

SENTENCING ORDER

IN THE CIRCUIT COURT OF St. Francis COUNTY, ARKANSAS,
First JUDICIAL DISTRICT 1 DIVISION

On 5/21/2024 the Defendant appeared before the Court, was advised of the nature of the charge(s), of Constitutional and legal rights, of the effect of a guilty plea upon those rights, and of the right to make a statement before sentencing.

Offender	Defendant (Last, First, MI)	Ellis, Markell	DOB	[REDACTED]	Sex	☒ Male ☐ Female	Total Number of Counts	2
	SID#	[REDACTED]	Race & Ethnicity	☐ White ☐ Other	☒ Black ☐ Unknown	☐ Asian ☐ Hispanic	☐ Native American	
	Supervision Status at Time of Offense							

Court Info	Judge	E. Dion Wilson	File Stamp
	Prosecuting Attorney/Deputy	Michael Ladd / Hoshall Reeves	
	Defendant's Attorney	Gary Mitchusson ☐ Private Appointed ☒ Public Defender Pro Se	
	Change of Venue	☐ Yes ☒ No If Yes, from:	

Legal Statements	☐ Pursuant to A.C.A. §16-93-301 et seq., or ☐ this Court, without making a finding of guilt or entering a judgment of guilt and with the consent of the Defendant defers further proceedings and places the Defendant on probation.
	There being no legal cause shown by the Defendant, as requested, why judgment should not be pronounced, a judgment:
	☒ is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. Defendant was advised of the conditions of the sentence and/or placement on probation and understands the consequences of violating those conditions. The Court retains jurisdiction during the period of probation/suspension and may change or set aside the conditions of probation/suspension for violations or failure to satisfy Division of Community Correction (A.C.C.) rules and regulations.
	☒ of conviction is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. The Defendant is sentenced to the Arkansas Division of Correction (A.D.C.) for the term specified on each offense shown below.
Defendant made a voluntary, knowing and intelligent waiver of right to counsel. ☐ Yes ☒ No	

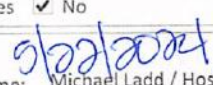
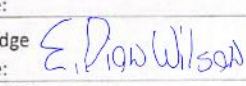
Offense # 1: Most Serious Offense	A.C.A. # / Name of Offense	5-39-202 - BREAKING OR ENTERING			Case #	62CR-18-38			
	A.C.A. # Orig. Charge	5-39-202		ATN	FCP000000798		Offense was	☐ Nolle Prossed ☒ Dismissed ☐ Acquitted	
	Offense Date	1/8/2018		Appeal from District Court	☐ Yes ☒ No		Probation/SIS Revocation	☒ Yes ☐ No	
	Criminal History Score	3	Seriousness Level	3	Offense is	☒ Felony ☐ Misd. ☐ Violation		Offense Classification	☐ Y ☐ A ☐ B ☐ C ☒ D ☐ U
	Presumptive Sentence	☒ Prison Sentence of 24 to 48 months		☒ Community Corrections Center		☒ Alternative Sanction			
	Number of Counts	1		Defendant	☐ Attempted ☐ Solicited ☐ Conspired to Commit the Offense				
	Defendant Sentence	☒ ADC ☐ Jud Trans ☐ Cnty Jail		If probation or SIS accompanied by period of confinement, state time: _____ days _____ mths					
	Imposed	36 months		Sentence was enhanced _____ months, pursuant to A.C.A. _____					
	Probation	0 months		Enhancement(s) is to run ☐ Concurrent ☐ Consecutive					
	SIS	0 months		Defendant was sentenced as a habitual offender, pursuant to A.C.A. § 5-4-501, subsection					
	Other	☐ Life ☐ LWOP ☐ Death		☐ (a) ☐ (b) ☐ (c) ☐ (d)					
	Victim Information (Multiple Victims)	☐ N/A ☒ Yes ☐ No		Age	Sex	☐ Male ☐ Female	Race & Ethnicity	☐ White ☐ Black ☐ Asian ☐ Native American ☐ Pacific Islander ☐ Other ☐ Unknown ☐ Hispanic	
Defendant voluntarily, intelligently and knowingly entered a	☒ negotiated plea of ☒ guilty ☐ nolo contendere		Defendant ☒ §16-93-301 et seq. ☐ was sentenced pursuant to ☐ Other _____						
☐ plea directly to the court of	☐ guilty ☐ nolo contendere		☐ entered a plea and was sentenced by a jury. ☐ was found guilty by the court & sentenced by ☐ court ☐ jury ☐ was found guilty at a jury trial & sentenced by ☐ court ☐ jury ☐ was found guilty of lesser offense by ☐ court ☐ jury						
Sentence is a Departure	☐ Yes ☐ No ☒ N/A		Sentence Departure	☐ Durational ☐ Dispositional ☐ Both					
If Durational, state how many months above/below the Presumptive Sentence			_____ 0						
Departure Reason	Mitigating # _____ or Aggravating # _____		(For Agg #17, Mit #9 or departure from guidelines, explain)						
Sentence will run	☐ Consecutive ☐ Concurrent		to Offense # _____ or to Case # _____						

Defendant's Full Name: Ellis, Markell

A.C.A. # / Name of Offense		5-74-104 - ENGAGE IN CONTACT W/CRIM GANG		Case # 62CR-18-38	
A.C.A. # Orig. Charge		5-74-104		ATN	FCP00000798
Offense Date		1/8/2018		Appeal from District Court	☐ Yes ☒ No
Criminal History Score		3		Seriousness Level	0
Offense is		☒ Felony ☐ Misd. ☐ Violation		Offense Classification	
				☐ Y ☐ A ☐ B ☒ C ☐ D ☐ U	
Presumptive Sentence		☐ Prison Sentence of _____ to _____ months		☐ Community Corrections Center ☐ Alternative Sanction	
Number of Counts		1		Defendant ☐ Attempted ☐ Solicited ☐ Conspired to Commit the Offense	
Defendant Sentence		If probation or SIS accompanied by period of confinement, state time: _____ days _____ mths			
☐ ADC ☐ Jud Trans ☐ Cnty Jail		Sentence was enhanced _____ months, pursuant to A.C.A. _____			
Imposed _____ 0 months		Enhancement(s) is to run ☐ Concurrent ☐ Consecutive			
Probation _____ 0 months		Defendant was sentenced as a habitual offender, pursuant to A.C.A. § 5-4-501, subsection			
SIS _____ 0 months		☐ (a) ☐ (b) ☐ (c) ☐ (d)			
Other ☐ Life ☐ LWOP ☐ Death					
Victim Information (Multiple Victims)		☐ N/A ☐ Yes ☐ No		Age	
		Sex	☐ Male ☐ Female	Race & Ethnicity	☐ White ☐ Black ☐ Asian ☐ Native American ☐ Other ☐ Unknown ☐ Pacific Islander ☐ Hispanic
Defendant voluntarily, intelligently and knowingly entered a		Defendant ☐ §16-93-301 et seq.			
☐ negotiated plea of		☐ was sentenced pursuant to ☐ Other _____			
☐ plea directly to the court of		☐ entered a plea and was sentenced by a jury.			
☐ guilty ☐ nolo contendere		☐ was found guilty by the court & sentenced by ☐ court ☐ jury			
☐ guilty ☐ nolo contendere		☐ was found guilty at a jury trial & sentenced by ☐ court ☐ jury			
☐ was found guilty of lesser offense by		☐ court ☐ jury			
Sentence is a Departure		Sentence Departure ☐ Durational ☐ Dispositional ☐ Both			
☐ Yes ☐ No ☒ N/A		If Durational, state how many months above/below the Presumptive Sentence _____ 0			
Departure Reason		Mitigating # _____ or Aggravating # _____ (For Agg #17, Mit #9 or departure from guidelines, explain)			
Sentence will run		☐ Consecutive ☐ Concurrent to Offense # _____ or to Case # _____			

Additional Offense # 2

Defendant's Full Name: Ellis, Markell

Special Conditions	Sex Offenses	Domestic Violence Offenses
Special Conditions	Defendant has been adjudicated guilty of an offense requiring sex offender registration and must complete the Sex Offender Registration Form and pay the Mandatory Sex Offender Fee of \$250. ☐ Yes ☒ No	Defendant has been adjudicated guilty of a domestic-violence related offense and must pay additional court costs of \$25 pursuant to A.C.A. §16-10-305 of 2017. ☐ Yes ☒ No
	Defendant has committed an aggravated sex offense as defined in A.C.A. §12-12-903 ☐ Yes ☒ No	Defendant was originally charged with a domestic-violence related offense. ☐ Yes ☒ No
	Defendant is alleged to be a sexually dangerous person and is ordered to undergo an evaluation at a facility designated by A.D.C. pursuant to A.C.A. §12-12-918. ☐ Yes ☒ No	If Yes, state the A.C.A. # of the Offense
	Defendant has been adjudicated guilty of an offense requiring registration and has previously been adjudicated guilty of a prior sex offense under a separate case number. If yes, list prior case numbers. ☐ Yes ☒ No Case Number(s)	If Yes to either question, identify the relationship of the victim to the Defendant by offense number.
DNA Sample / Qualifying Offenses	Defendant has been adjudicated guilty of a qualifying offense or repeat offense as defined in A.C.A. §12-12-1103. ☒ Yes ☐ No	Drug Crime
	Defendant is ordered to have a DNA sample drawn at ☐ an A.C.C. Facility ☒ the A.D.C. ☐ Other	Defendant has been adjudicated guilty of a drug crime as defined in A.C.A. §12-17-101. ☐ Yes ☒ No
Fines, Fees, Restitution	Court Costs	Restitution
	Fines	Payable to [If multiple beneficiaries, give names and payment priority]
	Booking/Admin Fees (\$40)	
	Drug Crime Assessment Fee (\$125)	
	DNA Sample Fee (\$250)	Terms ☐ Due Immediately
	Children's Advocacy Center Fund Fee	☐ Installments of:
	Public Defender Attorney Fee	☐ Payments must be made within _____ days of release from A.D.C.
Other (explain below)	☐ Upon release from confinement, Defendant must return to court to establish payment of restitution.	
	☐ Restitution is joint and several with co-defendant(s) who was found guilty. List name(s) and case number(s).	
Sentence Options	Defendant was convicted of a target offense(s) and is sentenced pursuant to provisions of the Community Punishment Act. ☐ Yes ☒ No	
	The Court hereby orders a judicial transfer to the Department of Community Correction. ☐ Yes ☒ No	
	Pursuant to Community Punishment Act, the defendant shall be eligible to have his/her records sealed. ☐ Yes ☒ No	
	JAIL TIME CREDIT In days: 30	TOTAL TIME TO BE SERVED FOR ALL OFFENSES In months: 36 ☐ Life ☐ LWOP
	Death Penalty ☐ Yes ☒ No	
	If Yes, State Execution Date	
	DEFENDANT IS ASSIGNED TO: ☒ ADC ☐ ADC, Admin. Transfer NOT Authorized ☐ CCC ☐ COUNTY JAIL ☐ PROBATION ☐ SIS	
	Conditions of disposition or probation are attached. ☐ Yes ☒ No	
	☐ Defendant is subject to delayed release pursuant to A.C.A. §5-4-405.	
	A copy of the Pre-sentence investigation on sentencing information is attached ☐ Yes ☒ No	
A copy of the Prosecutor's Short Report is attached ☐ Yes ☒ No		
Signature	DEFENDANT WAS INFORMED OF APPELLATE RIGHTS ☒ Yes ☐ No Appeal Bond \$	
	The County Sheriff is hereby ordered to: ☐ transport the defendant to county jail ☐ take custody for referral to CCC ☒ transport to ADC	
	Defendant shall report to DCC probation officer for report date to CCC ☐ Yes ☒ No	
	Prosecuting Attorney/Deputy Signature: 	Date:  Print Name: Michael Ladd / Hoshall Reeves
	Circuit Judge Signature: 	Date: May 22, 2024 Print Name: E. Dion Wilson
Additional Info		