

IN THE DISTRICT COURT OF LINCOLN COUNTY
TWELFTH JUDICIAL DISTRICT, NEW MEXICO

FILED
DISTRICT COURT OF
LINCOLN COUNTY
98 FEB 20 PM 2:58

STATE OF NEW MEXICO,

ALICE B. GARDNER

Plaintiff,

CLERK

vs.

Cause No. CR-96-142

VICENTE A. MONTES,

Judge Parsons

Defendant.


JUDGMENT AND SENTENCE

THIS MATTER having come before the Court on the 20th day of February, 1998, for Plea, the Defendant being present and represented by counsel, Gary C. Mitchell, and the State being represented by her Assistant District Attorney, Viola Rhodes, and the Defendant plead pursuant to a Plea and Disposition Agreement to Count I: Armed Robbery (FE), Second Degree Felony plus Firearm Enhancement, contrary to §30-16-2 & §31-18-16, and Count II: Conspiracy, Third Degree Felony, §30-28-2, and the Court having heard statements of counsel, and being otherwise fully advised in the premises, accordingly;

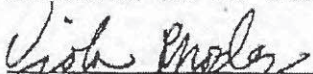
IT IS THE JUDGMENT OF THE COURT the Defendant entered a knowing, intelligent, and voluntary plea, and is guilty of the offense of Count I: ARMED ROBBERY (FE), Second Degree Felony plus Firearm Enhancement, contrary to §30-16-2 & §31-18-16, and Count II: Conspiracy, Third Degree Felony, §30-28-2, NMSA, 1978 Comp.

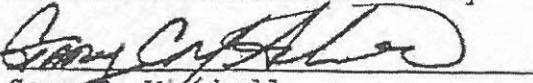
IT IS THE SENTENCE OF THE COURT that the Defendant be remanded to the custody of the New Mexico Department of Corrections for a period of nine (9) years as to Count I, to be enhanced by one year as to the Firearm Enhancement, to run consecutive to the nine (9) year underlying sentence, and three (3) years as to Count II, to run concurrent to Count I for a total incarceration of ten (10) years, with a mandatory two year parole.

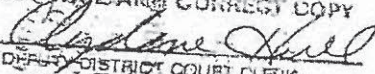
IT IS THEREFORE THE ORDER OF THE COURT that the Sheriff of Lincoln County or his duly authorized representative take custody of the Defendant, Vicente Montes, currently incarcerated in the Lincoln County Detention Center, Carrizozo, New Mexico, and they shall safely transport him to the Western New Mexico Correctional Facility, Intake and Classification Center, Grants, New Mexico, as soon as may be convenient so that the Defendant may begin serving the sentence imposed herein.


KAREN L. PARSONS
District Judge

APPROVED AS TO FORM:


VIOLA RHODES
Assistant District Attorney


Gary E. Mitchell
Attorney for Defendant

ATTEST TRUE AND CORRECT COPY
By 
DEPUTY DISTRICT COURT CLERK
DATE 