

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA,

Plaintiff,

vs.

GORDON DANIEL ROSE,

DOB: 06/13/1973

Booking #: T399145

Defendant.

CR2017-142978-001

PLEA AGREEMENT

The State of Arizona and the Defendant hereby agree to the following disposition of this case:

Plea: The Defendant agrees to plead **guilty** to:

COUNT 1: (as amended) ATTEMPTED COMPUTER TAMPERING, A CLASS 6 UNDESIGNATED non-dangerous FELONY, in violation of A.R.S. 13-2301, 13-2316(A), 13-1001, 13-701, 13-702, and 13-801 committed on August 16, 2017 through and including September 18, 2017.

This is a **non-dangerous, non-repetitive** offense under the criminal code.

THIS OFFER EXPIRES AND IS VOID IF NOT ENTERED IN COURT BY January 18, 2018.

Terms: On the following understandings, terms and conditions:

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1. Count 1:

The crime carries a presumptive sentence of **1** years; a minimum sentence of **.5** years; a mitigated sentence of **.33** years; a maximum sentence of **1.5** years; and an aggravated sentence of **2** years. Probation **IS** available.

Restitution of economic loss to the victim and waiver of extradition for probation revocation procedures are required. Pursuant to A.R.S. §13-805 at the time restitution is ordered the court may enter a criminal restitution order including interest and collection fees. **The maximum fine that can be imposed is \$150,000.00 plus an 83% surcharge plus, if applicable, \$20.00 probation fee pursuant to A.R.S. § 12-269 plus a \$13.00 assessment pursuant to A.R.S. § 12-116.04, plus a \$2.00 assessment pursuant to A.R.S. § 12-116.09.** If the Defendant is sentenced to prison, the Defendant shall also be sentenced to serve a term of community supervision equal to one-seventh of the prison term to be served consecutively to the actual period of imprisonment. If the Defendant fails to abide by the conditions of community supervision, the Defendant can be required to serve the remaining term of community supervision in prison. Within 30 days of being sentenced, pursuant to A.R.S. §13-610, the defendant shall provide a sufficient sample of blood or other bodily substance for deoxyribonucleic acid (DNA) testing and extraction to be used for law enforcement identification purposes and/or for use in a criminal prosecution and/or for use in a proceeding under title 36, chapter 37. Special conditions regarding the sentence imposed by statute (if any) are: **None**.

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2. The parties stipulate to the following additional terms, subject to court approval at the time of sentencing as set forth in paragraph 7: The Defendant shall be placed on Supervised Probation with Mental Health Terms. This offense shall be designated a misdemeanor only upon successful completion of probation. The defendant shall pay restitution to all victims for all economic losses arising out of Maricopa County Sheriff's Office Departmental Report 17027760 in an amount not to exceed \$25,000. The defendant shall have no contact of any kind including, but not limited to (written, electronic, telephonic, email, or in person) with the following individuals:

[REDACTED] the judicial staff at the time of the offense, Ed Maldonado, [REDACTED] an [REDACTED] and [REDACTED] MCAO agrees not to file any additional harassment or computer tampering charges