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**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

STATE OF OHIO
Plaintiff

MICHAEL STOUDEMIRE
Defendant

Case No: CR-94-307920-ZA

Judge: JOHN J RUSSO

INDICT: 2903.01 AGGRAVATED MURDER WITH
VIOLENCE SPECIFICATION

JOURNAL ENTRY

NUNC PRO TUNC ENTRY AS OF AND FOR 11/05/2019.
DEFENDANT IN COURT WITH COUNSEL JOHN MARTIN.
PROSECUTOR FRANK ZELEZNIKAR PRESENT.
COURT REPORTER MICHELLE SIMKO PRESENT.

ON A PREVIOUS DAY, 7/29/1994, DEFENDANT WAS SENTENCED TO THE FOLLOWING: "THIS DAY AGAIN COMES THE PROSECUTING ATTORNEY ON BEHALF OF THE STATE AND DEFENDANT, MICHAEL STOUDEMIRE, IN OPEN COURT, REPRESENTED BY COUNSEL. ATTORNEYS TOM SHAUGHNESSY AND RALPH DEFRANCO PRESENT.

NOW COMES THE JURY, CONDUCTED INTO COURT BY THE BAILIFF AND RETURNED THE FOLLOWING VERDICT IN WRITING, TO-WIT: "WE, THE JURY BEING DULY IMPANELED AND SWORN, FIND THE DEFENDANT, MICHAEL STOUDEMIRE, GUILTY OF AGGRAVATED MURDER ORC 2903.01 AND FURTHER FIND THE DEFENDANT GUILTY OF FIREARM SPECIFICATIONS AS CHARGED IN THE INDICTMENT. "

DEFENDANT WAS INFORMED OF THE VERDICT OF THE JURY AND INQUIRED OF IF HE/SHE HAD ANYTHING TO SAY WHY JUDGMENT SHOULD NOT BE PRONOUNCED AGAINST HIM/HER AND HE/SHE HAVING NOTHING BUT WHAT HE/SHE HAD ALREADY SAID AND SHOWING NO GOOD AND SUFFICIENT CAUSE WHY JUDGMENT SHOULD NOT BE PRONOUNCED:

IT IS ORDERED BY THE COURT THAT DEFENDANT, MICHAEL STOUDEMIRE, IS SENTENCED TO LORAIN CORRECTIONAL INSTITUTION FOR A TERM OF 3 YEARS ON FIREARM SPECIFICATIONS, CONSECUTIVE TO MURDER SENTENCE OF LIFE. DEFENDANT IS REMANDED. DEFENDANT MAY APPEAL; ATTORNEY DAVID DOUGHTEN APPOINTED TO REPRESENT DEFENDANT ON APPEAL AND AT STATE'S EXPENSE. PAY COSTS."

ON THIS DAY, 11/6/2019, DEFENSE COUNSEL ADDRESSES THE COURT AND MAKES ORAL MOTIONS. PROSECUTOR ADDRESSES THE COURT AND RESPONDS TO DEFENSE'S ORAL MOTIONS. DEFENDANT ADDRESSES THE COURT.

THIS COURT GRANTS DEFENDANT'S MOTION TO VACATE VOID SENTENCE.

THIS COURT DENIES DEFENSE'S ORAL ARGUMENTS.

THIS COURT WOULD LIKE TO CORRECT THE SENTENCING ENTRY OF 7/29/1994.

THE LIMITED RESENTENCING ENTRY IS AS FOLLOWS:

THIS COURT, AFTER HEARING FROM THE DEFENDANT, DEFENSE COUNSEL, AND THE STATE OF OHIO, IN CONSIDERATION OF ALL RELEVANT STATUTORY FACTORS, IMPOSES A SENTENCE OF LIFE IN PRISON WITH THE ELIGIBILITY OF PAROLE AFTER SERVING 20 YEARS IMPRISONMENT. THE 3 YEAR GUN SPECIFICATION IS TO BE RUN PRIOR TO AND CONSECUTIVE THE LIFE SENTENCE.

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DEFENDANT TO RECEIVE A TOTAL OF 142 DAYS OF JAIL TIME CREDIT AS OF 7/29/1994.

THIS COURT NOTES THAT THE 3 YEAR GUN SPECIFICATION HAS BEEN SERVED IN FULL.

ALL FINES WAIVED.
ALL FEES WAIVED.
ALL COSTS WAIVED.

DEFENDANT EXPLAINED APPEAL RIGHTS. THIS COURT APPOINTS THE PUBLIC DEFENDERS TO DEFENDANT'S APPEAL.

DEFENDANT REMANDED.

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Judge Signature

12/17/2019

HEAR
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