

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

CAUSE NO. CR-96-142

JUDGE PARSONS

STATE OF NEW MEXICO,

Plaintiff,

vs.

VICENTE MONTES

Defendant.

FILED
FEB 21 1998
CLERK OF DISTRICT COURT
DOCKETED

AMENDED JUDGMENT AND SENTENCE

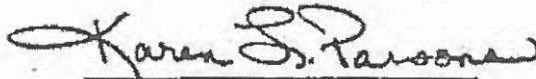
THIS MATTER having come before the Court on the 20th day of February, 1998, for a Plea, the Defendant being present and represented by counsel, Gary C. Mitchell, and the State being represented by her Assistant District Attorney, Viola Rhodes, and the Defendant having plead to a *Plea and Disposition Agreement* to Count I: Armed Robbery (FE), Second Degree Felony plus Firearm Enhancement, contrary to §30-16-1 & §31-18-16, and Count II: Conspiracy, Third Degree Felony, contrary to §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, contrary to §30-28-2, NMSA 1978.


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 with Count I for a total period of incarceration of ten (10) years, with a mandatory two year parole. *Further, the Defendant shall receive pre-sentence confinement credit from November 26, 1996 until February 20, 1998.*

IT IS THE FURTHER ORDER OF THE COURT that the Defendant submit a personal DNA sample and pay the required \$100 DNA fee to the New Mexico Department of Corrections.

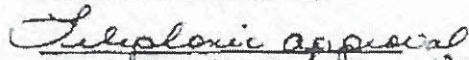
IT IS SO ORDERED



HONORABLE KAREN L. PARSONS
District Judge



Viola Rhoads by Reed Thompson
Assistant District Attorney



Gary C. Mitchell by Shawn Boyne 12-14-00
Attorney for the Defendant