

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

State of Oregon,	)	
Plaintiff	)	
	)	Case No.: 18CR56726
vs.	)	
	)	JUDGMENT
	)	
Lydia Simon,	)	Case File Date: 08/24/2018
Defendant	)	District Attorney File #: 005303125

DEFENDANT

True Name: Lydia Simon
Date Of Birth: 07/03/1961

HEARING

Proceeding Date: 03/20/2019
Judge: Thomas J Rastetter
Court Reporter: FTR, Courtroom 5

Defendant appeared in person and was not in custody. The defendant was represented by Attorney(s) Ryan J Anfuso, OSB Number 103254. Plaintiff appeared by and through Attorney(s) Elizabeth Ballard Colgrove, OSB Number 025050.

COUNT(S)

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

Count 1 : Criminal Mistreatment in the First Degree

Count number 1, Criminal Mistreatment in the First Degree, 163.205, Felony Class C, committed on or about 03/18/2016. Conviction is based upon a Guilty Plea on 02/21/2019.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 1 is 7 and the Criminal History Classification (CHC) is I.

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 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 laws, court orders, and conditions of probation.
- Pay all fines, fees, costs, assessments and restitution set forth in the Money Judgment section of this order.
- Keep the court advised of current mailing address at all times.
- Report to collections clerk, Clackamas County Courthouse, 807 Main Street, Room 104 to set up a payment plan immediately following court or w/in 24 hours of release.
- Report to Clackamas County Corrections, 1024 Main Street, Oregon City immediately following court or w/in 24 hours of release.
- Defendant may not be compensated through employment with Medicaid or Medicare dollars. Restitution may include losses in charges that were dismissed.

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		\$32,604.51
Total		\$32,604.51

Count 3 : Making a False Claim for Health Care Payment

Count number 3, Making a False Claim for Health Care Payment, 165.692, Felony Class C, committed on or about 02/25/2016. Conviction is based upon a Guilty Plea on 02/21/2019.

Sentencing Guidelines

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

Incarceration

Defendant is sentenced to the custody of Oregon Dept of Corrections, for a period of 13 month(s). Defendant is remanded to the custody of the Clackamas Sheriff for transportation to the Oregon Dept of Corrections for service of this sentence. Defendant may receive credit for time served. Eligible for good time / earned time credit and transitional leave.

The Defendant may be considered by the executing or releasing authority for any form of Reduction in Sentence, Conditional or Supervised Release Program, Temporary Leave From Custody, Work Release authorized by law for which the Defendant is otherwise eligible at the time of sentencing. The Defendant may be considered for release on post-prison supervision under ORS 421.508(4) upon successful completion of an alternative incarceration program.

Post-Prison Supervision

The term of Post-Prison Supervision is 2 year(s). If the Defendant violates any of the conditions of post-prison supervision, the defendant shall be subject to sanctions including the possibility of additional imprisonment in accordance with the rules of the State Sentencing Guidelines Board.

Count 4 : Theft in the First Degree

Count number 4, Theft in the First Degree, 164.055, Felony Class C, committed on or between 10/02/2015 and 12/01/2015. Conviction is based upon a Guilty Plea on 02/21/2019.

Sentencing Guidelines

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

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 laws, court orders, and conditions of probation.
- Pay all fines, fees, costs, assessments and restitution set forth in the Money Judgment section of this order.
- Keep the court advised of current mailing address at all times.
- Report to collections clerk, Clackamas County Courthouse, 807 Main Street, Room 104 to set up a payment plan immediately following court or w/in 24 hours of release.
- Report to Clackamas County Corrections, 1024 Main Street, Oregon City immediately following court or w/in 24 hours of release.
- Defendant may not be compensated through employment with Medicaid or Medicare dollars.

Count 5 : Theft in the First Degree

Count number 5, Theft in the First Degree, 164.055, Felony Class C, committed on or between 02/02/2016 and 03/31/2016. Conviction is based upon a Guilty Plea on 02/21/2019.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 5 is 3 and the Criminal History Classification (CHC) is C.

Probation

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

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

- Obey all laws, court orders, and conditions of probation.
- Pay all fines, fees, costs, assessments and restitution set forth in the Money Judgment section of this order.
- Keep the court advised of current mailing address at all times.
- Report to collections clerk, Clackamas County Courthouse, 807 Main Street, Room 104 to set up a payment plan immediately following court or w/in 24 hours of release.
- Report to Clackamas County Corrections, 1024 Main Street, Oregon City immediately following court or w/in 24 hours of release.
- Defendant may not be compensated through employment with Medicaid or Medicare dollars.

Count 7 : Theft in the First Degree

Count number 7, Theft in the First Degree, 164.055, Felony Class C, committed on or between 10/02/2015 and 02/02/2016. Conviction is based upon a Guilty Plea on 02/21/2019.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 7 is 3 and the Criminal History Classification (CHC) is C.

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 laws, court orders, and conditions of probation.
- Pay all fines, fees, costs, assessments and restitution set forth in the Money Judgment section of this order.
- Keep the court advised of current mailing address at all times.
- Report to collections clerk, Clackamas County Courthouse, 807 Main Street, Room 104 to set up a payment plan immediately following court or w/in 24 hours of release.
- Report to Clackamas County Corrections, 1024 Main Street, Oregon City immediately following court or w/in 24 hours of release.
- Defendant may not be compensated through employment with Medicaid or Medicare dollars.

COUNTS DISPOSED WITH NO CONVICTION

Count # 2, Criminal Mistreatment in the First Degree is Dismissed.

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

Count # 12, 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: Lydia Simon

Restitution

Payee	Amount
Department of Human Services	\$32,604.51

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	\$32,604.51
Total	\$32,604.51

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:

Clackamas County Circuit Court

807 Main St

Oregon City, Oregon 97045

P: 503.655.8447

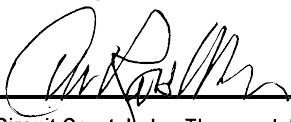
F: <http://www.courts.oregon.gov/courts/Clackamas/Pages/default.aspx>

Dated the _____ day of _____, 20_____

Signed: 3/20/2019 04:33 PM

Signed: _____

Thomas J Rastetter


Circuit Court Judge Thomas J. Rastetter