## IN THE HIGH COURT OF THE REPUBLIC OF THE MARSHALL ISLANDS

MAY O 3

REPUBLIC OF THE MARSHALL ISLANDS

Criminal Case 2006-00

YUBOK LOKIAR

٧.

ORDER OF CONS & SENTENCE

Defendant

Appearances: Assistant Attorney General Dixie Lomae counsel for the Republic

Public Defender Lionel Aingimea counsel for Defendant

Reporter

Lena Tiobech

Clerk

Hemetline Kumtak

With respect to Defendant Yubok lokiar this matter came before the Court on May 2, 2006 for a plea hearing.

Defense Counsel advised that, pursuant to Rule 11 (c) Defendant wish to change his plea to guilty to Counts 3 Assault and Battery in return for a plea agreement between the Defense and the Republic in which the Republic would drop the counts of Aggravated Assault and Battery with a Dangerous Weapon.

The terms of the plea agreement are as follows:

- 1. Defendant pleads guilty to Count 3 Assault and Battery.
- 2. Defendant is sentenced to 6 months in Majuro Jail.
- 3. Defendant shall be eligible for work release between 7.30am and 5.30pm.

The Court was informed by the Republic's counsel that the victims' representatives were satisfied with the penalty.

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 is guilty of Count 3 Assault and Battery.
- 2. Defendant is sentenced to 6 months in Majuro Jail.
- 3. Defendant shall be eligible for work release between 7.30am and 5.30pm.
- 4. Defendant's \$300.00 bail is exhonerated.

Dated May 3, 2006

Richard Hickson Associate Justice