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IN THE HIGH COURT ASST, CLERK OF COURTS REPUBLIC OF MARSHALL ISLANDS

## OF THE REPUBLIC OF THE MARSHALL ISLANDS

REPUBLIC C	OF THE MARSHALL ISLANDS	)	Criminal Case E2004-007
v. GLANN ATI	5 Defendant	) ) ) ) )	Conviction and Sentence
Appearances:	Deputy Attorney S Posesi Bloomi Public Defender Talafo Manase co		
Clerk Reporter	Hemetline Kumtak Sepe Joash		UI 6

With respect to Defendant Glann Ati this matter came before the Court on Monday November 29, 2004 for entry of a guilty plea and consideration of a stipulated sentence agreement pursuant to rule 119(c).

Defendant was charged possession of a narcotic drug in violation of section 903(a) of the Narcotic Drugs (Prohibition and Control), specifically less than 1/4 an ounce of cocaine in violation of section 909(a).

The terms of the plea agreement are as follows:

- 1. Defendant pleads guilty to possession of a narcotic drug in violation of section 903(a) of the Narcotic Drugs (Prohibition and Control), specifically less than <sup>1</sup>/<sub>4</sub> an ounce of cocaine in violation of section 909(a).
- 2. Defendant is sentenced to 10 years in Majuro Jail with credit for time served.
- 3. Execution of 7 years of the sentence is suspended pursuant to 31 MIRC §189, during which time the Defendant shall be on probation. During the period of probation the Defendant shall obey all laws of the Republic, refrain from consuming alcohol. The probation shall extend for 3 years.
- 4. Defendant is to under go a drug rehabilitation program during his time in custody if it is available.

After questioning the Defendant and both counsel the Court makes the following findings:

- 1. The Defendant understands and knowingly and intelligently waives his right to trial.
- 2. The Defendant's plea of guilty is voluntarily made.

- 3. The Defendant understands the consequences of his plea and it is made after he has been provided with effective legal counsel.
- 4. There is a factual basis for the plea.

## The Court therefore ORDERS:

- 1. Defendant pleads guilty to possession of a narcotic drug in violation of section 903(a) of the Narcotic Drugs (Prohibition and Control), specifically less than ¼ an ounce of cocaine in violation of section 909(a).
- 2. Defendant is sentenced to 10 years in Majuro Jail with credit for time served.
- 3. Defendant shall serve 3 years.
- 4. Execution of 7 years of the sentence is suspended pursuant to 31 MIRC §189, during which time the Defendant shall be on probation.
- 5. During the period of probation the Defendant shall obey all laws of the Republic, refrain from consuming alcohol. The probation shall extend for 3 years.
- 6. Defendant is to under go a drug rehabilitation program during his time in custody if it is available.
- 7. Defendant may be released on probation July 6, 2007.
- 8. Defendant shall remain on probation until July 6, 2010.

Dated November 30, 2004

Richard Hickson Associate Justice