

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF COLUMBIA

STATE OF OREGON,	)	
	)	
Plaintiff,	)	Case No. 13-1005 - Count 1
	)	
vs.	)	D.A. File No. 1.03 24389
	)	
RICHARD JOHN CHENEY,	)	JUDGMENT - FELONY
	)	
	)	
Defendant.	)	

Dated: February 12, 2013

Presiding: Steven B. Reed  
Circuit Court Judge

Appearing: Dale L. Anderson  
Chief Deputy District Attorney

Thomas Freedman, Jr.  
Defense Counsel

Richard John Cheney  
In Custody

Purpose: No Contest Plea and Sentencing

The above entitled matter come regular before the Court upon the representation of the parties that defendant was prepared to enter a No Contest plea to Count 1, Unlawful Delivery of Methamphetamine, Substantial Quantity and be sentenced; the Court inquired of the defendant if he wished to change his plea to No Contest to Count 1 and the defendant replied that he did and defendant then pleaded No Contest; the Court questioned the defendant and determined that the change of plea was being made freely, knowingly, and voluntarily in all respects; the Court inquired of the State if there was a factual basis for the plea; upon hearing the statement from the State the Court found there is a factual basis for defendant's No Contest plea; the Court heard statements from counsel regarding the sentence and offered the defendant an opportunity to make

1 a statement in his own behalf and at the conclusion thereof the Court being fully advised in the  
2 premises:

3 IT IS THEREFORE ORDERED that defendant's plea of No Contest to Count 1,  
4 Unlawful Delivery of Methamphetamine, Substantial Quantity shall be received and entered of  
5 record herein; and

6 IT IS FURTHER ORDERED that defendant's grid block is 8E and the Court orders that  
7 the defendant shall be committed to the legal and physical custody of the Oregon State  
8 Corrections Division for a period of 25 months with three years of Post Prison Supervision; and

9 IT IS FURTHER ORDERED that defendant shall be eligible for earned time/good time  
10 credits under ORS 421.121(1)(a) and shall receive credit for time served from December 29,  
11 2012; and

12 IT IS FURTHER ORDERED that defendant shall not be eligible for other ORS 421.121  
13 programs or for AIP or for release under ORS 421.508(4); and

14 IT IS FURTHER ORDERED that the Court recommends that defendant be allowed  
15 contact with Michelle Smith while incarcerated in the Columbia County Jail and Oregon State  
16 Corrections Division; and

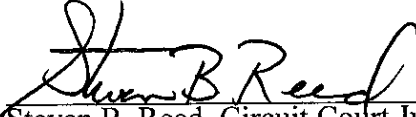
17 IT IS FURTHER ORDERED that upon release to the Post Prison Supervisor the Court  
18 recommends that defendant be allowed contact with Michelle Smith if she has completed any  
19 substance abuse program that was recommended for her; and

20 IT IS FURTHER ORDERED that Counts 2, 3, 4, 5, 6, 7, and 8 are dismissed; and

21 IT IS FURTHER ORDERED that the Columbia County Sheriff shall transport defendant  
22 to the Oregon State Corrections Division; and

23 IT IS FURTHER ORDERED that defendant shall pay the amounts in the money award.

24 DATED: this 13 day of February, 2013.

25   
26 Steven B. Reed, Circuit Court Judge

**MONEY AWARD**

JUDGMENT CREDITOR: **State of Oregon**

Case No. 13-1005 ct 1

JUDGMENT DEBTOR: **Richard John Cheney**

**DEFENDANT IS ORDERED TO PAY:**

- ☐ Restitution Joint and Several Liability with: \_\_\_\_\_
- ☐ Restitution ☐ Compensatory Fine in favor of the person(s) listed below:

Name: \_\_\_\_\_ AMOUNT DUE \$ \_\_\_\_\_

Address: \_\_\_\_\_ \$ \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

- FINE ☒ Felony minimum \$200 ☐ Misdemeanor minimum \$100
- ☐ Methamphetamine – manufacture or manufacture with 1000' of school minimum \$1000
- ☐ Methamphetamine – delivery or delivery within 1000' of school minimum \$500

IMPOSED \$ 200 SUSPENDED \$ 0 \$ 200

- ☐ \$ \_\_\_\_\_ of fine suspended on successful completion of \_\_\_\_\_

- ☐ REIMBURSE ATTORNEY FEES \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_
- ☐ DUII Conviction Fee (\$255) \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_
- ☐ PRIOR FINANCIAL OBLIGATIONS CONTINUED: \$ \_\_\_\_\_
- ☐ PROB VIOLATION ASMT (\$25) \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_
- ☐ BENCH PROBATION FEE (\$100) \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_
- ☐ \_\_\_\_\_ \$ \_\_\_\_\_

TOTAL OBLIGATION [this charge] \$ \_\_\_\_\_

- ☐ Restitution shall be paid before fines and assessments.

Defendant is ordered to comply with the terms of the Money award, report to the court accounting counter and to comply with directions of the court collection staff. All financial obligations are due in full today.

**IT IS FURTHER ORDERED** if Defendant is approved by the court collection staff to make payments, the payments are to be received by the court on or before the date(s) established. If the defendant is unable to make the payment, the defendant shall submit a request in writing to modify the payment schedule and the reasons why. Request must be received by the court prior to the payment due date. Defendant will keep court advised of current mailing address until this money judgment is paid in full. The court may increase the total amount owed by adding collection fees and other assessments. These fees and assessments may be added without further notice to the defendant and without further order of the court. No collection fee will be added if obligation is paid within thirty (30) days of the entry of judgment.

Subject to amendment of a judgment under ORS 137.107, money required to be paid as a condition of probation remains payable after revocation of probation only if the amount is included in the money award portion of the judgment document, even if the amount is referred to in other parts of the judgment document.

- IT IS FURTHER ORDERED that:** ☐ Security Bond exonerated
- ☐ Bail/Security Release: ☐ to be distributed as follows: \_\_\_\_\_
- ☐ to be applied to Financial Obligations in Case(s): \_\_\_\_\_

Payment of the fines, fees, assessments, restitution and/or attorney's fees noted above shall be made payable to the Trial Court Administrator as follows: Mail payments to: 230 Strand St, St Helens, OR 97051

Dated: 2/12/2013

*Steve B. Pearl*

<input checked="" type="checkbox"/>	District Attorney
<input checked="" type="checkbox"/>	Jail / Sheriff
<input checked="" type="checkbox"/>	DOC - Dept. of Corrections
<input type="checkbox"/>	Juvenile Dept.
<input type="checkbox"/>	Ptf / Attorney
<input checked="" type="checkbox"/>	Def / Attorney
<input type="checkbox"/>	Treatment
<input type="checkbox"/>	Probation
<input type="checkbox"/>	SVEU - Victims Unit

2 cert up  
via CCSO

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Judgment - Felony in the matter of the State of Oregon vs. Richard John Cheney, Case No. 13-1005 in the County of Columbia on:

Thomas Freedman

Attorney at Law

312 NW 10th Avenue, #210

Portland, OR 97209

email: thomas@prllaw.com Fax: 503-467-7258

by the following indicated method or methods:

\_\_\_\_\_ by mailing full, true and correct copies thereof, certified by me as such, contained in a sealed, first class postage prepaid envelope, addressed to said attorney shown above at the last known address, and deposited in the post office at St. Helens, Oregon on the date set forth below.

\_\_\_\_\_ by causing full, true and correct copies thereof, certified by me as such, to be personally delivered to and leaving with the attorney at the attorney's last known office address listed above, on the date set forth below.

\_\_\_\_\_ by sending full, true and correct copies thereof, certified by me as such, via overnight courier in sealed, prepaid envelopes, addressed as shown to the attorney above, at the last known office address of the attorney, on the date set forth below.

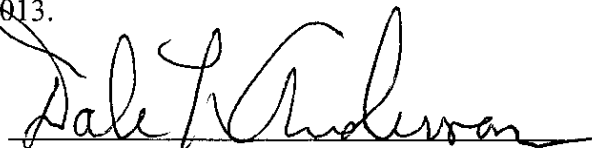
X by means of a telephone facsimile communication device to the fax number shown above, of the attorney referenced above, which facsimile communication device is maintained by the attorney referenced above and was operating at the time of service, which facsimile service was made on the date set forth below.

\_\_\_\_\_ by leaving in a receptacle designated for defense counsel pickup.

TRUE COPY

\_\_\_\_\_ I hereby certify that the foregoing copy of this Judgment - Felony is a complete and exact copy of the original.

DATED this 13th day of February, 2013.



Dale L. Anderson, OSB #74014

Chief Deputy District Attorney