

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
THE STATE OF OKLAHOMA

JAN 22 2016

TIM RHODES
COURT CLERK

10

STATE OF OKLAHOMA,

Plaintiff,

vs.

DANIEL K. HOLTZCLAW,

Defendant.

No.: CF-2014-5869

SS#: XXX-XX-8468

JUDGMENT AND SENTENCE

Now, on this 21st day of January, 2016, this matter comes on before the undersigned Judge, for sentencing and the Defendant, Daniel K. Holtzclaw, appears personally and by Attorneys, Scott Adams and Robert Gray, the State of Oklahoma represented by Gayland Gieger and Lori McConnell, and the Defendant, having previously:

Been found guilty by a jury of the crime(s) of:

	Statutory Reference
Count 1: Sexual Battery	21 O.S. 1123 (B)
Count 4: Procuring Lewd Exhibition	21 O.S. 1021(A)(2)
Count 5: Procuring Lewd Exhibition	21 O.S. 1021(A)(2)
Count 8: Forcible Oral Sodomy	21 O.S. 888
Count 10: Forcible Oral Sodomy	21 O.S. 888
Count 11: Rape in the First Degree	21 O.S. 1111 - 1114
Count 13: Sexual Battery	21 O.S. 1123 (B)
Count 14: Sexual Battery	21 O.S. 1123 (B)
Count 15: Procuring Lewd Exhibition	21 O.S. 1021(A)(2)
Count 16: Forcible Oral Sodomy	21 O.S. 888
Count 27: Forcible Oral Sodomy	21 O.S. 888
Count 28: Rape in the First Degree	21 O.S. 1111 - 1114
Count 29: Rape in the First Degree	21 O.S. 1111 - 1114
Count 30: Sexual Battery	21 O.S. 1123 (B)
Count 31: Rape in the Second Degree by Instrumentation	21 O.S. 1111 - 1114
Count 32: Rape in the First Degree	21 O.S. 1111 - 1114
Count 33: Sexual Battery	21 O.S. 1123 (B)
Count 34: Sexual Battery	21 O.S. 1123 (B)

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED BY THE COURT that the Defendant, Daniel K. Holtzclaw, is guilty of the above described offenses and is sentenced as follows:

TERM OF IMPRISONMENT

SENTENCED TO A TERM OF:

- Count 1: Eight (8) years
- Count 4: Five (5) years
- Count 5: Five (5) years
- Count 8: Twenty (20) years
- Count 10: Sixteen (16) years
- Count 11: Thirty (30) years
- Count 13: Eight (8) years
- Count 14: Eight (8) years

Count 15: Five (5) years
Count 16: Sixteen (16) years
Count 27: Sixteen (16) years
Count 28: Thirty (30) years
Count 29: Thirty (30) years
Count 30: Eight (8) years
Count 31: Twelve (12) years
Count 32: Thirty (30) years
Count 33: Eight (8) years
Count 34: Eight (8) years

Under the custody and control of the Oklahoma Department of Corrections.

THESE TERMS TO BE SERVED AS FOLLOWS:

The Defendant shall receive credit for time served.
The sentence(s) are to run consecutively with each other.

In addition to and not in lieu of any portion of the foregoing term(s) of incarceration, upon release from incarceration, the Defendant shall be supervised by the Oklahoma Department of Corrections pursuant to 22 O.S. § 991a-21(A) for a period of not less than nine (9) months nor more than one (1) year pursuant to rules and conditions prescribed by the Oklahoma Department of Corrections; provided, this paragraph is inapplicable to any sentence imposing Life Imprisonment without Parole, 22 O.S. § 991a-21(B).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THE COURT that in addition to the preceding terms, the Defendant is also sentenced to:

FINES, COSTS, VCA, RESTITUTION, & FEES

\$810 Victim Compensation Fee

\$150 DNA Fee

\$150 Lab Fee

\$25 DA Fee

The Defendant shall pay costs, fees and restitution in accordance with the schedule attached as Exhibit "A" and Addendum "E".

HEARING ON ABILITY TO PAY AFTER INCARCERATION

(X) The Defendant shall report to the District Court of Oklahoma County within five (5) days of release for a hearing on the Defendant's ability to pay fines and costs pursuant to Section VIII of the Rules of the Court of Criminal Appeals, 22 O.S., Ch. 18, App.

IT IS FURTHER ORDERED that judgment is hereby entered against the Defendant as to the fines, costs and assessments set forth above.

The Court further advised the Defendant of his/her rights and procedure to appeal to the Court of Criminal Appeals of the State of Oklahoma, and that if he/she desired to appeal and was unable to afford counsel and a transcript of the proceedings, that the same would be furnished by the State subject to reimbursement of

the cost of representation in accordance with Sec. 1355.14 of Title 22. The Court further advised the Defendant that, in the event the above sentence is for a crime involving domestic violence where the Defendant is or was a spouse, intimate partner, parent, or guardian of the victim or is or was involved in another similar relationship with the victim it may be unlawful for him or her to possess, purchase, receive, transport or ship a firearm including a rifle, pistol or revolver or ammunition pursuant to federal law under 18 U.S.C. Section 922(g)(8) or (9), or state law, or both.

In the event the above sentence is for incarceration in the Department of Corrections, the Sheriff of Oklahoma County, Oklahoma, is ordered and directed to deliver the Defendant to the Lexington Assessment and Reception Center at Lexington, Oklahoma, and leave therewith a copy of this Judgment and Sentence to serve as warrant and authority for the imprisonment of the Defendant as provided herein. A second copy of this Judgment and Sentence to be warrant and authority of the Sheriff for the transportation and imprisonment of the Defendant as herein before provided. The Sheriff to make due return to the Clerk of this Court, with his proceedings endorsed thereon.

COURT CLERK'S DUTY

IT IS FURTHER ORDERED that the Clerk of this Court shall register or report the following circumstances in accordance with the applicable statutory authority:

(x) As to Count(s) 1, 4, 5, 8, 10, 11, 13, 14, 15, 16, 27, 28, 29, 30, 31, 32, 33, & 34, the Defendant is ineligible to register to vote pursuant to Section 4-101 of Title 26.

() Pursuant to Section 985.1 of Title 22, the Court departed from the mandatory minimum sentence of imprisonment as to Count(s) _____.

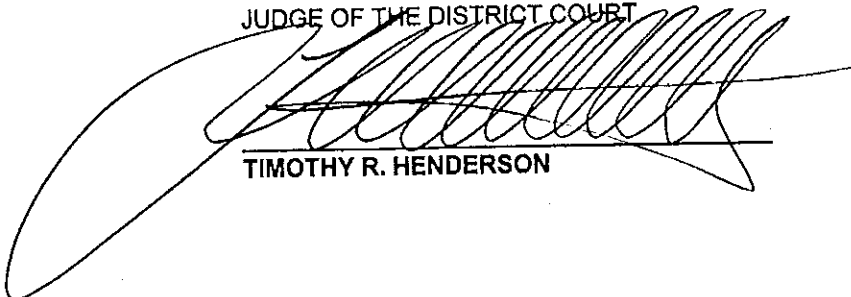
() As to Count(s) _____, the Defendant is subject to the Methamphetamine Offender Registry requirements as set forth in Section 2-701 of Title 63.

() Defendant is a lawyer and certified copies of this document shall be transmitted to the Chief Justice of the Supreme Court and the General Counsel of the Bar Association within five (5) days as set forth in Rule 7.2 of the Oklahoma Rules of Professional Conduct, 5 O.S.Supp.2014, ch. 1, app. 1-A.

Witness my hand the day and year first above mentioned.

(SEAL)

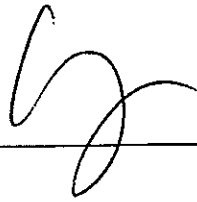
JUDGE OF THE DISTRICT COURT



TIMOTHY R. HENDERSON

ATTEST:

TIM RHODES,
Court Clerk



Deputy Clerk

CLERK'S CERTIFICATION OF COPIES

I, **Tim Rhodes**, Clerk of the District Court of Oklahoma County, State of Oklahoma, do hereby certify the foregoing to be true, correct, full and complete copy of the original Judgment and Sentence in the case of the State of Oklahoma vs. Daniel K. Holtzclaw as the same appears of record in my office.

WITNESS my hand and official seal this _____ day of _____, 20____.

(SEAL)

By: **TIM RHODES,**
Court Clerk

Deputy Court Clerk

SHERIFF'S RETURN

I received this Judgment and Sentence the _____ day of _____, 20____,
and executed it by delivering the Defendant to the Warden of the Lexington Assessment and Reception
Center at Lexington, Oklahoma, on the _____ day of _____, 20____.

I also certify the above prisoner has served _____ days in the County Jail on the present charge or
charges.

Sheriff

Deputy Sheriff

IN THE DISTRICT COURT OF OKLAHOMA COUNTY - STATE OF OKLAHOMA

THE STATE OF OKLAHOMA,
vs.

David K. Holtzclaw

Case No. CF - 2014 - 5869
C - _____
C - _____
C - _____

REV. 01-2014

SUPPLEMENTAL COURT ORDER: COMMUNITY SERVICE - RESTITUTION - COURT COST

SENTENCE:

Deferred _____ Mos Yrs Suspended _____ Mos Yrs Time to Serve 263

Supervised by DOC Supervised by DA Unsupervised Supervised until all conditions of Court ordered Probation are fulfilled.

COMMUNITY SERVICE:

READMIT

You are ordered to complete _____ hours (Min _____ hours per Month) of community service on or before the _____ day of _____ 20____.

RESTITUTION: Case No. C _____ - _____ - _____ Case No. C _____ - _____ - _____

The Defendant is ordered to make Restitution payments in accordance with the terms set out below and imposed by the Court:

Pay full restitution in the amount of \$ _____ on or before the _____ day of _____ 20____.

OR

Pay restitution installment payments of \$ _____ per month, beginning with the first day of _____ 20____, and a similar payment of \$ _____ on or before the first day of each month thereafter, until the full amount of \$ _____ is paid.

The following is a schedule of Recipients(s) owed restitution by the defendant and the amounts due each person:

NAME	ADDRESS	PHONE NO.	AMOUNT
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

NOTICE: RESTITUTION PAYMENTS ARE MADE TO:

DEPT. OF CORRECTIONS, ATTN: RESTITUTION, P O BOX 11400, OKLAHOMA CITY, OK 73136.

OKLAHOMA COUNTY DISTRICT ATTORNEY'S OFFICE, 320 ROBERT S. KERR, STE 505, OKLAHOMA CITY, OK 73102.

* DEFENDANT MUST ADD ONE DOLLAR (\$1.00) TO EACH PAYMENT AS REQUIRED BY LAW.

COURT COSTS:

THE ENTIRE AMOUNT IS DUE TODAY !

YOU ARE ORDERED TO IMMEDIATELY REPORT TO THE COST ADMINISTRATOR'S OFFICE LOCATED AT ROOM 421 OKLAHOMA COUNTY OFFICE BUILDING, 320 ROBERT S. KERR, OKLAHOMA CITY OKLAHOMA 73102. YOU MUST REPORT WITHIN FIVE (5) BUSINESS DAYS AFTER YOUR RELEASE FROM INCARCERATION. FAILURE TO DO SO WILL RESULT IN A BENCH WARRANT BEING ISSUED FOR YOUR ARREST.

Dated this 21 day of JAN 2016

Assistant District Attorney

Attorney for the Defendant

Defendant

District Judge

Deputy Court Clerk

WHITE: COURT GREEN: COST ADMINISTRATOR YELLOW: DISTRICT ATTORNEY PINK: DEPT OF CORRECTIONS or DA PROBATION GOLD: DEFENDANT

- EXHIBIT A -