

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

State of Oregon,	)	
Plaintiff	)	
	)	Case No.: 15CF029
vs.	)	
	)	AMENDED JUDGMENT *
	)	
ROBERT JOHN MCEWEN,	)	Case File Date: 04/03/2015
Defendant	)	

DEFENDANT

True Name: ROBERT JOHN MCEWEN	Sex: Male
Date Of Birth: 04/01/1965	State Identification No (SID): 07163836OR
Fingerprint Control No (FPN): CHEP115001762	

HEARING

Proceeding Date: 03/10/2017
Judge: Lynn W Hampton
Court Reporter: Recording Morrow, FTR

Defendant appeared in person and was not in custody. The defendant was represented by Attorney(s) WILLIAM E PERKINSON, Jr, OSB Number 053464. Plaintiff appeared by and through Attorney(s) ELIZABETH ANN BALLARD, OSB Number 025050. 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 about 06/01/2010. Conviction is based upon a Guilty Plea on 10/15/2015.

Sentencing Guidelines

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

The court finds substantial and compelling reason for a Downward Dispositional 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 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- Submit to a risk and needs assessment as directed by the supervising officer
- If revoked, Mr. McEwen faces original gridblock sentence.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

Jail as a Condition of Probation

Defendant is confined to jail for 90 day(s). Defendant is to report to by 04/03/2017 at 10:00 AM. Defendant may 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	Not To Exceed	Amount
DEPARTMENT OF HUMAN SERVICES		\$5,718.48
Total		\$5,718.48

Payee	Amount
Department of Human Services Joint and Several Liability with: Lynne Elaine Uitto Case#: 15CF031	\$8,478.75
Department of Human Services Joint and Several Liability with: Justin Hoeft Case#: 15CF032	\$7,624.64
Department of Human Services Joint and Several Liability with: Danny Looslie Case#: 15CF030	\$110,195.83
Total	\$126,299.22

Count 30 : Theft in the First Degree

Count number 30, Theft in the First Degree, 164.055, Felony Class C, committed on or about 12/07/2013. Conviction is based upon a Guilty Plea on 10/15/2015.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 30 is 3 and the Criminal History Classification (CHC) is B.

Probation

Defendant is sentenced to Supervised Probation for a period of 2 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- Submit to a risk and needs assessment as directed by the supervising officer

Pursuant to the sentencing guidelines grid, the Defendant is subject to 120 sanction units with 60 jail units.

Jail as a Condition of Probation

Defendant is confined to jail for 60 day(s). Defendant is to report to by 04/03/2017 at 10:00 AM. Defendant may 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.

For the reasons stated on the record, this sentence shall be consecutive to the sentence(s) on the following cases: Count 1

Statutory Provisions

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

Count 31 : Making a False Claim for Health Care Payment

Count number 31, Making a False Claim for Health Care Payment, 165.692, Felony Class C, committed on or about 04/04/2014. Conviction is based upon a Guilty Plea on 10/15/2015.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 31 is 6 and the Criminal History Classification (CHC) is B.

The court finds substantial and compelling reason for a Downward Dispositional 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 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of

Corrections or a county community corrections agency.

- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- Submit to a risk and needs assessment as directed by the supervising officer
- If revoked, Mr. McEwen faces original gridblock sentence.

Statutory Provisions

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

Count 32 : Theft in the First Degree

Count number 32, Theft in the First Degree, 164.055, Felony Class C, committed on or about 04/05/2014. Conviction is based upon a Guilty Plea on 10/15/2015.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 32 is 3 and the Criminal History Classification (CHC) is B.

Probation

Defendant is sentenced to Supervised Probation for a period of 2 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- Submit to a risk and needs assessment as directed by the supervising officer

Pursuant to the sentencing guidelines grid, the Defendant is subject to 120 sanction units with 60 jail units.

Statutory Provisions

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

Count 33 : Making a False Claim for Health Care Payment

Count number 33, Making a False Claim for Health Care Payment, 165.692, Felony Class C, committed on or about 05/07/2014. Conviction is based upon a Guilty Plea on 10/15/2015.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 33 is 6 and the Criminal History Classification (CHC) is B.

The court finds substantial and compelling reason for a Downward Dispositional 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 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.

- Not possess weapons, firearms or dangerous animals.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- Submit to a risk and needs assessment as directed by the supervising officer
- If revoked, Mr. McEwen faces original gridblock sentence.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

Statutory Provisions

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

Count 34 : Theft in the First Degree

Count number 34, Theft in the First Degree, 164.055, Felony Class C, committed on or about 05/09/2014. Conviction is based upon a Guilty Plea on 10/15/2015.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 34 is 3 and the Criminal History Classification (CHC) is B.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

The court finds substantial and compelling reason for a Downward Dispositional 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 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.

- Submit to testing for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- Submit to a risk and needs assessment as directed by the supervising officer
- If revoked, Mr. McEwen faces original REPO sentence of 18 months.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

Statutory Provisions

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

Count 35 : Making a False Claim for Health Care Payment

Count number 35, Making a False Claim for Health Care Payment, 165.692, Felony Class C, committed on or about 06/03/2014. Conviction is based upon a Guilty Plea on 10/15/2015.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 35 is 6 and the Criminal History Classification (CHC) is B.

The court finds substantial and compelling reason for a Downward Dispositional 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 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- Submit to a risk and needs assessment as directed by the supervising officer
- If revoked, Mr. McEwen faces original gridblock sentence.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

Statutory Provisions

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

Count 36 : Theft in the First Degree

Count number 36, Theft in the First Degree, 164.055, Felony Class C, committed on or about 06/07/2014. Conviction is based upon a Guilty Plea on 10/15/2015.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 36 is 3 and the Criminal History Classification (CHC) is B.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

The court finds substantial and compelling reason for a Downward Dispositional 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 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.

- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- Submit to a risk and needs assessment as directed by the supervising officer
- If revoked, Mr. McEwen faces the original REPO sentence of 20 months.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

Statutory Provisions

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

Count 37 : Making a False Claim for Health Care Payment

Count number 37, Making a False Claim for Health Care Payment, 165.692, Felony Class C, committed on or about 07/02/2014. Conviction is based upon a Guilty Plea on 10/15/2015.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 37 is 6 and the Criminal History Classification (CHC) is B.

The court finds substantial and compelling reason for a Downward Dispositional 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 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- Submit to a risk and needs assessment as directed by the supervising officer
- If revoked, Mr. McEwen faces original gridblock sentence.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

Statutory Provisions

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

Count 38 : Theft in the First Degree

Count number 38, Theft in the First Degree, 164.055, Felony Class C, committed on or about 07/03/2014. Conviction is based upon a Guilty Plea on 10/15/2015.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 38 is 3 and the Criminal History Classification (CHC) is B.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

The court finds substantial and compelling reason for a Downward Dispositional 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 3 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time

combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.

- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- If recommended by the supervising officer (SO), successfully complete a sex offender treatment program approved by the SO and submit to polygraph examinations at the direction of the SO if the probationer: (A) Is under supervision for a sex offense under ORS 163.305 to 163.467; (B) Was previously convicted of a sex offense under ORS 163.305 to 163.467; or (C) Was previously convicted in another jurisdiction of an offense that would constitute a sex offense under ORS 163.305 to 163.467 if committed in this state.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- If required to report as a sex offender under ORS 163A.010 or 163A.015, report with the Department of State Police, a city police department, a county sheriff's office or the supervising agency: (A) When supervision begins; (B) Within 10 days of a change in residence; (C) Once each year within 10 days of the probationer's date of birth; (D) Within 10 days of the first day the person works at, carries on a vocation at or attends an institution of higher education; and (E) Within 10 days of a change in work, vocation or attendance status at an institution of higher education.
- Submit to a risk and needs assessment as directed by the supervising officer
- If revoked, Mr. McEwen faces original REPO sentence of 22 months.

Pursuant to the sentencing guidelines grid, the Defendant is subject to 180 sanction units with 90 jail units.

Statutory Provisions

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

COUNTS DISPOSED WITH NO CONVICTION

Count # 2, Theft in the First Degree is Dismissed.

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, Theft in the First Degree is Dismissed.

Count # 13, Making a False Claim for Health Care Payment is Dismissed.

Count # 14, Theft in the First Degree is Dismissed.

Count # 15, Making a False Claim for Health Care Payment is Dismissed.

Count # 16, Theft in the First Degree is Dismissed.

Count # 17, Making a False Claim for Health Care Payment is Dismissed.

Count # 18, Theft in the First Degree is Dismissed.

Count # 19, Making a False Claim for Health Care Payment is Dismissed.

Count # 20, Theft in the First Degree is Dismissed.

Count # 21, Making a False Claim for Health Care Payment is Dismissed.

Count # 22, Theft in the First Degree is Dismissed.

Count # 23, Making a False Claim for Health Care Payment is Dismissed.

Count # 24, Theft in the First Degree is Dismissed.

Count # 25, Making a False Claim for Health Care Payment is Dismissed.

Count # 26, Theft in the First Degree is Dismissed.

Count # 27, Making a False Claim for Health Care Payment is Dismissed.

Count # 28, Theft in the First Degree is Dismissed.

Count # 29, Making a False Claim for Health Care Payment is Dismissed.

Count # 39, Making a False Claim for Health Care Payment is Dismissed.

Count # 40, Theft in the First Degree is Dismissed.

Count # 41, Making a False Claim for Health Care Payment is Dismissed.

Count # 42, Theft in the First Degree is Dismissed.

Count # 43, Making a False Claim for Health Care Payment is Dismissed.

Count # 44, Theft in the First Degree is Dismissed.

Count # 45, Making a False Claim for Health Care Payment is Dismissed.

Count # 46, Theft in the First Degree is Dismissed.

Count # 47, Making a False Claim for Health Care Payment is Dismissed.

Count # 48, Theft in the First Degree is Dismissed.

Count # 49, Making a False Claim for Health Care Payment is Dismissed.

Count # 50, Theft in the First Degree is Dismissed.

Count # 51, Making a False Claim for Health Care Payment is Dismissed.

Count # 52, Theft in the First Degree is Dismissed.

Count # 53, Making a False Claim for Health Care Payment is Dismissed.

Count # 54, Theft in the First Degree is Dismissed.

Count # 55, Making a False Claim for Health Care Payment is Dismissed.

Count # 56, Theft in the First Degree is Dismissed.

Count # 57, Making a False Claim for Health Care Payment is Dismissed.

Count # 58, Theft in the First Degree is Dismissed.

Count # 59, Making a False Claim for Health Care Payment is Dismissed.

Count # 60, Theft in the First Degree is Dismissed.

Count # 61, Making a False Claim for Health Care Payment is Dismissed.

Count # 62, Theft in the First Degree is Dismissed.

Count # 63, Unlawfully Obtain Public Assistance or Attempt/Aid/Abet is Dismissed.

Count # 64, Unlawfully Obtain Public Assistance or Attempt/Aid/Abet is Dismissed.

Count # 65, Obtain/Attempt/Aid or Abet/Dispose Food Stamp Benefit is Dismissed.

Count # 66, Obtain/Attempt/Aid or Abet/Dispose Food Stamp Benefit 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: ROBERT JOHN MCEWEN

Restitution

Payee	Amount
DEPARTMENT OF HUMAN SERVICES	\$5,718.48

Payee	Amount
Department of Human Services Joint and Several Liability with: Lynne Elaine Uitto Case#: 15CF031	\$8,478.75
Department of Human Services Joint and Several Liability with: Justin Hoeft Case#: 15CF032	\$7,624.64
Department of Human Services Joint and Several Liability with: Danny Looslie Case#: 15CF030	\$110,195.83

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	\$126,299.22
Restitution	\$5,718.48
Total	\$132,017.70

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:

Morrow County Circuit Court
100 S Court St.
Heppner, Oregon 97836
P: 541.676.5264
F: <http://courts.oregon.gov/Morrow>

Dated the _____ day of _____, 20____
Signed: 4/25/2017 09:49 AM

Signed: _____
Lynn W Hampton

Lynn W. Hampton, Circuit Court Judge