerk of the Superior Court
*** Electronically Filed ***
M. Matlack, Deputy
10/20/2022 8:00:00 AM
Filing ID 15009898

CR2019-001522-001 DT

HONORABLE MICHAEL C BLAIR

THE STATE OF ARIZONA)

)

V.)

)

MELISSA SUZANNE DIEGEL (001))

)

DOB: 12/12/1974)

)

FRANKIE LYNN GRIMSMAN

ELENI PERDIKAKIS

SENTENCING ORDER

Supervised Probation

This is the time set for Sentencing hearing held on October 19, 2022 at 10:00 AM in the Central Court Building - 803 for CR2019-001522-001 DT and Defendant MELISSA SUZANNE DIEGEL.

Hearing Start: 09:59 AM

Present in the courtroom,

Attorney	GRIMSMAN, FRANKIE Lynn
Defendant	Melissa Diegel
Defendant's Attorney	Eleni Perdikakis

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.

As Amended, § 13-3623A2 CHILD/VUL ADULT ABUSE-INTENT, Felony3 and Domestic Violence Offense

A.R.S. § 13-3601, 13-702

Date of Offense: 6/1/2013 to 10/31/2013

Non Dangerous - Non Repetitive

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, § 13-3623A2 CHILD/VUL ADULT ABUSE-INTENT, Felony3 and Domestic Violence Offense

A.R.S. § 13-3601, 13-702

Date of Offense: 6/1/2013 to 10/31/2013

Non Dangerous - Non Repetitive

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 001 - Supervised Probation for a term of 10 years to begin on: 10/19/2022

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: 8	I will request and obtain written permission of the APD prior to leaving the state.
Condition: 21	I will abide by the attached special conditions of probation: •Domestic Violence
Condition: 22	Defendant shall pay restitution for all economic loss to all victims. Defendant's contact with each victim shall be at the discretion of each victim independently. APD shall not interfere with victim A and B's contact with the Defendant.

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	01/01/2023	
Time Payment Fee	\$20.00		01/01/2023	
Warrant Charge	\$45.00		01/01/2023	
Probation Assess.	\$20.00		01/01/2023	
Criminal Penalty Assessment	\$13.00		01/01/2023	Phoenix Police
Family Offense Assessment	\$50.00		01/01/2023	
Address Confidentiality Program Assessment	\$50.00		01/01/2023	
Victim Rights Enforcement Assessment	\$2.00		01/01/2023	

Count 002 - Supervised Probation for a term of 10 years to begin on: 10/19/2022

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: 8	I will request and obtain written permission of the APD prior to leaving the state.
Condition: 21	I will abide by the attached special conditions of probation: •Domestic Violence
Condition: 22	Defendant shall pay restitution for all economic loss to all victims. Defendant's contact with each victim shall be at the discretion of each victim independently. APD shall not interfere with victim A and B's contact with the Defendant.

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 does not waive presence.
Restitution is to remain open for 1 Years.

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 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 FURTHER ORDERED dismissing: Count(s): **[003],[004],[005],[006],[007],[008]**.

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: 10:46 AM



DONE IN OPEN COURT 10/19/2022

Hon. Michael C Blair
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: CR2019-001522-001

SIGNATURE DATE: 10/19/2022

E-FILING ID #: 15009898

FILED DATE: 10/20/2022 8:00:00 AM

ELENI PERDIKAKIS

FRANKIE LYNN GRIMSMAN

JAMIE A. BALSON

RFR