

**IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF
MULTNOMAH**

State of Oregon,	)	
Plaintiff	)	
	)	Case No.: 16CR41642
vs.	)	
	)	JUDGMENT
	)	
Kuana Lavern Blackmon,	)	Case File Date: 07/07/2016
Defendant	)	District Attorney File #: 2342600-2A

DEFENDANT

True Name: Kuana Lavern Blackmon Sex: Female
Date Of Birth: 11/17/1970
Fingerprint Control No (FPN): CMUL116028412

HEARING

Proceeding Date: 10/27/2016
Judge: Adrienne C Nelson
Court Reporter: Recording, FTR

Defendant appeared in person and was not in custody. The court determined that the defendant was indigent for purposes of court-appointed counsel, and the court appointed counsel for the defendant. The defendant was represented by Attorney(s) KAMI J WHITE, OSB Number 014523. Plaintiff appeared by and through Attorney(s) MELISSA M CHUREAU, OSB Number 022726. Defendant knowingly waived two day waiting period before sentencing.

COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

Count 1 : Making a False Claim for Health Care Payment

Count number 1, Making a False Claim for Health Care Payment, 165.692, Felony Class C, committed on or between 03/16/2015 and 04/30/2015. Conviction is based upon a Guilty Plea on 10/27/2016.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 1 is 6 and the Criminal History Classification (CHC) is I.

The court finds substantial and compelling reason for an Upward Durational Departure, as stated on the record. This departure is pursuant to the following aggravating or mitigating factor(s):

- Stipulation of Parties

Probation

Defendant is sentenced to Supervised Probation for a period of 5 year(s) and shall be subject to the following conditions of Probation: Supervision fee is waived.

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Be assigned to Judge Nelson for judicial supervision of probation.
- The Court directs the defendant to submit to a risk and needs assessment, and any other appropriate evaluation per the MCJRP probation officer (PO).
- The following special conditions of MCJRP probation are ordered:
 - a. Phase I Supervision with MCJRP PO
 - b. Participation and completion of LS/CMI interview
 - c. Any PO recommended treatment-based program
- Administrative Sanctions per MCJRP policy except for the following circumstances:
 - a. Contact with the Victim if prohibited
 - b. Failure to Obey All Laws
 - c. Absconding from supervision
 - d. Failure to complete the restitution Intake/package interview and/or willful failure to comply with restitution obligations
- No Justice Center 2 (JC2) probation violation hearings
- Make monthly payments through a secured arrangement (payroll allotment, garnishment or monthly debit / credit card deduction).
- 30 days house arrest w/electronic monitoring.
- Defendant may request early termination of probation after 2 years, if restitution paid, no violations, no new crimes.

Waive additional fines and fees, except restitution.

Jail as a Condition of Probation

Defendant is confined to jail for 8 day(s). Defendant is to report to by 10/27/2017. 4 weekends allowed. Defendant may not receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the defendant shall pay any required per diem fees.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

Compensatory Fine/Restitution:

Restitution is ordered to be paid to the court and disbursed to the payee(s) named below.

Payee	Amount
DHS/AR	\$18,048.08
Joint & Several with co-defendant case 16CR41635 Michael Burton	
Total	\$18,048.08

Count 2 : Theft in the First Degree - Theft by Deception

Count number 2, Theft in the First Degree - Theft by Deception, 164.055, Felony Class C, committed on or between 03/19/2015 and 05/15/2015. Conviction is based upon a Guilty Plea on 10/27/2016.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 2 is 3 and the Criminal History Classification (CHC) is G.

The court finds substantial and compelling reason for an Upward Durational Departure, as stated on the record. This departure is pursuant to the following aggravating or mitigating factor(s):

- Stipulation of Parties

Probation

Defendant is sentenced to Supervised Probation for a period of 5 year(s) and shall be subject to the following conditions of Probation: Supervision fee is waived.

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)):
Defendant shall:

- Be assigned to Judge Nelson for judicial supervision of probation.
- All conditions concurrent to count 1.

No additional fees or fines.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

COUNTS DISPOSED WITH NO CONVICTION

Count # 3, Making a False Claim for Health Care Payment is Dismissed.

Count # 4, Theft in the First Degree is Dismissed.

Count # 5, Making a False Claim for Health Care Payment is Dismissed.

Count # 6, Theft in the First Degree is Dismissed.

Count # 7, Making a False Claim for Health Care Payment is Dismissed.

Count # 8, Theft in the First Degree is Dismissed.

Count # 9, Making a False Claim for Health Care Payment is Dismissed.

Count # 10, Theft in the First Degree is Dismissed.

Count # 11, Making a False Claim for Health Care Payment is Dismissed.

Count # 12, Attempt to Commit a Class A Misdemeanor is Dismissed.

If convicted of a felony or a crime involving domestic violence, you may lose the right to buy, sell, transport, receive, or possess a firearm, ammunition, or other weapons in both personal and professional endeavors pursuant to ORS 166.250, ORS 166.291, ORS 166.300, and/or 18 USC 922(g).

MONEY AWARD INCLUDING RESTITUTION

Judgment Creditor: State of Oregon

Judgment Debtor: Kuana Lavern Blackmon

Restitution

Payee	Amount
DHS/AR Joint & Several with co-defendant case 16CR41635 Michael Burton	\$18,048.08

Payees are to be paid as ordered under Monetary Terms.

Defendant is ordered to pay the following monetary totals, including restitution or compensatory fine amounts stated above, which are listed in the Money Award portion of this document:

Type	Amount Owed
Restitution Joint and Several	\$18,048.08
Total	\$18,048.08

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 court order.

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.

Any financial obligation(s) for conviction(s) of a violation, which is included in the Money Award, creates a judgment lien.

Payment Schedule

Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

Multnomah County Circuit Court
1021 SW Fourth Avenue
Portland, Oregon 97204
P: 503-988-3235, option 3
F: <http://courts.oregon.gov/multnomah>

Signed: 2/1/2017 09:58 AM

Dated the _____ day of _____, 20____

Signed: 
Adrienne C Nelson

Circuit Court Judge Adrienne C. Nelson