

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

State of Oregon,	)	
Plaintiff	)	
	)	Case No.: 17CR53005
vs.	)	
	)	
	)	JUDGMENT
	)	
John William McQueen,	)	Case File Date: 08/10/2017
Defendant	)	District Attorney File #: 0098412

DEFENDANT

True Name: John William McQueen Sex: Male
Date Of Birth: 06/16/1965
Fingerprint Control No (FPN): JKLA117041269

HEARING

Proceeding Date: 01/23/2018
Judge: Marci Warner Adkisson
Court Reporter: NJH, .

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) PHILIP W STUDENBERG, OSB Number 784468. Plaintiff appeared by and through Attorney(s) ELIZABETH ANN BALLARD, OSB Number 025050.

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 01/13/2016. Conviction is based upon a Guilty Plea on 12/12/2017.

Sentencing Guidelines

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

Probation

Defendant is sentenced to Supervised Probation for a period of 36 month(s) and shall be subject to the following conditions of Probation: Defendant is ordered to pay a supervision fee.

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:

- Obey all municipal, county state and federal laws and follow all rules, regulations and requests of the supervisory authority.
- Report immediately following sentencing to Klamath County Community Corrections located at 3203 Vandenberg Road, Klamath Falls OR 97603.
- Submit to polygraph examination(s) by a qualified polygraph examiner at the direction of the court or probation officer at defendant's expense. The results shall be admissible in probation revocation proceedings. The exam(s) shall cover compliance with the conditions of probation.
- *Not associate with any person known to be on parole or felony probation or anyone who has been on felony probation within one year from the date of sentencing without approval from the court or probation officer, except, if any, the following person(s): {NAME}.
- Stipulate to destruction of forfeiture of any seized property.
- Immediately inform the court of any change of address.
- Submit to the Structured Sanctions program established by the probation department under the plan approved by the court.
- In lieu of the fine imposed, perform additional community service work at the discretion and direction of the probation officer.
- Defendant can not be compensated through employment with Medicaid or Medicare dollars.

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 45 day(s). Defendant is to report to Supervisory Authority by 01/30/2018. 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
Social Security Administration		\$8,428.00
Department of Human Services SNAP		\$1,482.00
Department of Human Services		\$7,953.18
Total		\$17,863.18

Count 4 : Theft in the First Degree

Count number 4, Theft in the First Degree, 164.055, Felony Class C, committed on or between 06/01/2016 and 09/30/2016. Conviction is based upon a Guilty Plea on 12/12/2017.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 4 is 3 and the Criminal History Classification (CHC) is F.

Probation

Defendant is sentenced to Supervised Probation for a period of 24 month(s) and shall be subject to the following conditions of Probation:

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:

- Obey all municipal, county state and federal laws and follow all rules, regulations and requests of the supervisory authority.
- Report immediately following sentencing to Klamath County Community Corrections located at 3203 Vandenberg Road, Klamath Falls OR 97603.
- Submit to polygraph examination(s) by a qualified polygraph examiner at the direction of the court or probation officer at defendant's expense. The results shall be admissible in probation revocation proceedings. The exam(s) shall cover compliance with the conditions of probation.
- *Not associate with any person known to be on parole or felony probation or anyone who has been on felony probation within one year from the date of sentencing without approval from the court or probation officer, except, if any, the following person(s): {NAME}.
- Stipulate to destruction of forfeiture of any seized property.
- Immediately inform the court of any change of address.
- Submit to the Structured Sanctions program established by the probation department under the plan approved by the court.
- In lieu of the fine imposed, perform additional community service work at the discretion and

direction of the probation 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 6 : Theft in the First Degree

Count number 6, Theft in the First Degree, 164.055, Felony Class C, committed on or between 10/21/2016 and 02/02/2017. Conviction is based upon a Guilty Plea on 12/12/2017.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 6 is 3 and the Criminal History Classification (CHC) is E.

Probation

Defendant is sentenced to Supervised Probation for a period of 24 month(s) and shall be subject to the following conditions of Probation:

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:

- Obey all municipal, county state and federal laws and follow all rules, regulations and requests of the supervisory authority.
- Report immediately following sentencing to Klamath County Community Corrections located at 3203 Vandenberg Road, Klamath Falls OR 97603.
- Submit to polygraph examination(s) by a qualified polygraph examiner at the direction of the court or probation officer at defendant's expense. The results shall be admissible in probation revocation proceedings. The exam(s) shall cover compliance with the conditions of probation.
- *Not associate with any person known to be on parole or felony probation or anyone who has been on felony probation within one year from the date of sentencing without approval from the court or probation officer, except, if any, the following person(s): {NAME}.
- Stipulate to destruction of forfeiture of any seized property.
- Immediately inform the court of any change of address.

- Submit to the Structured Sanctions program established by the probation department under the plan approved by the court.
- In lieu of the fine imposed, perform additional community service work at the discretion and direction of the probation 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.

COUNTS DISPOSED WITH NO CONVICTION

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

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

Count # 5, Making a False Claim for Health Care Payment 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, Obtain/Attempt/Aid or Abet/Dispose Food Stamp Benefit is Dismissed.

Count # 10, Receiving General/Public Assistance is Dismissed.

Count # 11, Theft in the First Degree 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: John William McQueen

Restitution

Payee	Amount
Department of Human Services	\$7,953.18
Department of Human Services SNAP	\$1,482.00
Social Security Administration	\$8,428.00

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	\$17,863.18
Total	\$17,863.18

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:

Klamath County Circuit Court
316 Main St
Klamath Falls, Oregon 97601
P: 541-883-5503
F: <http://courts.oregon.gov/klamath>

Dated the _____ day of _____, 20____ Signed: 1/24/2018 09:22 AM

Signed: _____

Marci Warner Adkisson

Circuit Court Judge Marci W. Adkisson