

ORIGINAL

IN THE SUPREME COURT OF OHIO

10-0790

In re: :  
:  
Rebecca E. Bobb :  
Attorney Reg. No. 0074654 :  
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ENTRY OF FELONY CONVICTION

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Jonathan W. Marshall (0015498)  
Board of Commissioners on Grievances and Discipline  
65 South Front Street  
Fifth Floor  
Columbus, Ohio 43215  
(614) 387-9370

Rebecca E. Bobb (0074654)  
5696 Upper Twin Road  
South Salem, Ohio 45681

FILED  
MAY 04 2010  
CLERK OF COURT  
SUPREME COURT OF OHIO

IN THE SUPREME COURT OF OHIO

In re: :  
**Rebecca E. Bobb** : **ENTRY**  
Registration No. 0074654 :  
: **Gov. Bar R. V(5)**

Pursuant to Rule V, Section 5 of the Supreme Court Rules for the Government of the Bar of Ohio, the Court is hereby notified of the felony conviction of **Rebecca Elizabeth Bobb**, to the offenses of **Theft**, in violation of R.C. 2913.02, a third degree felony, and **Deception to Obtain Dangerous Drugs**, in violation of R.C. 2925.22, a fifth degree felony in Case No. 09 CR 511 in the Court of Common Pleas, Ross County, Ohio on the 16<sup>th</sup> day of March, 2010.



**JONATHAN W. MARSHALL, ESQ.**  
Secretary, Board of Commissioners  
on Grievances and Discipline of  
the Supreme Court of Ohio

29

bjg

IN THE COURT OF COMMON PLEAS, ROSS COUNTY, OHIO

STATE OF OHIO,

Plaintiff

-vs-

REBECCA BOBB ,

Defendant

Case No. 09 CR 511

ROSS COUNTY COURT OF COMMON PLEAS  
CLERK OF COURTS  
TY D. HARRIS

2010 MAR 16 PM 7:16

COURT OF COMMON PLEAS

JUDGMENT ENTRY  
OF SENTENCE

The Court finds that on December 14, 2009, the defendant pled guilty to the offenses of Theft, ORC Section 2913.02, a third degree felony, and Deception to Obtain Dangerous Drugs, ORC Section 2925.22, a fifth degree felony.

On March 12, 2010, defendant's sentencing hearing was held pursuant to Ohio Revised Code Section 2929.19. Defendant was present in person with her attorney, Daniel Silcott. The State was represented by Special Prosecutor Assistant Attorney General Mindy Kowalski. The defendant and counsel were given an opportunity to speak and to present witnesses, and defendant was afforded all rights pursuant to Crim. R. 32.

The Court has considered the record, oral statements, any victim impact statement and pre-sentence report prepared, as well as the principles and purposes of sentencing under Ohio Revised Code Section 2929.11, and has balanced the seriousness and recidivism factors of Ohio Revised Code Section 2929.12.

The Court finds pursuant to R.C. 2929.13 that: a non-prison sanction does not demean the seriousness of the offense, AND a non-prison sanction will adequately

punish the defendant and protect the public AND factors decreasing seriousness outweigh those increasing seriousness, and there is less likelihood of recidivism, and THEREFORE imposes five (5) years of community control to be monitored by the Ross County Adult Probation Department specifically to include the following:

- 1.) Obey all local, state and federal laws. Notify the Probation Department within seventy-two (72) hours of any arrests or contact with law enforcement;
- 2.) Pay all court costs incurred in your case. Payment of court costs shall be made to the Ross County Clerk of Courts;
- 3.) Pay all other payments, including but not limited to restitution and fees, shall be made at the direction of the Probation Department. The Court Orders that the defendant pay restitution as follows: Orr Estate, \$137,271.23; Johnson Estate, \$32,626.00; and Moore Estate, \$103,345.00.
- 4.) Do not leave your county of residence without oral permission from your Probation Officer;
- 5.) Do not leave the State of Ohio without written permission from the Court;
- 6.) Associate only with law abiding citizens. Therefore, do not associate with persons on parole, probation, community control or persons with pending court cases;
- 7.) Do not own, possess or use any type of controlled substance, drug or narcotic, except on prescription of a licensed physician;
- 8.) Do not own or possess any type of firearm or dangerous ordnance;
- 9.) Do not operate a motor vehicle without approved liability insurance and a valid operator's license;
- 10.) Report to your Probation Officer at such time and place as he may direct and follow his instructions and advice. Reporting times may be increased or decreased in accordance with your compliance with supervision;

11.) Actively seek or maintain gainful employment;

12.) Fulfill all legal obligations as to your debts and the support of your family;

13.) Report any change of residence or employment to your Probation Officer immediately prior to moving or changing employment;

14.) At the request of the Probation Department, the defendant shall submit to periodic, unscheduled urine and blood testing procedures to determine the presence of controlled substances; the cost of these testing procedures shall be borne by the probationer and taxed as costs;

15.) The defendant shall enter and successfully complete the treatment program at Monday Correctional Facility. Upon completion, the defendant shall enter and successfully complete any aftercare programs deemed necessary by that agency or the Probation Department.

The Court advised the defendant that the Court may revoke community control for any violation of the terms of community control if the defendant violates any law, or if the defendant leaves the state without authority of the Court or her probation officer.

Violation of this sentence may lead to a longer or more restrictive sanction or a prison term of three (3) years for the offense of Theft, and eleven (11) months for the offense of Deception to Obtain Dangerous Drugs. These sentences shall be served concurrently, one with the other.

Upon completion of a prison term, the offender may be subject to a discretionary period of post-release control up to three (3) years as determined by the Parole Board pursuant to R.C. §2967.28. As authorized by law, the Adult Parole Authority may increase or reduce restrictions imposed by the Parole Board. If the defendant violates the terms of post-release control, the Parole Board may return the

offender to the prison for a maximum period of nine months for each violation, but the total period of additional prison time imposed by the Parole Board for violations while under post-release control shall not exceed one-half of the defendant's stated prison term.

If the defendant is convicted of a felony committed while under post-release control, the Court having jurisdiction over the new felony may return the defendant to prison under this case for an additional period of time of one year or the time that remains on the post-release control term, whichever is greater, and the prison term for the new felony may be served consecutively to the extension of prison time in this case.

If the Court imposes additional prison time in this case, the defendant shall be credited with any additional prison time imposed by the Parole Board for the same violation. Such additional periods of time imposed by another court or by the Parole Board for violations in this case while on post-release control are part of the sentence in this case.

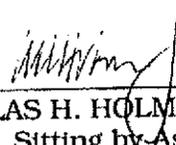
Defendant is ORDERED to pay all costs of this prosecution to the extent that the Court determines the defendant not to be indigent and therefore unable to pay, court-appointed counsel costs, and any supervision fees permitted pursuant to Revised Code Section 2929.18 (A) (4).

Credit is granted for 1 days of the foregoing date because of time spent in custody in this case.

Defendant has been given notice under R. C. 2929.19 (B) (3) and of appellate rights under R.C. 2953.08.

The defendant's drivers license is hereby suspended for six (6) months.

Bond shall be released upon the defendant reporting to the Ross County Jail by 6:30 a.m., on March 22<sup>nd</sup>, 2010. Defendant shall remain incarcerated until transported to the Monday Correctional Facility.

  
NICHOLAS H. HOLMES, JR.  
JUDGE, Sitting by Assignment  
Common Pleas Court  
Ross County, Ohio  
Courtroom #2

Recipients of Judgment Entry of Sentence:

Ms. Mindy Kowalski  
Assistant Attorney General  
Special Prosecution Section  
10 East Broad St., 14<sup>th</sup> Floor  
Columbus, OH 43215

Mr. Daniel L. Silcott  
Attorney at Law  
14 South Paint Street, Suite 54  
Chillicothe, OH 45601

The Clerk of the Court is hereby directed to serve a copy of this Judgment Order, and its date of entry, upon all parties not represented by counsel by personal service or by U.S. Mail, and to file service on the Docket.

Judge



COURT OF COMMON PLEAS

IN THE COURT OF COMMON PLEAS, ROSS COUNTY, OHIO

STATE OF OHIO

Case No. 09 CR 511 2009 JUD 17 AM 9:15

Plaintiff,

JUDGE HOLMES

vs.

PLEA OF GUILTY

REBECCA E. METTLER (Bobb)

Defendant.

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I withdraw my former not guilty plea and enter a plea of GUILTY to the offense of (count, offense, R.C. section and degree of felony/misdemeanor):

COUNT	OFFENSE & R.C. SECTION & DEGREE	BASIC PRISON TERM	POSSIBLE FINE
1	Theft 2913.02 F-3	1, 2, 3, 4 or 5 yrs	10,000
2	Deception to Obtain Illegitimate Drugs 2925.22 F-5	6, 7, 8, 9, 10, 11 or 12 mos	2,500

I understand the MAXIMUM penalty COULD be: a maximum basic prison term of 6 yrs of which — is mandatory, during which I am NOT eligible for judicial release or community control. The maximum fine possible is \$ 12,500, of which \$ — is mandatory. Restitution, other financial costs and License suspended six months to 5 yrs is possible in my case. If I am now on felony probation, parole, or community control, this plea may result in revocation proceedings and any new felony sentence may be imposed consecutively.

I know any prison term stated will be the term served without good time credit. If I am sentenced to prison for a felony 1 or a felony sex offense, after my prison release I will have 5 years of post release control under conditions determined by the parole board. If I am sentenced to prison for a felony 2 or a felony 3 which involved causing or threatening physical harm, I will have mandatory post release control of 3 years. If I receive prison for a felony 3, 4, or 5, I may be given up to 3 years of post release control. If I violate conditions of supervision while under post release control, the parole board could return me to prison for up to nine months for each violation, for a total of 50% of my originally stated term. If the violation is a new felony, I could receive the time remaining on post release control plus a prison term for the new crime.

12-14-09  
Date

Rebecca E. Mettler  
REBECCA E. METTLER, Defendant

If I am eligible and am granted community control at any point in my sentence, and if I violate any of the conditions imposed, I could be given a longer period under court control, greater restrictions, or a prison term from the basic range. Community control could last five years.

I understand the nature of these charges and the possible defenses I might have. I am satisfied with my attorney's advice, counsel and competence. I am not now under the influence of drugs or alcohol. No threats have been made to me. No promises have been made except as part of this plea agreement, stated entirely as follows:

The prosecutor will request a period of incarceration, and all  
restrictions be made

I understand by pleading guilty I give up my right to a jury trial or court trial, where I could see and have my attorney question witnesses against me, and where I could use the power of the court to call witnesses to testify for me. I know at trial I would not have to take the witness stand and could not be forced to testify against myself and that no one could comment if I chose not to testify. I understand I waive my right to have the prosecutor prove my guilt beyond a reasonable doubt on every element of each charge.

By pleading guilty I admit committing the offense and will tell the Court the facts and circumstances of my guilt. I know the judge may either sentence me today or refer my case for a pre-sentence report. I understand my right to appeal a maximum sentence, my other limited appellate rights and that any appeal must be filed within 30 days of my sentence. I understand the consequences of a conviction upon me if I am not an U.S. citizen. I enter this plea voluntarily.

Signed and Dated: 12-14-09

Rebecca E. Mettler  
REBECCA E. METTLER, Defendant

Daniel L. Silcott  
Daniel L. Silcott  
Attorney for Defendant

[Signature]  
Assistant Prosecuting Attorney  
Ross County, Ohio

**JUDGMENT ENTRY OF GUILTY**

The Court finds that this day the defendant, in open court, was advised of all constitutional rights and made a knowing, intelligent, and voluntary waiver of those rights pursuant to Crim. R. 11. The plea is accepted and is ordered filed. The Court finds defendant GUILTY of each offense to which defendant has entered this plea. A sentencing hearing is scheduled on

February 9, 2010 at 1:00. Bond is Continued

Dec. 14, 2009  
Date

[Signature]  
NICHOLAS H. HOLMES, JR.,  
JUDGE COMMON PLEAS COURT  
SITTING BY ASSIGNMENT  
ROSS COUNTY, OHIO  
COURTROOM #2

#181591

THE STATE OF OHIO } TY D. HINTON, CLERK OF  
} THE COURT OF COMMON PLEAS  
Ross County, ss } WITHIN AND FOR SAID COUNTY,  
HEREBY CERTIFY THAT THE ABOVE AND FOREGOING  
IS TRULY TAKEN AND COPIED FROM THE ORIGINAL  
NOW ON FILE IN MY OFFICE. WITNESS MY HAND  
AND SEAL OF SAID COURT THIS 23 DAY OF  
February 2010  
BY [Signature] TY D. HINTON DEPUTY