

- a. That a person who has prior convictions or a prior conviction can be given a longer prison term because of this.
- b. That the maximum penalty that the court could impose for this crime (taking into consideration any prior conviction or convictions) is imprisonment for ten years and a \$20,000.00 fine.
- c. That a person who participates in a crime by intentionally aiding, advising, counseling and conspiring with another person or persons to commit a crime is just as guilty of that crime as the person or persons who are present and participating in the crime when it is actually committed.

19. I have been told by my attorney and I understand:

- a. That my attorney discussed this case with the prosecuting attorney and that my attorney and the prosecuting attorney reached the following agreement:

Upon entering a plea of guilty to:

Count 1 Wrongfully Obtaining Assistance – Theft – By False Statements, Concealment, Impersonation, in violation of Minn. Stat. §256.98, subd.1(1), with reference to Minn. Stat. §609.52, subd.3(2);

Count 3 Wrongfully Obtaining Assistance – Theft – By False Statements, Concealment, Impersonation, in violation of Minn. Stat. §256.98, subd.1(1), with reference to Minn. Stat. §609.52, subd.3(2); and

Count 5 Wrongfully Obtaining Assistance – Theft – By False Statements, Concealment, Impersonation, in violation of Minn. Stat. §256.98, subd.1(1), with reference to Minn. Stat. §609.52, subd.3(2).

The State agrees to dismiss Count 2, Count 4, and Count 6 with the following concurrent sentences:

Count 1. Wrongfully Obtaining Assistance – Theft – By False Statements, Concealment, Impersonation, in violation of Minn. Stat. §256.98, subd.1(1), with reference to Minn. Stat. §609.52, subd.3(2). The State agrees to a Guideline Term of Imprisonment of 12 months subject to a Stay of Execution for a period of up to five (5) years supervised probation. Conditions of probation shall include:

- a. Defendant will serve a 90 day jail sanction. 60 days served by local incarceration at the Hubbard County Jail and he will receive good time and credit for time already served. 30 days shall be served by electronic home monitoring with credit for time served but he will not receive any good time;
- b. Defendant will remain law abiding;
- c. Defendant will contact agent as directed;
- d. Defendant will tell agent within 72 hours if charged with any new crime;

- e. Defendant will tell agent within 72 hours of any contact with law enforcement;
- f. Defendant will tell agent within 72 hours of any change to address, employment, or telephone number;
- g. Defendant will cooperate with the search of the residence, workplace, vehicle, property, and things as directed by agent;
- h. Defendant will not use or possess firearms, ammunition, or explosives;
- i. Defendant will pay restitution as ordered, hold restitution open for sixty (60) days following the date of sentencing;
- j. Defendant will sign releases of information as directed; and
- k. Defendant will pay a \$50.00 fine plus any applicable fees and surcharges.

Count 3. Wrongfully Obtaining Assistance – Theft – By False Statements, Concealment, Impersonation, in violation of Minn. Stat. §256.98, subd.1(1), with reference to Minn. Stat. §609.52, subd.3(2). The State agrees to a Guideline Term of Imprisonment of 13 months subject to a Stay of Execution for a period of up to five (5) years supervised probation. Conditions of probation shall include:

- a. Defendant will serve a 90 day jail sanction. 60 days served by local incarceration at the Hubbard County Jail and he will receive good time and credit for time already served. 30 days shall be served by electronic home monitoring with credit for time served but he will not receive any good time;
- b. Defendant will remain law abiding;
- c. Defendant will contact agent as directed;
- d. Defendant will tell agent within 72 hours if charged with any new crime;
- e. Defendant will tell agent within 72 hours of any contact with law enforcement;
- f. Defendant will tell agent within 72 hours of any change to address, employment, or telephone number;
- g. Defendant will cooperate with the search of the residence, workplace, vehicle, property, and things as directed by agent;
- h. Defendant will not use or possess firearms, ammunition, or explosives;
- i. Defendant will pay restitution as ordered, hold restitution open for sixty (60) days following the date of sentencing;
- j. Defendant will sign releases of information as directed; and
- k. Defendant will pay a \$50.00 fine plus any applicable fees and surcharges.

Count 5. Wrongfully Obtaining Assistance – Theft – By False Statements, Concealment, Impersonation, in violation of Minn. Stat. §256.98, subd.1(1), with reference to Minn. Stat. §609.52, subd.3(2). The State agrees to a Guideline Term of Imprisonment of 15 months subject to a Stay of Execution for a period of up to five (5) years supervised probation. Conditions of probation shall include:

- a. Defendant will serve a 90 day jail sanction. 60 days served by local incarceration at the Hubbard County Jail and he will receive good time and credit for time already served. 30 days shall be served by electronic home monitoring with credit for time served but he will not receive any good time;
- b. Defendant will remain law abiding;

- c. Defendant will contact agent as directed;
- d. Defendant will tell agent within 72 hours if charged with any new crime;
- e. Defendant will tell agent within 72 hours of any contact with law enforcement;
- f. Defendant will tell agent within 72 hours of any change to address, employment, or telephone number;
- g. Defendant will cooperate with the search of the residence, workplace, vehicle, property, and things as directed by agent;
- h. Defendant will not use or possess firearms, ammunition, or explosives;
- i. Defendant will pay restitution as ordered, hold restitution open for sixty (60) days following the date of sentencing;
- j. Defendant will sign releases of information as directed; and
- k. Defendant will pay a \$50.00 fine plus any applicable fees and surcharges.
- l. Defendant will pay a \$50.00 fine plus any applicable fees and surcharges.

26. I understand that if the court does not approve this agreement, I have an absolute right to then withdraw my plea of guilty and have a trial. Any testimony that I have given concerning the guilty plea could not be used against me unless I am charged with the crime of perjury based on this testimony.

27. That except for the agreement between my attorney and the prosecuting attorney:

- a. No one, including my attorney, any police officer, prosecutor, judge, or any other person has made any promises to me, to any member of my family, to any of my friends or other persons in order to obtain a guilty plea from me.
- b. No one, including my attorney, any police officer, prosecutor or judge, or any other persons has threatened me, or any member of my family or my friends or other persons, in order to obtain a plea of guilty from me.

28. I am pleading guilty freely and voluntarily because I am guilty.

29. In view of all of the above-listed facts and considerations, I wish to enter a **pleas of guilty**, and by signing this Petition, I represent to the Court that I understand all of the rights I am giving up by pleading guilty.

30. I understand that if this plea of guilty is accepted, I have the right to be present at the time of sentencing and to speak and to present evidence on my behalf.

31. I hereby knowingly and voluntarily give up my right to be present upon entry of my plea and sentencing and request that the court sentence me in my absence, but according to any plea agreement that might be contained in this petition.