

... IN VACATION DECEMBER 7, 2007.

477

FILED 2474
At 12:45 O'Clock P.M.

DEC 06 2007

DEFENDANT'S FULL NAME: SEDRICK TRICE
JUDGMENT & COMMITMENT ORDER
IN THE CIRCUIT COURT OF PHILLIPS COUNTY, ARKANSAS
1ST JUDICIAL DISTRICT CRIMINAL DIVISION
No. CR 2004-011

LYNN STILLWELL
PHILLIPS COUNTY CIRCUIT CLERK

On November 2, 2007, the Defendant appeared before the Court, was advised of the nature of the charge(s), of constitutional and legal rights, of the effect of a guilty plea upon those rights, and of the right to make a statement before sentencing. The Court made the following findings:

DEFENDANT'S FULL NAME: SEDRICK TRICE
DATE OF BIRTH: 2/16/84
RACE/SEX: B/M
SID #:
DEFENDANT'S ATTORNEY: LOUIS ETOCH
PROSECUTING ATTORNEY/DEPUTY: TODD MURRAY, D.P.A.
CHANGE OF VENUE FROM:

A-2007-2474
JD-2007-477

DEFENDANT REPRESENTED BY: private counsel appointed counsel
 public defender himself/herself

Defendant made a voluntary, knowing and intelligent waiver of the right to counsel: yes no

There being no legal cause shown by Defendant, as requested, why judgment should not be pronounced, a judgment of conviction is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. The Defendant is sentenced to the Arkansas Department of Correction (A.D.C.) for the term specified on each offense shown below:

TOTAL NUMBER OF COUNTS: 1

Offense #1

Docket #: 2004-011
Arrest Tracking #: 811551
A.C.A. # of Offense: 55-64-401 & 5-3-201
Name of Offense: Attempted Delivery of Controlled Substance (cocaine)
Seriousness Level of Offense: 6
Criminal History Score: N/A - REVOCATION
Presumptive Sentence:
Sentence is a departure from the sentencing grid: yes no.
Offense is a felony misdemeanor.
Classification of offense: A B C D U Y
Sentence imposed: 240 months.
Period of Probation/Suspended imposition of sentence: 120 months to begin upon release.
Defendant was sentenced as Habitual Offender under A.C.A. §5-4-501, Subsection (a) (b) (c) (d).
Sentence was enhanced by ___ months pursuant to A.C.A. _____.
Defendant attempted solicited conspired to commit the offense.
Offense Date: 11/4/03
Number of counts: 1
Defendant was on probation parole at time of conviction.
Commitment on this offense is a result of the revocation of Defendant's probation or suspended imposition of sentence: yes no.
Victim of the offense was ___ under over the age of 18 years.
Defendant voluntarily, intelligently, and knowingly entered a:
 negotiated plea of guilty or nolo contendere.
 plea directly to the court of guilty or nolo contendere.
Defendant
 entered a plea as shown above and was sentenced by a jury.
 found guilty of said charge(s) by Court, and sentenced by the court a jury.
 was found guilty at a jury trial, and sentenced by ___ the court ___ a jury.

Indicate which sentences are to run consecutively:

Death Penalty: _____ Execution Date: _____
Defendant is sentenced under Act 1326 of 1995.
Total time to serve on all offenses listed above: 240 months.
Time served at: Department of Correction Regional Punishment Facility.
Jail time credit: 4 days.

The Defendant was convicted of a target offense under the Community Punishment Act. The Court hereby orders that the Defendant be judicially transferred to the Department of Community Correction (D.C.C.): yes no.

IN THE CIRCUIT COURT OF PHILLIPS COUNTY ARKANSAS IN VACATION DECEMBER 7, 2007.

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Failure to meet the criteria or violation of the rules of the D.C.C. could result in transfer to the A.D.C.

Defendant was convicted of a "drug crime," as defined in Act 1086 of 2007, and codified at A.C.A. §12-17-101 et seq. Yes No.

Fines \$500.⁰⁰ Court Costs \$215.00 *credit time served*
Booking & Administration Fee (A.C.A. 12-41-505) \$20.00

Public Defender Fee \$210.00
 Drug Crime Special Assessment (A.C.A. 12-17-106) \$125.00
 DNA Sample Fee (A.C.A. 12-12-1118) \$250.00

A judgment of restitution is hereby entered against the Defendant in the amount and terms as shown below:

Amount \$ _____
Payment to be made to: _____
If multiple beneficiaries, give names and show payment priority:

Defendant has been adjudicated guilty of an offense requiring registration as a sex offender, and is ordered to complete the Sex registration form: Yes No.

Defendant, who has been adjudicated guilty of an offense requiring registration as a sex offender, has been adjudicated guilty of a prior sex offense under a separate case number: Yes No. If yes, list prior case number(s):

Defendant is alleged to be a Sexually Violent Predator, and is ordered to undergo an evaluation at a facility designated by the Department of Correction pursuant to A.C.A. §12-12-918: Yes No.

Defendant has committed an aggravated sex offense, as defined in A.C.A. §12-12-903. Yes No.
Defendant was adjudicated guilty of a felony offense, a misdemeanor sexual offense, or a repeat offense (as defined in A.C.A. §12-12-1103), and is ordered to have a DNA sample drawn at:
 a D.C.C. facility A.D.C. or _____ (other): Yes No.

Defendant was informed of the right to appeal: yes no.
Appeal Bond: \$150,000.00 *Cash or professional security only*
The County Sheriff is hereby ordered to transport the defendant to the Arkansas Department of Correction Regional Punishment Facility.

The short report of circumstances attached hereto is approved.

Date: 12/6/07 Circuit Judge: L.T. Simes
Signature: [Signature]

I certify this is a true and correct record of this Court.

IN THE CIRCUIT COURT OF PHILLIPS COUNTY, ARKANSAS

STATE OF ARKANSAS

PLAINTIFF

VS.

NO. CR-2004-011

SEDRICK TRICE

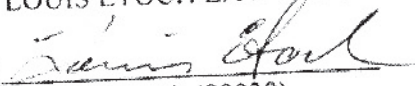
DEFENDANT

NOTICE OF APPEAL AND DESIGNATION OF RECORD

Pursuant to Rule 2(A), Ark. R. App. P.-Crim., Sedrick Trice, Defendant herein, gives notice of appeal of the Judgment and Commitment Order that was filed of record on December 6, 2007. Defendant hereby certifies that a complete transcript of the trial record has been ordered from the court reporter; including all hearings on motions, further counsel for defendant has made arrangements with the court reporter to purchase said transcript; and same is certified and designated for purposes of the appeal. This appeal is taken to the Arkansas Supreme Court.

Respectfully submitted,

LOUIS ETOCH LAW FIRM

By: 

Louis A. Etoch (89030)
Attorney at Law
P.O. Box 100
727 Cherry St.
Helena, AR 72342
(870) 338-3591

At 3:30 **FILED** 0 O'Clock PM
DEC 17 2007
LYNN STILLWELL
PHILLIPS COUNTY CIRCUIT CLERK
By _____ D.C.

CERTIFICATE OF SERVICE

I the undersigned, one of the attorneys for Defendant state that I have served a copy of the foregoing pleading on the attorney of record, by depositing a copy thereof, postage prepaid, in the United States Mail and addressed as follows:

Todd Murray
Deputy Prosecuting Attorney
620 Cherry, Ste. 206
Helena, AR 72342

Arkansas Attorney General
200 Tower Building
323 Center St.
Little Rock, AR 72201

Judge L.T. Simes
Circuit Judge
P.O. Box 2775
West Helena, AR 72390

Alvah Griggs
Court Reporter
418 Short St.
Forrest City, AR 72335

this the 17th day of December 2007.



**MANDATE
AFFIRMED**

Proceedings of October 8, 2008.

CACR08-319
SEDRICK TRICE

APPELLANT

V. Appeal from Phillips Circuit
(CR-04-11)

STATE OF ARKANSAS

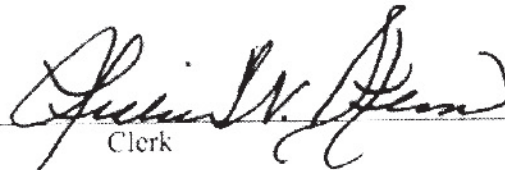
APPELLEE

This criminal appeal was submitted to the Arkansas Court of Appeals on the record of the Circuit Court of Phillips County and briefs of the respective parties. After due consideration, it is the decision of the Court that the conviction is affirmed.

It is also ordered that the appellant shall immediately surrender to the Sheriff of Phillips County. If the surrender is not immediate, his bond is declared forfeited and a warrant shall issue for appellant's arrest.

Marshall and Vaught, JJ., agree.

In testimony, that the above is a true copy of the judgment of the Court of Appeals. I, Leslie Steen, Clerk, set my hand and affix the seal, this 28th day of October, 2008.



Clerk

FILED
At 9:45 O'Clock PM
OCT 30 2008
LYNN E. MUMFORD
PHILLIPS COUNTY CIRCUIT CLERK
By _____ D.C.



**Office of the Clerk
Supreme Court
Court of Appeals
State of Arkansas
Justice Building
625 Marshall Street
Little Rock, AR 72201**

October 28, 2008

Circuit Clerk
Phillips County, Arkansas

Dear Clerk:

Enclosed is the mandate of the Arkansas Court of Appeals in the case of Sedrick Trice v. State Of Arkansas, case number CACR 08 00319, wherein the judgment of the trial court was affirmed.

You will notice that the terms of the mandate are that the defendant shall surrender forthwith to the Sheriff of Phillips County, Arkansas.

Leslie W. Steen, Clerk

ARKANSAS DEPARTMENT OF CORRECTIONS
MIRIAM LESTER Telephone 870-267-6678
CENTRAL RECORDS FAX # 870-267-6607
890 FREELINE DRIVE
PINE BLUFF, AR 71603

TO: Phillips County Circuit Clerk's Office/Geneva

FAX: 870-338-5557

NUMBER OF REQUESTS MADE: 1

DATE: 02/01/12

INMATE NAME: Trice, Sedrick

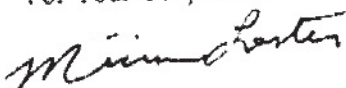
ADC#: 132534

DK# 2004-011 and any others from 2008

PLEASE FAX THE JUDGMENT AND COMMITMENT ORDER ON THE ABOVE MENTIONED INMATE. PLEASE MAIL THE CERTIFIED JUDGMENT AND COMMITMENT ORDER AND THE DEPARTURE REPORT (IF ONE IS NEEDED) TO THE FOLLOWING UNIT FOR PROCESSING.

Centralized Records
890 Freeline Dr
Pine Bluff, AR 71603
Attn: Montie Shults

Thank You
For Your Cooperation



MIRIAM LESTER
CENTRALIZED RECORDS

COMMENTS: The ADC never received this commitment, when sentenced or when the appeal was affirmed. Inmate has never served a day of this time.

2-1-12