

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2008-006148-001 DT

05/30/2008

HON. ROLAND J. STEINLE

CLERK OF THE COURT  
L. Rubalcaba  
Deputy

STATE OF ARIZONA

E G NOYES JR.

v.

RYAN JAMES HERNDON (001)

CHRISTOPHER T RAPP  
ASHLEY D ADAMS-FELDMAN

DOB: 09/25/1975

APO-SENTENCE IMPRISON-CCC  
APPEALS-CCC  
AZ DEPT OF CORRECTIONS-PHOENIX  
DISPOSITION CLERK-CSC  
RFR  
VICTIM SERVICES DIV-CA-CCC  
APO-SENTENCINGS-CCC

SENTENCE - IMPRISONMENT AND PROBATION

10:00 a.m.

State's Attorney: E G Noyes Jr  
Defendant's Attorney: Ashley Adams and Christopher Rapp  
Defendant: Present  
Court Reporter: Kristen Brown

The plea is accepted.

Count(s) 1 and 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 1 Theft  
Class 2 Designated Felony  
A.R.S. § 13-1801, 13-1802, 13-306, 13-701, 13-702, 13-702.01, 13-801  
Date of Offense: between 01/01/2004 and 12/31/2004  
Non Dangerous - Non Repetitive

OFFENSE: Count 2 Theft  
Class 3 Designated Felony  
A.R.S. § 13-1801, 13-1802, 13-306, 13-701, 13-702, 13-702.01, 13-702.02, 13-801  
Date of Offense: between 01/01/2005 and 12/31/2005  
Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 2: 3.5 year(s) from 05/30/2005  
Presentence Incarceration Credit: 0 day(s)  
Presumptive

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

RESTITUTION: Count 2 - \$2,763,000.00 to the following victim(s) in the following amounts:

Simon Consulting                      (Business)                      \$2,763,000.00

Restitution ledger provided; priority of payment as stated in the restitution ledger.

Restitution shall be paid monthly in an amount to be determined by the Arizona Department of Corrections in compliance with ARS 31-230.

Community Supervision: Count 2 - Waived pursuant to A.R.S. § 13-603(K) and 41-1604.07(D), due to the term of probation in Count 1.

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 7 years

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Upon absolute discharge from prison for a separate offense in Count 2.

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

RESTITUTION: Count 1 - \$2,763,000.00 payable amount to be determined per month to the following persons:

Simon Consulting (Business) \$2,763,000.00

Restitution ledger provided; priority of payment as stated in the restitution ledger.

Restitution shall be paid monthly in an amount to be determined by the Arizona Department of Corrections in compliance with ARS 31-230.

ASSESSMENTS:

Count 1: PROBATION SURCHARGE: \$5.00

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

The Court retains jurisdiction for any future restitution hearings.

The Arizona Department of Corrections/Community Service shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail [cforeponse@mail.maricopa.gov](mailto:cforeponse@mail.maricopa.gov). The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

Condition 25 - Abide by the Special Conditions of Probation as noted on the attachment to the Uniform Conditions of Supervised Probation.

Condition 26 - Other: This Division shall hear ALL violations. A Restitution Hearing shall be set within 30 days of release from the Department of Corrections to determine payment.

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Count(s) 2: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

IT IS FURTHER ORDERED that Defendant must submit to Deoxyribonucleic Acid (DNA) testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 31-281.

11:00 a.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HON. ROLAND J. STEINLE  
JUDGE OF THE SUPERIOR COURT

(thumbprint)