

MISSOURI STATE BOARD OF EDUCATION AGENDA ITEM:	December 2016
<p>CONSIDERATION OF APPEAL BY ERIK BRANDON WYNN OF THE DENIAL OF CERTIFICATION</p>	

<p>STATUTORY AUTHORITY:</p> <p style="text-align: center;">Section 168.071, RSMo</p>	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; width: 25%;"><input type="checkbox"/></td> <td style="text-align: center; width: 25%;">Consent Item</td> <td style="text-align: center; width: 25%;"><input checked="" type="checkbox"/></td> <td style="text-align: center; width: 25%;">Action Item</td> <td style="text-align: center; width: 25%;"><input type="checkbox"/></td> <td style="text-align: center; width: 25%;">Report Item</td> </tr> </table>	<input type="checkbox"/>	Consent Item	<input checked="" type="checkbox"/>	Action Item	<input type="checkbox"/>	Report Item
<input type="checkbox"/>	Consent Item	<input checked="" type="checkbox"/>	Action Item	<input type="checkbox"/>	Report Item		

DEPARTMENT GOAL NO. 3

Missouri will prepare, develop, and support effective educators.

SUMMARY:

Applicant’s Name: Erik Brandon Wynn

Denial: On August 16, 2016, the Office of Educator Quality denied Mr. Wynn’s request for a Missouri substitute teaching certificate, based upon his criminal history.

On September 12, 2016, Mr. Wynn requested an appeal of the Office of Educator Quality’s decision on the grounds that he has rehabilitated himself and has since obtained a college degree.

On July 25, 2008, Mr. Wynn pled guilty to the Felony, DUI. He was placed on 12 months of probation. Conditions of his probation included 30 days in jail, 60 days of house arrest, completion of DUI education and prevention classes, attendance of a MADD education panel and substance abuse counseling. He also received fines totaling \$1,500.

In December 2009, Mr. Wynn’s probation was revoked because of his inability to fulfill all of the obligations of his probation, including missed meetings and unpaid fines. He was returned to jail to complete his sentence, though during his incarceration he was allowed to participate in a work release program where he served as a host and waiter at Red Lobster. In June 2010, Mr. Wynn successfully completed his sentence and was released.

PRESENTER:

William R. Thornton, General Counsel, will participate in the presentation and discussion of this agenda item.

RECOMMENDATION:

Prior to his conviction, Mr. Wynn worked as a paraprofessional in the Shawnee Mission School District, in Kansas. Since completing his sentence, Mr. Wynn received a bachelor’s degree in history from the University of Missouri – Kansas City (UMKC) in December 2014. During his time at UMKC, Mr. Wynn served as treasurer of Phi Alpha Theta, the history honors’ society, and was a member of UMKC’s History Club. Since graduating, he has been employed in the meat department at Country Mart in Butler, Missouri. Mr. Wynn received several letters of support, including one from his current supervisor. He would like the opportunity to work as a substitute teacher.

Pursuant to Mo. Rev. Stat. § 168.071.13 “[a] certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.”

The Department recommends that the State Board of Education approve the application of Erik Brandon Wynn for a substitute certificate of license to teach for a period of four years with renewal based upon a criminal background check reflecting no subsequent criminal convictions.

SEP 16 2016

Office of the
Commissioner of Education

Erik Wynn
415 N. McCombs
Rich Hill, MO 64779
Cell phone (660) 424-0319
Email wynne222@outlook.com

September 12, 2016

Dear Commissioner, and/or Members of the Board:

I am writing this appeal in an attempt to obtain substitute teaching certification in Missouri. I was denied due to a D.U.I. felony conviction in 2008. In this letter I hope to convince the Commissioner and Board that I am indeed reformed, responsible, and deserving of certification. I will begin by listing rehabilitative steps I completed while on probation, at the Johnson County work release center, and even in county jail. Then I will continue by listing more steps that were taken on my own accord after my sentence completion on June 7th, 2010.

While on probation I was admitted to a two day class on D.U.I. education and prevention. I attended a M.A.D.D. education panel as well as substance abuse group counselling meetings. I also reached out to the Regional Alcohol and Drug Assessment Center (RADAC) for further guidance during this time and I was assigned a case manager. Despite my best efforts I was unable to fulfill some of my obligations while on probation; specifically court payments as well as probation meetings. My driver's license was suspended at that time and I sold my car in order to attempt to keep up with court costs. Finding reliable transportation was a struggle. Due to these factors my probation was revoked but I was allowed to enter the work release program. I continued to attend classes and found employment as a host and occasionally waiter at the Red Lobster in Olathe, KS. After approximately five months I was successfully released in 2009.

I continued my relationship with my RADAC case manager and found affordable housing at the Johnson Drive Oxford House in Merriam, KS. This was a positive living environment. I was able to find construction jobs to pay rent. I was also made Comptroller of the house. Despite my success, I continued to struggle with some of the demands of probation. Namely transportation and court costs. This time I did not contest my revocation as I felt that

servicing my remaining six months jail time would be the most practical and expedient way to move forward. In December of 2009 I was admitted to Johnson County Jail and was released on June 7th, 2010. During my time in jail I continued to attend counseling with my case manager as well as church groups, when available. I used the skills and coping techniques I learned in counselling to get through this difficult time as well as repair important relationships. I reached out to my grandmother who wrote to me and my mother who began to visit me. This was an amazing source of strength and comfort.

After my release I was accepted again as a member of the Johnson Drive Oxford House where I resumed my role as Comptroller. I immediately enrolled in college despite the ongoing question of transportation. Due to loans and grants for college, and my restored relationship with my mother, I now had the means to get where I needed to go. My mother's generosity and more than a few taxi rides allowed me to get to college. In late 2012 I bought a car. In order to reinstate my drivers' license I had to have an interlock breathalyzer device installed in my vehicle for the period of one year. I did so happily and finally had my own transportation once again. The year went by quickly, the device was removed, and my drivers' license was fully reinstated with no restrictions of any kind. Since buying my car and having my license back I have had no instances of any kind, not so much as a speeding ticket.

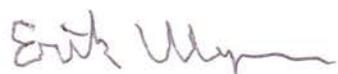
I began at the University of Missouri-Kansas City in January of 2011. I started as an Education Major and then decided on a double major of Education and History, however I soon ran into roadblocks due to my criminal record. Education Majors are eventually required to get certified for student teaching credit hours. As you know, I was denied. I switched to a single major in History and continued on. College was a great experience for me mentally as well as socially. I made friends I still have today and met my girlfriend of five years. I joined the History Club and the UMKC chapter of Phi Alpha Theta, a national history honors society, where I served as Treasurer. College opened my eyes to the potential I still have to be a thoughtful and productive member of society. I had some difficult classes that did not turn out as hoped, I even had to retake two. I have learned something from all my experiences that I still believe today; in fact more than ever. Persistence is key, and vital to success and growth. I graduated in December of 2014 with a Bachelor's Degree in History.

That degree and my relationships with my loved ones are my proudest accomplishments; so far. However I am not done yet. To become a teacher would be my crowning achievement

and the fulfillment of a dream. I worked as a paraprofessional at Mission Valley Middle School for the Shawnee Mission School District and have always remembered the joy and satisfaction that job gave me. Something was lost along the way, but not forgotten. I implore you to give me the opportunity to pursue my dream and prove myself as an effective and capable teacher. My first two D.U.I.s were over a decade ago, my third, and final, D.U.I. was over nine years ago, and my conviction for that offense was eight years ago. I humbly ask you, please do not let these mistakes keep me from my potential future. I have learned, grown, and changed for the better so much since then.

In closing I would like to add that I attest, for the record, that all the information in this letter is absolutely true to the very best of my recollection. Thank you for your time and consideration in this matter. I hope that I have given you reason to feel confident and secure in awarding me substitute certification. Thank you once again.

Sincerely,

A handwritten signature in black ink that reads "Erik Wynn". The signature is written in a cursive style with a long, sweeping underline.

Erik Wynn

7003 1010 0002 6721 3908

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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OFFICIAL USE

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Total Postage & Fees	\$	

Sent To

Street, Apt. No.,
or PO Box No. Erik Brandon Wynn

City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> <u>Brandy T. Tzada</u> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>																
<p>1. Article Addressed to:</p> <p>Erik Brandon Wynn 415 N. McCombs Rich Hill, Missouri 64779</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt



Office of Educator Quality

205 Jefferson Street, P.O. Box 480 • Jefferson City, MO 65102-0480 • dese.mo.gov

Paul Katnik • Assistant Commissioner

August 16, 2016

Erik Brandon Wynn
415 N. McCombs
Rich Hill, Missouri 64779

COPY

RETURN RECEIPT REQUESTED
CERTIFIED MAIL # 7003 1010 0002 6721 3908
SSN: [REDACTED]

Dear Mr. Wynn:

The Office of Educator Quality has received your request for a substitute certificate. We have also received your fingerprint background check results, as well as information you submitted regarding your criminal history. The report that we received from the Missouri State Highway Patrol and the Federal Bureau of Investigation indicated that you pleaded guilty to or have been found guilty of the following:

- Felony, DWI, in the District Court of Johnson County, Kansas, Case Number 07CR2966, on July 25, 2008.

As provided by Missouri Revised Statutes 168.071, the Department of Elementary and Secondary Education may deny the issuance of a Missouri certificate to an individual "who has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed."

Your request for a substitute certificate is being denied based upon your criminal history.

By copy of this letter, you are given notice of the decision of the department. Enclosed you will find a copy of the administrative appeal procedures which were established by the State Board of Education.

If you have any questions regarding this decision, you may contact our office at (573) 522-8315.

Sincerely,

A handwritten signature in black ink that reads "Margery Tanne". The signature is written in a cursive, flowing style.

Margery Tanne, Director
Office of Educator Quality

SSN: [REDACTED]
Ed. ID: 575842

Erik Wynn
415 N. McCombs
Rich Hill, MO 64779
Cell phone (660) 424-0319
Email wynne222@outlook.com

To Whom It May Concern:

I am writing this letter to address legal issues I have had in the past, as well as explain why I want to be a teacher in the future. In 2006 I had two D.U.I. convictions. In 2008 I was convicted of a third and final D.U.I. that occurred in 2007. Due to this being a third D.U.I. it was classified as a felony. No accident, property damage, or injury to myself or others ever occurred. Since 2008 I have completed a court ordered rehabilitation center and completed all other legal obligations. I also sought counseling on my own, which I found to be very helpful and rewarding. Due to a lack of reliable transportation and financial stability, I was unable to successfully complete probation. I did not oppose my probation revocation in court, as I believed completing my jail sentence was the most practical and expedient way to put this irresponsible mistake in my past, and move my life forward in a positive direction. I completed my required county jail time on June 7th, 2010 and immediately enrolled in college at UMKC for the Spring semester of 2011.

In 2009 I received diversion for a misdemeanor battery charge. I was in an altercation with another man that resulted in brief physical contact. I was physically threatened and pushed the man away from me. A woman witnessing the conflict stated she was calling the police. I immediately turned and walked away in order to deescalate the situation. There were no injuries

to myself or the other party involved. I was able to successfully expunge this from my legal record.

Beginning in 2006 I worked as a paraprofessional at Mission Valley Middle School for the Shawnee Mission School District. It was a great opportunity and remains to this day the most rewarding and fulfilling professional experience I have ever had. This job experience was a major motivating factor that lead to my return to college. I began in January of 2011 and did not stop until my graduation in December of 2014. I was the treasurer of the UMKC chapter of Phi Alpha Theta, a national history honors' society, as well as member of the History Club. I hope to one day further my collegiate career with a master's degree in education. I sincerely believe I will be a positive, capable, and dedicated teacher. If given the opportunity to receive substitute teaching certification, I plan on pursuing a permanent teaching position and completing all that is required to gain that certification as well.

Thank you for your time and consideration in this matter. If you have any questions or concerns please contact me anytime at your convenience.

Sincerely,



Erik Wynn



COMMUNITY SUPPORT SERVICES

**PO Box 347
Nevada, Mo. 64772
(417) 448-5737 office
(417) 448-5780 fax**

April 4, 2016

Re: Erik Wynn
Letter of Recommendation

To whom it may concern,

It is with great pleasure that I write this recommendation letter for Erik Wynn. I had the privilege to attend UMKC with Erik and am glad we share an Alma Mater. I have since moved on to work with adults and children in the areas of mental illness, substance abuse and currently intellectual and developmental disabilities. I sit on the city's CIT council, am a representative for the local Mental Health Awareness planning committee and have training in wellness coaching, Crisis Intervention, etc. With this experience, I can say that I've witnessed Erik engage with children in a way that some of my trained colleagues could learn from.

One example of Erik's compassion; and one of many reasons I know he will be an excellent teacher occurred during our time at UMKC. Erik and I attended a debate competition (as volunteers for public speaking class) at an inner city junior high school. One boy in particular was having a rough time focusing. He was distracting other students from preparing for their debates and when it was his turn to present, he became very frustrated and acted out.

While other student volunteers became impatient with this student (and discussed disqualifying him), Erik stepped up. He told the other volunteers to take a moment and put themselves in the boy's shoes and reminded them they didn't know what he had to deal with on a daily basis or what was causing his behavior. Erik asked that the group of volunteers give the boy another chance to present his debate then walked with the boy out in the halls for a minute to talk with him. When they returned the boy was calmer and more focused. They laughed to themselves briefly before they rejoined their respective groups. You could tell by the boy's affect that he felt better following his chat with Erik. The boy presented and completed his debate without further behavioral issues, then calmly returned to his seat without causing anymore distractions.

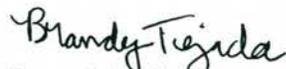
We later found out from a teacher there that the boy was experiencing some major issues at home. Due to Erik's patience, encouragement and care that boy was

REC'D JUL 18 2016

motivated to focus, complete a task and be attentive to those around him. Despite his past indiscretions which made this exception process necessary, Erik has shown professionals and novice alike that he has the skills to do what great teachers do: humble themselves in order to relate to their students, stay positive despite obstacles, inspire, encourage and challenge students with enthusiasm and creativity, and to add a little humor as necessary.

Please consider Erik for a future in education. He has overcome so much and has shown what a wonderful educator he can be. He is a great example of how hard work and effort – during any part of your life – can pay off.

Sincerely,



Brandy Tejada
Targeted Case Manager
Community Support Services

REC'D JUL 18 2016

Robert Miedaner
1136 Queens Place
Kansas City, Missouri 64131
(816) 384-0768

To Whom It May Concern:

My name is Robert Miedaner and I am a Registered Nurse B.S.N. with over 14 years of experience. I have had the pleasure of knowing Erik Brandon Wynn for 22 years. During the years of our acquaintance, I have known Erik in many capacities. Erik Wynn is an intelligent, capable, dedicated, and personable young man. He is always quick on his feet, with sensible reactions in all the circumstances I've witnessed him in. Once he learns something well you can trust that he will get the job done without much supervision. I feel confident in saying that he is capable of handling any situation with thoughtfulness and maturity. Working as a paraprofessional for the Shawnee Mission School District taught him many valuable skills. Erik quickly learned to manage his time, working in large group situations and one on one with his students. He has graded papers, managed small projects, and disciplined at-risk students with integrity and persistence according to established protocol. I would recommend Erik Wynn as a teacher with absolute confidence. He has made me proud as a paraprofessional and as a dear friend, and I am sure he will continue to do so as he grows in the teaching field and beyond.

Most Sincerely,



Robert Miedaner R.N. B.S.N.

Christopher Atkins
9324 Horton
Overland Park, KS 66207
(913) 634-3683

March 28, 2016

To Whom it May Concern:

I have known Erik Wynn since 1986. Over that time I have been his peer, his friend, his coworker, and his boss.

In those 29 years, Erik and I have grown close, grown apart, and then become friends once again. I have seen him face tremendous adversity and come out the other side a better person. He has a newly discovered determination that I don't believe he had when we were younger. He has taught himself how to overcome the things life throws at you with humility and strength. He fights hard to be the person he wants to be. He is dependable, tenacious, open, spirited, and is quite honestly, the smartest person I know.

Erik has always had a knack for learning, and a passion for communicating ideas. These are some of the reasons why I think he would make not just an effective teacher, but a brilliant one.

Sincerely,


Christopher Atkins

REC'D JUL 18 2016

To Whom It May Concern,

This reference is in regard to Erik Wynn. My name is Bill White. I am an assistant manager at the Country Mart in Butler, Missouri and one of Erik's supervisors. Erik works full time in the Meat Department. In the nine months I have seen Erik work he has been polite, professional and always accomplishes all assigned tasks he is given. He has even taken on responsibilities not typical of his job position, such as taking inventory, ordering products, and keeping track of excess product in order for it to be placed on Manager's Special. He has shown leadership qualities with the younger employees and has a strong work ethic. I would highly recommend Erik for a teaching position. I have no doubt he will be successful in any career path he chooses. If you have any further questions feel free to contact me.



Bill White Asst. Man. Country Mart Butler, MO

Cell phone (660) 424-4266

Butler Country Mart (660) 679-5027

Johnson County Kansas District Court

CASE NO : 07CR02966

Division/Judge : 8/CHARLES DROEGE

NAME : WYNN, ERIK, BRANDON

DEF ATTY : CRAWFORD

PROS ATTY: HURST, W



CERTIFICATE OF CLERK OF THE DISTRICT COURT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT FILED ON THE 28 DAY OF Oct 2015 AND RECORDED IN THIS COURT, 10th JUDICIAL DISTRICT, JOHNSON COUNTY, KANSAS
 DATED THIS 28 DAY OF Oct 2015
 BY Diane Nelson CLERK OF THE DISTRICT COURT DEPUTY

R/S/DOB PB

W/M 02/22/80 C. SCHNEWEIS

12/21/2009 RECEIPT# 0927781

12/21/2009 CHANGED STATUS FROM "O" TO "P"

12/21/2009 ADDL COST ADCLA 150.00 ,(Removed) ADDL COST ADSAP 150.00

12/21/2009 FILE STAMP 12/17/2009, JOURNAL ENTRY OF PROBATION REVOCATION HEARING

12/10/2009 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY MOZINGO,DEFENDANT APPEARS WITH ATTORNEY CRAWFORD,COMMENT PARTIES PRESENT EVIDENCE,PROBATION REVOKED ,REMANDED TO CUSTODY OF SHERIFF (JFD)(ER)

10/23/2009 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY THOMAN,DAD APPEARED OS,APPOINT PUBLIC DEFENDER ,ADMINISTRATIVE FEE ORDERED OF \$ 100,DEFENDANT ORDERED TO PERSONALLY APPEAR AT NEXT COURT HEARING (JFD)(ER)

10/23/2009 SCHED. GO PROBATION REVOCATION on 12/10/09,11:30am,Div6

09/22/2009 FILE STAMP 9/22/2009, MOTION TO REVOKE PROBATION/ORDER TO APPEAR

09/17/2009 SCHED. OTA PROBATION VIOLATION on 10/23/09,11:00am,Div 6

02/24/2009 CHANGED STATUS FROM "O" TO "P"

02/24/2009 ADDL COST PROBR 50.00

02/23/2009 FILE STAMP 2/18/2009, JOURNAL ENTRY PROBATION REVOCATION/ REINSTATEMENT

02/06/2009 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY MOZINGO,DEFENDANT APPEARS IN CUSTODY WITH ATTORNEY CRAWFORD,DEFENDANT STIPULATES TO VIOLATIONS OF PROBATION ,PROBATION REVOKED AND REINSTATED ,COMMENT PROBATION EXTENDED 12 MONTHS/RESIDENTIAL CENTER/REMAIN IN CUSTODY PENDING BED SPACE (JFD)(DR)

01/15/2009 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY L ORNBURN,DEFENDANT APPEARS IN CUSTODY WITH ATTORNEY CRAWFORD,DEFENDANT ORDERED TO PERSONALLY APPEAR AT NEXT COURT HEARING (JFD) (ER)

01/15/2009 SCHED. GO PROBATION REVOCATION on 02/06/09,01:45pm,Div6

01/09/2009 FILE STAMP 1/9/2009, SO RETURN B/W EXECUTED

REC'D JUL 18 2016

01/09/2009 SCHED. OTHER HEARING on 01/15/09,10:30am,Div 6
01/08/2009 WARRANT W0900162 EXECUTED RETURN
01/08/2009 WARRANT W0900162 ISSUED, BOND 20,000 CA-SU
01/08/2009 FILE STAMP 1/8/2009, MOTION TO REVOKE PROBATION BW ISSUED
TO SHERIFF
01/07/2009 BENCH WARRANT FAILURE TO COMPLY 20000/CA-SU(JFD)
12/02/2008 ADDL COST PROBF 50.00 ,ADDL COST ADSAP 150.00 ,ADDL COST
FNGRPRT 45.00 ,ADDL COST AIDP 240.00
12/02/2008 FILE STAMP 11/26/2008, JOURNAL ENTRY OF SENTENCING
11/28/2008 FILE STAMP 11/28/2008, PSI FILED
11/17/2008 FILE STAMP 11/17/2008, PROPERTY DISPOSITION ORDER
11/06/2008 FILE STAMP 11/6/2008, ORDER OF PROBATION
11/06/2008 DNA FEE OF \$100.00
11/06/2008 PROBATION RECORD CREATED
11/06/2008 CASE PROCESSED COMMUNITY CORRECTIONS
11/06/2008 CHANGED STATUS FROM "O" TO "P"
11/06/2008 COURT COST \$172.00
11/06/2008 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY P CARNEY,DEFENDANT
APPEARS WITH ATTORNEY CRAWFORD,DEFENDANT SENTENCED
TO CUSTODY OF SHERIFF'S DEPARTMENT ,JAIL FOR A PERIOD OF
365D//,CREDIT TIME SERVED 32D,PROBATION GRANTED FOR
12M,COURT COSTS TO DEFENDANT ,FINE 1500,ISP GRANTED FOR
(JFD)(ER)
11/03/2008 FILE STAMP 11/3/2008, BOND FILED
10/31/2008 SUR POSTED, \$10000.00- SURETY NAME: LIBERTY EXPRESS BAIL
BONDS
10/31/2008 FILE STAMP 10/31/2008, SO RETURN B/W EXECUTED
10/31/2008 SCHED. OTHER HEARING on 11/06/08,10:30am,Div 6
10/31/2008 WARRANT W0807667 EXECUTED RETURN
10/30/2008 WARRANT W0807667 ISSUED, BOND 10,000 CA-SU
10/30/2008 FILE STAMP 10/30/2008, ORDER FILED, BENCH WARRANT ISSUED TO
SHERIFF
10/30/2008 SET BOND \$10000, CA-SU
10/30/2008 SURETY BOND FORFEIT \$3500.00, SURETY RECEIPT# 0710030
10/30/2008 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY MOZINGO,DEFENDANT
APPEARS BY ATTORNEY CRAWFORD,DEFENDANT FAILS TO
APPEAR ,BOND FORFEITURE ,BENCH WARRANT FAIL TO
APPEAR/10000/CASH OR SURETY (JFD)(DR)
09/19/2008 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY MOZINGO,DEFENDANT
APPEARS WITH ATTORNEY CRAWFORD,CONTINUED BY
DEFENSE ,DEFENDANT ORDERED TO PERSONALLY APPEAR AT
NEXT COURT HEARING (JFD)(BH)
09/19/2008 SCHED. SENTENCING on 10/30/08,09:15am,Div6

07/25/2008 FILE STAMP 7/25/2008, PLEA AGREEMENT
07/25/2008 CHANGED STATUS FROM "O" TO "P"
07/25/2008 COUNT 2 8-0262.CR FINDING DISMISSED BY PROSECUTION (JFD)(DR)
07/25/2008 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY MOZINGO,DEFENDANT
APPEARS WITH ATTORNEY CRAWFORD,PLEA GUILTY,FINDING
GUILTY,PRESNTECE INVESTIGATION ORDERED (JFD)(DR)
07/25/2008 SCHED. SENTENCING on 09/19/08,10:30am,Div6
06/04/2008 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY CARNEY,DEFENDANT
APPEARS WITH ATTORNEY CRAWFORD,CONTINUED BY DEFENSE
(PSG)(ER)
06/04/2008 SCHED. PLEA on 07/25/08,10:15am,Div6
05/02/2008 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY MOZINGO,DEFENDANT
APPEARS WITH ATTORNEY CRAWFORD,CONTINUED BY DEFENSE
(JFD)(DR)
05/02/2008 SCHED. PLEA on 06/04/08,09:45am,Div6
04/25/2008 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY L ORNBURN,DEFENDANT
APPEARS WITH ATTORNEY CRAWFORD,COMMENT TIME FROM 4-17-
08 TO 5-2-08 CHARGED TO STATE (JFD)(TP)
04/25/2008 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY L ORNBURN,DEFENDANT
APPEARS WITH ATTORNEY CRAWFORD, (JFD)(TP)
04/25/2008 SCHED. PLEA on 05/02/08,03:30pm,Div6
04/17/2008 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY J DOMME,DEFENDANT
APPEARS WITH ATTORNEY CRAWFORD,CONTINUED BY
DEFENSE ,COMMENT CITY IS TO PRODUCE VIDEO BY 4-25-08 (JFD)
(TP)
04/17/2008 SCHED. PLEA on 04/25/08,01:30pm,Div6
02/29/2008 FILE STAMP 2/29/2008, ORDER FOR MODIFICATION OF BOND
02/29/2008 <***** Bench Notes *****> HOUSE ARREST REMOVED PER
ORDER
02/29/2008 DELETED BOND CONDITION, HOUSE ARREST
02/19/2008 RESCHED. PLEA on 04/17/08,04:15pm,Div 6
02/19/2008 COUNT 2 8-0262.CR CERTIFIED FOR TRIAL ,PLEA NOT GUILTY (JFD)
(TL)
02/19/2008 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY CARNEY,DEFENDANT
APPEARS WITH ATTORNEY P CRAWFORD,DEFENDANT WAIVES
PRELIMINARY HEARING ,DEFENDANT BOUND OVER ,DEFENDANT
ARRAIGNED ,READING WAIVED ,PLEA NOT GUILTY,CONTINUED BY
DEFENSE (JFD)(TL)
02/19/2008 SCHED. PLEA on 05/09/08,11:30am,Div6
01/02/2008 FILE STAMP 1/2/2008, BOND FILED
12/31/2007 PR POSTED, \$3500.00- SURETY NAME: ERIK BRANDON WYNN
12/27/2007 FILE STAMP 12/27/2007, ORDER FOR MODIFICATION OF BOND
12/27/2007 SET BOND DELETED 3500.00, CA-SU

12/27/2007 SET BOND 3500.00, PR
12/13/2007 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY M
FRANZENBURG,DEFENDANT APPEARS IN CUSTODY WITH
ATTORNEY CRAWFORD (JFD)(ER)
12/13/2007 SCHED. GO PRELIMINARY HEARING on 02/19/08,11:15am,Div6
12/12/2007 FILE STAMP 12/12/2007, FINANCIAL AFFIDAVIT FILED (APPROVED)
12/12/2007 FILE STAMP 12/12/2007, ORDER APPOINTING PUBLIC DEFENDER
12/12/2007 FILE STAMP 12/12/2007, ENTRY OF APPEARANCE, J. PHILIP
CRAWFORD
12/12/2007 DEFENSE ATTORNEY CRAWFORD, J PHILIP ASSIGNED
12/06/2007 FILE STAMP 12/6/2007, LETTER PURSUANT TO K.S.A 22-3212
12/06/2007 FILE STAMP 12/6/2007, DEFENDANT'S ASSERTION OF HIS FIFTH ,
SIXTH AND FOURTEENTH AMENDMENT RIGHTS.
12/05/2007 FILE STAMP 12/5/2007, SO RETURN WARRANT EXECUTED
12/05/2007 COUNT 1 8-1567.3 PLAINTIFF APPEARS BY NORDEEN,DEFENDANT
APPEARS IN CUSTODY PRO SE ,APPOINT PUBLIC DEFENDER
EBMEIER,ADMINISTRATIVE FEE ORDERED OF \$ 100,READING
WAIVED (DWV)()
12/05/2007 SCHED. NO GO PRELIM HEARING on 12/13/07,10:30am,Div6
12/05/2007 SCHED. FIRST APPEARANCE on 12/05/07,01:30pm,Div M4
12/04/2007 WARRANT W0708481 EXECUTED RETURN
11/20/2007 WARRANT W0708481 ISSUED, BOND 3,500 CA-SU
11/20/2007 FILE STAMP 11/20/2007, COMPLAINT, INITIATION OF ACTION
11/20/2007 FILE STAMP 11/20/2007, AFFIDAVIT
11/20/2007 SET BOND CONDITION, HOUSE ARREST NO DRIVING NO ALCOHOL
11/20/2007 SET BOND 3500.00, CA-SU
11/20/2007 JUDGE JFD ASSIGNED TO CASE
11/20/2007 INITIAL CHARGE# 8-1567.3 DRIVING UNDER INFLUENCE/3RD OF
FILED INITIAL CHARGE# 8-0262.CR DRIVING W/SUSPENDED FILED
11/20/2007 CASE FILED, Agency MSPD, Agency Rpt# 07-002047

For Court Use Only (Seal)

Court Case Number
07CR2966



CERTIFICATE OF CLERK OF THE DISTRICT COURT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT FILED ON THE 26 DAY OF Nov 20 08 AND RECORDED IN THIS COURT, 10th JUDICIAL DISTRICT, JOHNSON COUNTY, KANSAS

DATED THIS 28 DAY OF Oct 20 15
BY W. Diane Nelson CLERK OF THE DISTRICT COURT DEPUTY

2007 KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT

SECTION I - CASE IDENTIFYING INFORMATION		1. Transaction No.
2. STATE v. <u>Erik Brandon Wynn</u>	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	3. Court O.R.I. Number KS046015J
5. County JOHNSON	7. Sentencing Judge <u>Hon. Davis</u>	4. K.B.I. Number <u>00755492</u>
9. Defense Counsel <input checked="" type="checkbox"/> Appointed <input type="checkbox"/> Retained <input type="checkbox"/> Self <input type="checkbox"/> Waived Orally <input type="checkbox"/> Waived in Writing	Counsel Name (please print) <u>P. Crawford</u>	
10. Type of Proceeding (Trial) <input type="checkbox"/> Bench Trial (includes a plea on stipulated facts) <input type="checkbox"/> Jury Trial <input checked="" type="checkbox"/> Guilty Plea <input type="checkbox"/> Nolo contendere Plea		
11. Date of Conviction: <u>7.25.08</u>		
12. Pre-Trial Status of Offender <input type="checkbox"/> In Custody <input checked="" type="checkbox"/> Released on Bond <input type="checkbox"/> Other Release		

SECTION II - CRIMINAL HISTORY CLASSIFICATION	
1. Offender's Overall Criminal History Classification as Found by the Court: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <u>- NA .</u>	
2. Objection to Criminal History? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, By: <input type="checkbox"/> Defendant or <input type="checkbox"/> State	
Court's Ruling on Objection: <input type="checkbox"/> Criminal history was amended <input type="checkbox"/> Criminal history was not amended	

SECTION III - CURRENT CONVICTION INFORMATION	
1. Name of PRIMARY Offense of Conviction: <u>3rd Lifetime DUI</u> Count No.: <u>I</u> Date of Offense: <u>8/2/07</u>	
2. K.S.A. Title, Section, Subsection(s): <u>8-1567</u>	
<input type="checkbox"/> Attempt (K.S.A. 2006 Supp. 21-3301.) <input type="checkbox"/> Conspiracy (K.S.A. 2006 Supp. 21-3302.) <input type="checkbox"/> Solicitation (K.S.A. 2006 Supp. 21-3303.)	
3. Grade of Offense: (Check one in each row.) <input checked="" type="checkbox"/> Felony, Severity Level <u>U</u> <input type="checkbox"/> Misdemeanor, Class _____ <input type="checkbox"/> Person <input checked="" type="checkbox"/> Nonperson	
4. Offense Category: <input checked="" type="checkbox"/> Nondrug <input type="checkbox"/> Drug <input type="checkbox"/> Off-grid <input type="checkbox"/> Nongrid	
5. Presumptive Sentencing Range: (Enter terms from appropriate grid.) Aggravated _____ Standard _____ Mitigated _____ Check applicable box(es). <input type="checkbox"/> Presumptive Prison <input type="checkbox"/> Presumptive Probation <input type="checkbox"/> Border Box <u>90 days - 365 days</u> <input type="checkbox"/> Mandatory Drug Treatment for up to 18 months. K.S.A. 2006 Supp. 21-4729. <input checked="" type="checkbox"/> Special Rule Applies (Complete Special Rules Supplemental Page and Attach.)	

THIS FORM MUST BE ACCOMPANIED BY A COPY OF THE PRESENTENCE INVESTIGATION FORM PURSUANT TO K.S.A. 22-3439 AND A DOCUMENT CONTAINING INFORMATION REQUIRED BY K.S.A. 22-3426(c) and (d). PLEASE USE A SUPPLEMENTAL PAGE FOR ADDITIONAL OFFENSES OF CONVICTION.

JOHNSON COUNTY, KS

Rev. 07/2007

2008 NOV 26 AM 9:24

REC'D JUL 18 2016

6. SPECIAL RULE APPLICABLE: Yes No If Yes, enter the number(s) and brief description(s) corresponding to the applicable special rule (Complete Special Rules Supplemental Page and Attach): Number(s) #6

Description(s) 3rd lifetime DUI

7. Was the crime SEXUALLY MOTIVATED pursuant to the KS Offender Registration Act, K.S.A. 2006 Supp. 22-4902 (c)(14)? Yes No IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

8. Was offender determined by the Court to be an AGGRAVATED HABITUAL SEX OFFENDER? (K.S.A. 2006 Supp. 21-4642.) Yes No IF YES, PLEASE COMPLETE THE SEX CRIME SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

9. Is offender being sentenced pursuant to K.S.A. 2006 Supp. 21-4643 where offender is 18 years of age or older and the victim is less than 14 years of age? Yes No IF YES, PLEASE COMPLETE THE SEX CRIME SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

10. Did offender, as determined by the court, commit the current crime with a deadly weapon? Yes No IF YES, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

11. Was offender convicted of a violation of K.S.A. 65-4159 (manufacture or attempted manufacture), K.S.A. 65-7006 (possession of precursors with intent to manufacture), or K.S.A. 65-4161 (sale, possession w/ intent to sell)? Yes No IF YES, was there a finding by the Court that such manufacture or possession was for personal use? Yes No IF NO, PLEASE COMPLETE THE OFFENDER REGISTRATION SUPPLEMENT AND ATTACH IT TO THE JOURNAL ENTRY.

SENTENCE IMPOSED:

1. Guideline Range Imposed: Aggravated Standard Mitigated Departure - COMPLETE SECTION IV

2. Prison Term: KDOC _____ months (Enter months above then check one of the following.) Prison sentence imposed or, Underlying with probation granted. Off-grid Crime: Life - Minimum 15 yrs. Life - Minimum 20 yrs. Hard 10 Hard 25 Hard 40 Mandatory minimum years = 50 years (600 months) or _____ months pursuant to guidelines, given offender's criminal history, whichever is greater. Life Imprisonment without Parole Death Penalty

3. Postrelease Supervision Term: 12 months 24 months 36 months 60 months (sex offense) - COMPLETE SECTION IV No Postrelease Lifetime

4. County Jail: (For misdemeanor or nongrid felony.) 365 months days (Enter county jail term above then check one of the following) Jail sentence imposed or, Underlying with probation granted. 3rd D.U.I. 4th or Subsequent D.U.I. (w/12 month postrelease) 3rd or Subs. Domestic Battery (w/in 5 yrs.) Animal Cruelty Probation granted after serving term of _____ months days

5. Probation Term (If Granted): 12 months 18 months 24 months 36 months 60 months Mandatory Drug Treatment for up to 18 months. K.S.A. 2006 Supp. 21-4729. Other:

Probation Supervision to: Court Services Community Corrections Unsupervised

County Jail Time Imposed AS A CONDITION OF PROBATION: 30 days + 60 days house arrest (already served)

Assignment to Correctional Conservation Camp: Yes No

Comments:

REC'D JUL 18 2016

SECTION IV DEPARTURE INFORMATION

(PAGE 3)

1. Type of Departure: (Check all that apply.)

- Downward Durational
 Upward Durational
 Downward Dispositional
 Upward Dispositional
 Postrelease Supervision (up to 60 months for sexually motivated sex offense) – K.S.A. 2006 Supp. 22-3717(d)(1)(D)(i)
 [“Sexually motivated” defined in K.S.A. 2006 Supp. 22-3717(d)(2).]

2. Reasons Cited as Basis for Departure:

SECTION V OTHER CONDITIONS

1. General/Special Conditions of Probation (COMPLETE AND ATTACH ORDER OF PROBATION TO THIS JOURNAL ENTRY)

2. Costs Ordered:

Total Restitution (Please complete #3 below.)	\$ <u>—</u>	Probation Fee	\$ <u>Ordered</u>
Total Court Costs	\$ <u>Ordered</u>	BIDS Attorney Fee	\$ <u>240 -</u>
Total Fines	\$ <u>1500</u>	BIDS Administrative Fee	\$ <u>100 -</u>
DNA Database Fee (K.S.A. 2006 Supp. 21-2511 & 75-724.)	\$ <u>Ordered</u>	Community Corrections Fee (offenses after 1/4/07)	\$ <u>—</u>
Extradition Costs	\$ <u>—</u>	Booking/Fingerprint Fee	\$ <u>45 -</u>
Domestic Violence Special Program Fee	\$ <u>—</u>	Reward Reimbursement	\$ <u>—</u>
Apprehension Fee (Escape/Agg. Escape)	\$ <u>—</u>	Children's Advocacy Center Assessment Fee	\$ <u>—</u>
Alcohol and/or Drug Evaluation Fee	\$ <u>—</u>	Medical Costs/Expenses Reimbursement	\$ <u>—</u>
Witness Fee	\$ <u>Ordered</u>	Court-Appointed Attorney Fee	\$ <u>—</u>
KBI Lab Fee	\$ <u>—</u>	Other _____	\$ _____
Other Lab Fee	\$ <u>—</u>	Other _____	\$ _____
	\$ <u>—</u>	Other _____	\$ _____

Total Costs \$ _____

3. Restitution to be paid as follows:

Amount	Name and Address
\$ <u>—</u>	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____
\$ _____	_____

SCAN DATE 2008-12-02 07:25

REC'D JUL 18 2016

KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF JUDGMENT (PAGE 4)

SECTION VI - RECAP OF SENTENCE

1. Sentence Imposed:

Total Prison Term (if sentence imposed is to prison): _____
Total County Jail Term: _____ [] Consecutive to Prison Term
Total Underlying Jail Term (if sentence imposed is probation): 12 months (365 days)
Total Underlying Prison Term (if sentence imposed is probation): _____

2. Postrelease Supervision Term: [] 12 months [] 24 months [] 36 months [] 60 months [] No Postrelease [] Lifetime

3. Probation Term Imposed (select one): [x] 12 months [] 18 months [] 24 months [] 36 months [] 60 months
[] Mandatory Drug Treatment for up to 18 months. K.S.A. 2006 Supp. 21-4729. [] Correctional Conservation Camp
[] Other:

4. Jail Credit Enter dates, and days, of potential jail credit for this case and check "A" if the days are actually awarded, or "N" if the days are not awarded by the court. (attach additional pages if necessary)

*Location J From: 12/1/07 To: 12/4/07 = 3 Days [x] A [] N *Location From: To: = Days [] A []
N *Location S From: 2/4/07 To: 2/21/07 = 17 Days [x] A [] N *Location From: To: = Days [] A []
N *Location J From: 10/21/08 To: 10/23/08 = 2 Days [] A [] N *Location From: To: = Days [] A []
[] N *Location From: To: = Days [] A [] N *Location From: To: = Days [] A []
*Enter appropriate letters to indicate the type of location where credit may have been earned:
J=Jail TL=Treatment (Locked) TU=Treatment (Unlocked) RL=Residential (Locked) RU=Residential (Unlocked).

Sentencing Date: 11/4/08 - Total Number of Days of Jail Credit Actually Awarded 32 = Sentence Begins Date: _____

5. Prior Case(s) to Which the Current Sentence is to Run Concurrent or Consecutive:

Case No. _____ County _____ Sentence _____ Concurrent [] or Consecutive []
Case No. _____ County _____ Sentence _____ Concurrent [] or Consecutive []
Case No. _____ County _____ Sentence _____ Concurrent [] or Consecutive []
Case No. _____ County _____ Sentence _____ Concurrent [] or Consecutive []

Others:

6. Miscellaneous Provisions:

- [x] Defendant informed of right to appeal within 10 days of this date. K.S.A. 22-3608. (Required by case law.)
[x] Defendant informed of potential rights of expungement under K.S.A. 2006 Supp. 21-4619. K.S.A. 2006 Supp. 21-4619(g).
[] Defendant informed of duty to register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 22-4901 et seq. (Please complete OFFENDER REGISTRATION SUPPLEMENT and attach it to the Journal Entry.) K.S.A. 2006 Supp. 22-4905(b)(2).
[x] Defendant must submit specimens of blood or an oral or other biological sample pursuant to K.S.A. 2006 Supp. 21-2511, if not previously submitted. K.S.A. 2006 Supp. 21-2511(c).
[] Defendant must obtain psychological evaluation and shall complete the recommended treatment pursuant to K.S.A. 2006 Supp. 22-3717(d)(1)(D)(iv).
[] Defendant has been processed, fingerprinted and palmprinted. K.S.A. 2007 Supp. 21-2501(b).
[] Court remands Defendant to custody of Sheriff to begin serving sentence.
[] Court remands Defendant to custody of Sheriff to await transportation to the custody of the Secretary of Corrections.
[] Defendant to report to County Jail on the _____ day of _____, 20____, at _____ O'clock [] a.m. [] p.m. to start serving sentence.
[] House arrest is authorized for remaining _____ days after Defendant completes mandatory _____ hours in the County Jail.
[] Work release recommended (if accepted, defendant is to abide by recommendations of the program).
[] Other Comments:

REC'D JUL 18 2016

SECTION VI - RECAP OF SENTENCE CONTINUED

7. Border Box Findings K.S.A. 2006 Supp. 21-4704(f): (Check if appropriate)

An appropriate treatment program exists which is likely to be more effective than the presumptive prison term in reducing the risk of offender recidivism; **and**

the recommended treatment program is available and the offender can be admitted to the program within a reasonable period of time; **or**

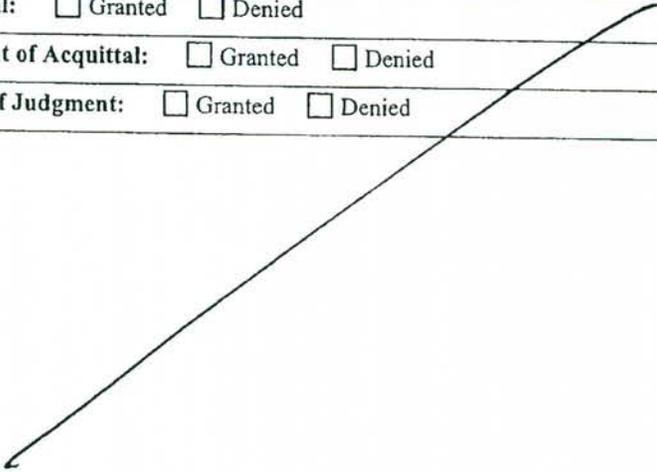
the non-prison sanction will serve community safety interests by promoting offender reformation

8. If made, Motion for New Trial: Granted Denied

9. If made, Motion for Judgment of Acquittal: Granted Denied

10. If made, Motion for Arrest of Judgment: Granted Denied

11. Additional Comments:



SECTION VII - SIGNATURES

1. Judge's Signature:

Signed: 
 Printed: _____

2. Date:

11. 5. 08

3. Name of Prosecuting Attorney:

Signed: 
 Printed: Patrick

Supreme Court Number: 20254

Date: 11/5/08

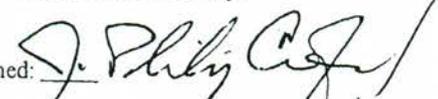
Address: Johnson County District Attorney's Office

P.O. Box 728

Olathe, KS 66051

Phone No: 913-715-3000

4. Name of Defense Attorney:

Signed: 
 Printed: J. Philip Crawford

Supreme Court Number: 15756

Date:

Address: Johnson County Public Defender
 127 S. Kansas Ave.
 Olathe, KS. 66061

Phone No: _____

SC01 DE 2008/12/02 07:25

REC'D JUL 18 2016

SPECIAL RULES SUPPLEMENTAL PAGE (IF APPLICABLE, check box of the special rule that applies and include this page with the corresponding court. Additional copies may be made as needed.)

SPECIAL RULE APPLICABLE TO SENTENCE, IF ANY:

(Please note that the numbers corresponding to each special rule are intentionally non-sequential for data coding purposes - DO NOT RENUMBER.)

1. **Person Felony Committed With a Firearm** – presumed prison. K.S.A. 2006 Supp. 21-4704(h).
2. **Aggravated Battery of a L.E.O., if committed prior to July 1, 2006, and if criminal history is 6H or 6I** – presumed prison. K.S.A. 2007 Supp. 21-4704(g). [Effective May 17, 2007.]
3. **Aggravated Assault of a L.E.O., if criminal history is 6H or 6I** – presumed prison. K.S.A. 2006 Supp. 21-4704(g).
4. **Crime Committed for Benefit of a Criminal Street Gang** – presumed prison. K.S.A. 2006 Supp. 21-4704(k).
5. **Persistent Sex Offender, if current conviction is presumed prison** – double the maximum duration. K.S.A. 2006 Supp. 21-4704(j).
6. **Felony D.U.I. (third, fourth or subsequent)** – nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 8-1567, term of imprisonment not to be served in KDOC. K.S.A. 2006 Supp. 21-4704(i).
8. **Felony Domestic Battery** - nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 21-3412a(b)(3), term of imprisonment not to be served in KDOC. K.S.A. 2006 Supp. 21-4704(i)
9. **Crime Committed While Incarcerated and Serving a Felony Sentence, or While on Probation, Parole, Conditional Release, or Postrelease Supervision for a Felony** – new sentence shall be imposed pursuant to consecutive sentencing provisions in K.S.A. 21-4608 and the court may impose prison even if presumption is nonprison. K.S.A. 2006 Supp. 21-4603d(5).
28. **Crime Committed While Incarcerated in a Juvenile Correctional Facility for an Offense That Would be a Felony if Committed by an Adult** – presumed prison. K.S.A. 2007 Supp. 21-4603d(f)(2). [Effective May 24, 2007.]
10. **Crime Committed While on Felony Bond (KS or other jurisdiction)** – new sentence may be imposed pursuant to consecutive sentencing provisions in KSA 21-4608 and the court may impose prison even if presumption is nonprison. K.S.A. 2006 Supp. 21-4603d(f). [Effective May 24, 2007.]
11. **Extended Jurisdiction Juvenile Imposed** – both juvenile and adult sentences imposed, adult sentence stayed conditioned on successful completion of juvenile sentence. K.S.A. 2006 Supp. 38-2347 and 38-2364.
12. **Second or Subsequent Manufacture of a Controlled Substance Conviction** – presumed prison, twice the maximum duration. K.S.A. 2006 Supp. 21-4705(e).
26. **Third or Subsequent Drug Possession, if defendant has completed, been discharged from, or refused to participate in a certified treatment program as provided in K.S.A. 2006 Supp. 75-52,144** – presumed prison. K.S.A. 2006 Supp. 21-4705(f).
13. **Residential Burglary with a Prior Residential, Nonresidential or Aggravated Burglary Conviction** – presumed prison. K.S.A. 21-4704(l).
27. **Burglary With Two Prior Burglary Convictions or a Combination of a Prior Burglary and an Aggravated Burglary** – presumed prison. K.S.A. 2007 Supp. 21-4704(l). [Effective May 17, 2007.]
15. **Kansas Securities Act, violation resulting in loss of \$25,000 or more** – presumed prison. K.S.A. 2005 Supp. 17-12a508(a)(5).
16. **Second Forgery, criminal history I – C, sentenced pursuant to sentencing requirements of K.S.A. 21-3710(b)(3), term of imprisonment not in KDOC. Criminal history A or B, - sentenced for severity level 8, NPF.** K.S.A. 2006 Supp. 21-4704(i).
17. **Third or Sub. Forgery, criminal history I – C, sentenced pursuant to sentencing requirements of K.S.A. 21-3710(b)(4), term of imprisonment not in KDOC. Criminal history A or B, - sentenced for severity level 8, NPF.** K.S.A. 2006 Supp. 21-4704(i).
19. **Mortgage Business Act, Second or Subsequent Conviction** – presumed prison. K.S.A. 2006 Supp. 9-2203(c).
20. **Loan Brokers Act, violation resulting in loss of \$25,000 or more** – presumed prison. K.S.A. 50-1013(a).
21. **Animal Cruelty; Intentional and Malicious, K.S.A. 2006 Supp. 21-4310(a)(1)** - nongrid felony, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 21-4310(d)(1), term of imprisonment not to be served in KDOC. K.S.A. 2006 Supp. 21-4704(i).
22. **Animal Cruelty; Intentional, K.S.A. 2006 Supp. 21-4310(a)(2-5); Second or subsequent conviction - nongrid felony, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 21-4310(d)(2), term of imprisonment not to be served in KDOC.** K.S.A. 2006 Supp. 21-4704(i).
23. **Animal Cruelty; Working/Assistance dog - nongrid felony, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2006 Supp. 21-4318(c), term of imprisonment not to be served in KDOC.** K.S.A. 2006 Supp. 21-4704(i).
25. **Fraudulent Insurance Act, any combination of acts occurring within 6 consecutive months involving \$25,000 or more - presumed prison. K.S.A. 2007 Supp. 40-2,118. [Effective July 1, 2007.]**

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS

STATE OF KANSAS,

Plaintiff,

VS.

COMPLAINT

Case No. 07CR2966

ERIK BRANDON WYNN,

Defendant.

NO ALCOHOL
NO DRIVING

STATE OF KANSAS, JOHNSON COUNTY, ss:

HOUSE ARREST

I, Ted Baird, Assistant District Attorney of said County, being duly sworn on oath state to the Court that

ERIK BRANDON WYNN

did the following:

COUNT I - That on or about the 7th day of August, 2007, in the City of Mission, County of Johnson, State of Kansas, ERIK BRANDON WYNN did then and there unlawfully and feloniously operate a vehicle while the alcohol concentration in his blood or breath, at the time or within two hours after he operated the vehicle, was .08% or more or while the alcohol concentration in his blood or breath as shown by any competent evidence, including other competent evidence as defined in paragraph (l) of subsection (f) of K.S.A. 8-1013 and amendments thereto, is .08 or more or while under the influence of alcohol to a degree that rendered him incapable of safely driving a vehicle and ERIK BRANDON WYNN has two or more prior convictions for driving under the influence of alcohol or drugs, a non-grid, non-person felony, in violation of K.S.A. 8-1567. (driving while under the influence of alcohol)

COUNT II - Further, that on or about the 7th day of August, 2007, in the City of Mission, County of Johnson, State of Kansas, ERIK BRANDON WYNN did then and there unlawfully and willfully drive a motor vehicle on a public highway of this State while his privilege to do so was suspended, a class B non-person misdemeanor, in violation of K.S.A. 8-262 and K.S.A. 21-4502(1)(b). (driving while suspended)

Ted Baird/tb #11523
Assistant District Attorney
P.O. Box 728
Olathe, Kansas 66051-0728
(913) 715-3000

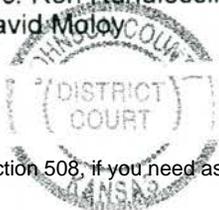
Subscribed and sworn to before me this 13th day of November, 2007.


Notary Public

WITNESSES:

Ofc. Ron Ruhlessin
David Maloy

Tim Bauer
Records personnel



CERTIFICATE OF CLERK OF THE DISTRICT COURT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT FILED ON THE 20 DAY OF Nov, 2007 AND RECORDED IN THIS COURT, 10th JUDICIAL DISTRICT, JOHNSON COUNTY, KANSAS

DATED THIS 28 DAY OF Oct, 2015
CLERK OF THE DISTRICT COURT
BY Gregory Johnson DEPUTY

CLERK OF DISTRICT COURT
JOHNSON COUNTY, KS

2007 NOV 20 AM 11:10

REC'D JUL 18 2018

SCAN DATE 2007/11/20 15:12

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
Criminal Department Section

State of Kansas
Vs.
ERIK BRANDON WYNN

07CR2966
Case No.
Print-off Date 11/13/2007

INITIATION OF ACTION

Offenses(s) Alleged: 8-1567.3 DRIVING UNDER INFLUENCE/3RD OF
8-0262.CR DRIVING W/SUSPENDED

The Court finds from the complaint/affidavit that there is probable cause to believe both that a crime has been committed in Johnson County, Kansas and that the defendant committed the same.

Therefore a warrant is ordered to be issued for the arrest of the above-named defendant.

The Court finds probable cause for detention of the above-named defendant.

Defendant's bond is set at \$ 3500

- Cash or Surety (C/S) Personal Recognizance (P/R)
- O/R Cash Deposit or C/S Bond Supervision
- House Arrest No Alcohol
- No Driving No Driving w/o Valid D/L
- Interlock Device Installed Mental Health/Medication
- No Firearms
- No Contact Victim(s)/Witnesses whether or not he/she posts bond
- No Violent Contact Victim(s)/Witnesses After 72 Hours
- Mental health evaluation prior to bonding
- Return to Residential Center
- Other: _____

Therefore a summons is ordered issued for the above-named defendant.

A complaint has been filed and a notice to appear has been issued for the above-named defendant.

For his appearance in Section _____ of the Criminal Department of the District Court on the _____ day of _____, 20__ at ____: ____ o'clock ____ M.

Date



Judge of the District Court/Clerk

Entered by _____

CLERK OF DISTRICT COURT
JOHNSON COUNTY, KS
2007 NOV 20 AM 11:10

SCAN DATE 2007/11/20 15:12

Defendant Erik Brandon Wynn

Next Court Date 01/11/2010 Time 01:00 PM Crt Rm 2 Dkt Type PD

Orig Court Date 09/14/2009 Time 03:23 PM Crt Rm 2

Document # UT - 488071

Case Entered 09/14/2009 03:22 PM By AWILLIAM

Case Closed 07/23/2015 04:35 PM By Sunny S

Defendant Information

Defendant Address Information

6723 State
Kansas City, KS 66112

Pedigree Information

Race W Sex M DOB 02/22/1980 Age 35 SSN
Height 6' 1" Weight 160 Hair BRO Eyes HAZ

Violation Information

Date/Time 09/03/2009 12:00 AM Loc 6723 State Kansas City, KS 66102

District

Officer Information

Name CASAS-DE-LA-CRUZ, JESUS DSN01872 ASGN PTL Grp999 ARR# OCA OCN

Case File Information

Case Filed 09/14/2009 File/Backing Sheet Printed File Label Printed

DOR Information

DOR Indicators - No Accident Fatal Accident Non-Fatal Accident Property Damage Bodily Injury

Charge/Disposition Information

Charge 1 70060990 BATTERY Statute 22-34 DOR Reportable

Disposition 10/19/2009 Diversion

Disp Entered 09/14/2009 03:23 PM By AWILLIAM

Chrg Changed 10/19/2009 02:40 PM By #HENMA1
Judge/Atty Maurice Ryan

Disp Changed 10/19/2009 02:40 PM By #HENMA1

Did then and there commit the following offense, the facts supporting this being as follows:
Battery

I hereby certify the above and foregoing to be a true and correct copy, of the original of which is filed and entered of record in this court.
[Signature]
Clerk Municipal Court, Kansas City, KS

Domestic Violence Special Enforcement Zone School Zone Construction Zone

Continuance History

Action Date	Continuance	Dkt Date/Time	CR	Audit Date/ID	By	Cancel Date/Time	By
09/14/2009	Cont for Arraignment	09/28/2009 01:00P	2	09/14/2009 AWILLIAM			
10/14/2009	Cont for Arraignment	10/19/2009 01:00P	2	10/14/2009 #HENMA1			
10/19/2009	Continued For Paymen	12/14/2009 01:00P	2	10/19/2009 #HENMA1			
12/14/2009	Continued For Paymen	01/11/2010 01:00P	2	12/14/2009 #NSUJM2			

Total Continuances 4 Charged To-----> Defense 0 Prosecution 0 Court 0 Consent 0

Assessments

Fee	Assd Date	Assmnt	Mult	Paid	Credit	Amt Due	Srce	Entered on	By	Tran ID	Last Changed	By
FINEMS	10/19/2009	300.00	1	300.00	.00	.00	CNV	10/19/2009	#HENMA1			
EXPNGF	07/23/2015	50.00	1	50.00	.00	.00	TVB	07/23/2015	#SNOSL1			
Total		350.00		350.00	.00	.00						

Payments

Fee	Tran Date	Amount	Chrg #	Total	Tran #	Adj Tran #	Receipt #	Reg #	Cashier	Type	Mthd	Tndr	Orig/Mnl Rcpt
FINEMS	12/14/2009	100.00	1	100.00	85138		85138	99	#tomn01	PYMT	CRT	CASH	200966
FINEMS	01/11/2010	200.00	1	200.00	87816		87816	99	#geota2	PYMT	CRT	CASH	204462
EXPNGF	07/23/2015	50.00	1	50.00	369761		383105	16	#snos1	PYMT	TVB	CASH	383105
Total		350.00											

Audit History

Audit Date/Time	By	Audit Value	App
09/14/2009 03:22 PM	AWILLIAM	CaseID: 9-42609 NameID: 199848 Case Type: MIS Rcvd Date: 14 Sep 2009 00:00:00.000 Status: CLO Status Date: 1 Jan 2010 14 14:00:00 Arrest Date: Ticket Num: 488071 Agency Add By: KCKPD	
10/25/2013 08:00 PM	REJSCNV	CRPT - 2009C90791: CRT - 488071	
12/15/2007 01:25 PM	REJSCNV	DEF Defend: nt - Erik Brandon Wynn; JUD Judge - The Judge, LEO Law Enforcement Official - Jesus KCKPD De La Cru	

REC'D JUL 18 2016

Case # M888176179-5

Status Closed

28

Defendant Erik Brandon Wynn

Next Court Date 01/11/2010 Time 01:00 PM Crt Rm 2 Dkt Type PD

Orig Court Date 09/14/2009 Time 03:23 PM Crt Rm 2

Document # UT - 488071

Case Entered 09/14/2009 03:22 PM By AWILLIAM

Case Closed 07/23/2015 04:35 PM By Sunny S

Audit History

Audit Date/Time	By	Audit Value	App
09/14/2009 03:25 PM	AWILLIAM	Viol Addr: 6723 State Jurisdiction: Notes:	
09/14/2009 03:25 PM	AWILLIAM	Charge: 22-34 - Battery Disp: DIV Disp Dt: Oct 19 2009 12:00AM Plea: Plea Dt: Incident Dt: Sep 3 2009 12:00AM Count Seq Num: 1 Count Type: PC Exhibit Type: Notes: Case Status: C	
07/23/2015 04:28 PM	#SNOSL1	Close Dttm: Jan 11 2010 2:14PM By: #GEOTA2 Close Tran ID: ...	
07/23/2015 04:34 PM	#SNOSL1	EXPNGF>50.00 FINEMS>300.00	I

REC'D JUL 18 2016