

SEP 11 11 31 20

1 2004-22-H

2 **BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

3 In the Matter of:

4 ROBERT BALIN)
Holder of Non-Prescription Wholesale)
5 Permit No. 456)
In the State of Arizona,)
6 Respondent)
7 _____)

Case Number 2004-22-PHR

**CONSENT AGREEMENT AND ORDER
FOR REVOCATION**

8 TO: Robert Balin
DBA Aron Distributors
9 45503 N. 20th Street
New River, AZ 85087
10

11 **CONSENT AGREEMENT**

12 **RECITALS**

13 In the interest of a prompt and judicious settlement of this case, consistent with the public
14 interest, statutory requirements and responsibilities of the Arizona State Board of Pharmacy
15 ("Board"), and under A.R.S. § 32-1932, et seq. and 41-1092.07(F)(5), Robert Balin d/b/a Aron
16 Distributors, holder of Permit No. 456 which allows the permit holder to distribute non-prescription
17 drugs, devices, precursor chemicals, or regulated chemicals in the original package in the State of
18 Arizona ("Respondent"), and the Board enter into the following Recitals, Findings of Fact,
19 Conclusions of Law and Order ("Consent Agreement") as the final disposition of this matter.

20 1. Respondent has read and understands this Consent Agreement as set forth herein, and
21 has had the opportunity to discuss this Consent Agreement with an attorney. Respondent voluntarily
22 enters into this Consent Agreement for the purpose of avoiding the expense and uncertainty of an
23 administrative hearing.

24 2. Respondent understands that he has a right to a public administrative hearing
25 concerning the above-captioned matter, at which administrative hearing it could present evidence
26 and cross-examine witnesses. By entering into this Consent Agreement, Respondent knowingly and

1 voluntarily relinquishes all rights to such an administrative hearing, as well as all rights of rehearing,
2 review, reconsideration, appeal, judicial review or any other administrative and/or judicial action,
3 concerning the matters set forth herein.

4 3. Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.

5 4. Respondent understands that this Consent Agreement or any part of the Agreement
6 may be considered in any future disciplinary action by the Board against him.

7 5. Respondent understands that this Consent Agreement does not constitute a dismissal
8 or resolution of other matters currently pending before the Board, if any, and does not constitute any
9 waiver, express or implied, of the Board's statutory authority or jurisdiction regarding any other
10 pending or future investigation, action or proceeding. Respondent understands that acceptance of this
11 Consent Agreement does not preclude any other agency, subdivision or officer of this State from
12 instituting any other civil or criminal proceedings with respect to the conduct that is the subject of
13 this Consent Agreement.

14 6. Respondent understands that this Consent Agreement deals with Board Investigation
15 Case No. 2004-22-PHR involving allegations of misconduct against Respondent. The investigation
16 into these allegations against Respondent shall be concluded upon the Board's adoption of this
17 Consent Agreement.

18 7. All admissions made by Respondent in this Consent Agreement are made solely for
19 the final disposition of this matter, and any related administrative proceedings or civil litigation
20 involving the Board and Respondent. Therefore, any admissions made by Respondent in this
21 Consent Agreement are not intended for any other use, such as in the context of another regulatory
22 agency proceedings, or civil or criminal proceedings, whether in the State of Arizona or in any other
23 state or federal court.

24 8. Respondent acknowledges and agrees that, upon signing this Consent Agreement and
25 returning this document to the Board's Executive Director, Respondent may not revoke his
26 acceptance of the Consent Agreement or make any modifications to the document, regardless of

1 whether the Consent Agreement has been issued by the Board's Executive Director. Any
2 modification to this original document is ineffective and void unless mutually approved by the
3 parties in writing.

4 9. Respondent understands that the foregoing Consent Agreement shall not become
5 effective unless and until adopted by the Board and signed by its Executive Director.

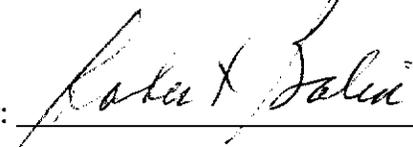
6 10. Respondent understands and agrees that if the Board does not adopt this Consent
7 Agreement, he will not assert as a defense that the Board's consideration of this Consent Agreement
8 constitutes bias, prejudice, prejudgment or other similar defenses.

9 11. Respondent understands that this Consent Agreement is a public record that may be
10 publicly disseminated as a formal action of the Board, and shall be reported as required by law to the
11 National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

12 12. Respondent understands that any violation of this Consent Agreement constitutes a
13 violation of A.R.S. § 32-1932 *et seq.*, which may result in disciplinary action under the statute.

14 Robert Balin, d/b/a Aron Distributors

15
16 DATE: 2-13-2005

17 By: 

18 Reviewed and Approved as to form:

19 By: _____
20 Phil Noland, Esq.
Attorney for Respondent

21 **FINDINGS OF FACT**

22 By stipulation of the parties, this Consent Agreement is entered into for final disposition of
23 the matters described therein. Respondent admits to the following Findings of Fact:

24 13. Under A.R.S. § 32-1901, *et seq.*, the Board possesses jurisdiction over the subject
25 matter and over Respondent as a permittee of the Board.

26 ///

RECEIVED
ARIZONA STATE BOARD
OF PHARMACY

05 FEB 16 AM 11:05

1 whether the Consent Agreement has been issued by the Board's Executive Director. Any
2 modification to this original document is ineffective and void unless mutually approved by the
3 parties in writing.

4 9. Respondent understands that the foregoing Consent Agreement shall not become
5 effective unless and until adopted by the Board and signed by its Executive Director.

6 10. Respondent understands and agrees that if the Board does not adopt this Consent
7 Agreement, he will not assert as a defense that the Board's consideration of this Consent Agreement
8 constitutes bias, prejudice, prejudgment or other similar defenses.

9 11. Respondent understands that this Consent Agreement is a public record that may be
10 publicly disseminated as a formal action of the Board, and shall be reported as required by law to the
11 National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

12 12. Respondent understands that any violation of this Consent Agreement constitutes a
13 violation of A.R.S. § 32-1932 *et seq.*, which may result in disciplinary action under the statute.

Robert Balin, d/b/a Aron Distributors

14
15
16 DATE: 2-13-2005

By: Robert X Balin

17 Reviewed and Approved as to form:

18
19 By: 
20 Phil Noland, Esq.
Attorney for Respondent

21 FINDINGS OF FACT

22 By stipulation of the parties, this Consent Agreement is entered into for final disposition of
23 the matters described therein. Respondent admits to the following Findings of Fact:

24 13. Under A.R.S. § 32-1901, *et seq.*, the Board possesses jurisdiction over the subject
25 matter and over Respondent as a permittee of the Board.

26 ///

1 9. The permittee fails to maintain effective controls against the diversion of precursor
2 chemicals to unauthorized persons or entities.

3 10. The applicant or permittee violates any state or federal reporting or record
4 keeping requirements on transactions relating to precursor chemicals

5 **ORDER**

6 Based upon the above Findings of Fact and Conclusions of Law and under the authority
7 granted to the Board by A.R.S. § 32-1932, 41-1092.07(F)(5), and A.A.C. R4-23-122(C),

8 **IT IS HEREBY ORDERED** that:

9 20. Permit No. 456, which was issued to Respondent to distribute non-prescription drugs,
10 device, precursor chemical, or regulated chemical in the original package in the State of Arizona,
11 is hereby **REVOKED**.

12 **DATED AND EFFECTIVE** this 16th day of MARCH, 2005.

13 **ARIZONA STATE BOARD OF PHARMACY**

14 **SEAL**

15 By 
16 **Hal Wand, Executive Director**
17 **Arizona State Board of Pharmacy**

18 ORIGINAL of the foregoing filed
19 this 17th day of MARCH, 2005, with:

20 Arizona State Board of Pharmacy
21 4425 W. Olive Avenue, Suite 140
22 Glendale, Arizona 85302

23 COPY of the foregoing mailed by
24 US Certified Mail # _____
25 this 17th day of MARCH, 2005, to:

26 Robert Balin
DBA Aron Distributors
45503 N. 20th Street
New River, AZ 85087

1 COPY of the foregoing mailed
2 this 7th day of MARCH, 2005, to:

3 Phil Noland, Esquire
4 Luhrs Tower, Suite 403
5 45 W. Jefferson Street
6 Phoenix, Arizona 85003
7 Attorney for Respondent

8 Roberto Pulver
9 Assistant Attorney General
10 1275 W. Washington, CIV/LES
11 Phoenix, Arizona 85007
12 Attorney for the State

13 Elaine C. Pappas
14 Board Operations
15 RP:yfl - #424234.1
16 # 7000 1670 0006 4393 4686

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
 ■ Print your name and address on the reverse so that we can return the card to you.
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Mr. Robert Balin
C/O Aron Distributors
31027 N 71st Street
BALIN 937* 852623140 1504 31 07/17/04
NOTIFY SENDER OF NEW ADDRESS
BALIN
45503 N 20TH ST
NEW RIVER AZ 85087-6511

2. Article Number (Copy from service label)
7000 1670 0006 4393 4686

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) ROBERT BALIN B. Date of Delivery 7-27-04
 C. Signature Robert Balin Agent Addressee
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below: 45503 N 20TH ST NEW RIVER AZ 85087-6511

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

RECEIVED
 ARIZONA STATE BOARD OF PHARMACY
 JUL 28 AM 9:39

102595-00-M-0952

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
 ■ Print your name and address on the reverse so that we can return the card to you.
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Mr. Robert Balin
C/O Aron Distributors
45503 N 20th St.
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 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952

EXHIBIT A - Indictment and Plea Agreement/Change of Plea

WICKS
BY [Signature] CLERK
DEP
FILED

2003 JUL 15 PM 3:32

1 TERRY GODDARD
2 ATTORNEY GENERAL
3 (Firm Bar No. 14000)
4 PROSECUTING ATTORNEY:
5 KRISTEN HOFFMEYER
6 Assistant Attorney General
7 BAR NO. 015801
8 1275 W. Washington
9 Phoenix, Arizona 85007
10 (602) 364-0370

11 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
12 IN AND FOR THE COUNTY OF MARICOPA

13 STATE OF ARIZONA,
14 Plaintiff,

15 vs.

16 ROBERT BALIN
17 D.B.A. ARON DISTRIBUTORS,
18 Defendant.

No. CR 2003-017373-0010T

317 G.J. 391

INDICTMENT

CHARGING VIOLATIONS OF:

COUNT 1: SALE OF PRECURSOR
CHEMICALS, pursuant to A.R.S. §13-
3404.01(A)(7), a class 5 felony

COUNT 2: SALE OF PRECURSOR
CHEMICALS, pursuant to A.R.S. §13-
3404.01(A)(7), a class 5 felony

COUNT 3: SALE OF PRECURSOR
CHEMICALS, pursuant to A.R.S. §13-
3404.01(A)(7), a class 5 felony

COUNT 4: SALE OF PRECURSOR
CHEMICALS, pursuant to A.R.S. §13-
3404.01(A)(7), a class 5 felony

COUNT 5: FAILURE TO REPORT
SUSPICIOUS TRANSACTIONS, pursuant to
A.R.S. §13-3404(F), a class 6 felony

22 The Maricopa County Grand Jury accuses ROBERT BALIN, charging on this 15th day
23 of July, 2003, that in Maricopa County, Arizona:

24 COUNT 1

25 On or between January 16, 2002 and January 16, 2003, Robert Balin knowingly sold,
26 transferred or furnished pseudoephedrine, norpseudoephedrine or phenylpropanolamine in a
27 total amount of more than twenty-four (24) grams in a single transaction to Simon Express
28

1 Chevron, a business which did not possess a valid and current permit issued pursuant to title
2 32, chapter 18, in violation of A.R.S. §§ 13-3404.01(A)(7), 13-3404, 13-3401, 13-701 and
3 13-702.

4 COUNT 2

5 On or between January 16, 2002 and January 16, 2003, Robert Balin knowingly sold,
6 transferred or furnished pseudoephedrine, norpseudoephedrine or phenlypropanolamine in a
7 total amount of more than twenty-four (24) grams in a single transaction to AmPm #5902, a
8 business which did not possess a valid and current permit issued pursuant to title 32, chapter
9 18, in violation of A.R.S. §§ 13-3404.01(A)(7), 13-3404, 13-3401, 13-701, 13-702 and 13-
10 801.

11 COUNT 3

12 On or between January 16, 2002 and January 16, 2003, Robert Balin knowingly sold,
13 transferred or furnished pseudoephedrine, norpseudoephedrine or phenlypropanolamine in a
14 total amount of more than twenty-four (24) grams in a single transaction to AmPm #1518, a
15 business which did not possess a valid and current permit issued pursuant to title 32, chapter
16 18, in violation of A.R.S. §§ 13-3404.01(A)(7), 13-3404, 13-3401, 13-701, 13-702 and 13-
17 801.

18 COUNT 4

19 On or between January 16, 2002 and January 16, 2003, Robert Balin knowingly sold,
20 transferred or furnished pseudoephedrine, norpseudoephedrine or phenlypropanolamine in a
21 total amount of more than twenty-four (24) grams in a single transaction to Park Scottsdale
22 Mobil, a business which did not possess a valid and current permit issued pursuant to title
23 32, chapter 18, in violation of A.R.S. §§ 13-3404.01(A)(7), 13-3404, 13-3401, 13-701, 13-
24 702 and 13-801.

25 COUNT 5

26 On or between January 16, 2002 and January 16, 2003, Robert Balin sold, transferred or
27 otherwise furnished a precursor chemical in a suspicious transaction to a business, Unocal

1 Self Serve Mart, and did not report the transaction in writing to the Department of Public
2 Safety, in violation of A.R.S. §§13-3404(F), 13-3401, 13-701, 13-702 and 13-801.

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A True Bill
("A True Bill")

July 15, 2003

TERRY GODDARD
ATTORNEY GENERAL
STATE OF ARIZONA

Kelly
KRISTEN HOFFMEYER
ASSISTANT ATTORNEY GENERAL

Daniel Munday
FOREPERSON OF GRAND JURY
DANIEL MUNDAY

FILED
MICHAEL J. JONES
BY
2003 FEB 10 10:20 AM
MARICOPA COUNTY

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA,

Plaintiff,

-v-

ROBERT BALIN

Defendant.

No. CR 2003-017373-001-DT

PLEA AGREEMENT

The State of Arizona and the defendant hereby agree to the following disposition of this case:

Plea: The defendant agrees to plead GUILTY to: *RB*

Amended Count 4: Attempted Sale of a Precursor Chemical, a class 6 undesignated felony, in violation of A.R.S. §§ 13-3404.01(A)(1), 13-3404, 13-3401, 13-1001, 13-701, 13-702, 13-707, 13-801 and 13-802, committed on or between January 16, 2002-January 16, 2003.

This is a (non) dangerous, (non) repetitive offense under the criminal code.

Terms: On the following understandings, terms and conditions:

RA 1. The crime carries a presumptive sentence of 1 years; a minimum sentence of .5 years (.33 years if trial court makes exceptional circumstances finding); and a maximum sentence of 1.5 years (2 years if trial court makes exceptional circumstances finding). Probation is available. Restitution of economic loss to the victim and waiver of extradition for probation revocation procedures are required. The maximum fine that can be imposed is \$150,000 plus a 80% surcharge. If the defendant is sentenced to prison, the defendant shall also be sentenced to serve a term of community supervision equal to one-seventh of the prison term to be served consecutively to the actual period of imprisonment. If the defendant fails to abide by the conditions of community supervision, the defendant can be required to serve the remaining term of community supervision in prison. Special conditions regarding sentence imposed by statute (if any) are: A class 1 misdemeanor carries a maximum penalty of up to six (6) months in jail and/or a \$2500 fine.

RB 2. The parties stipulate to the following additional terms:

The offense shall be designated a misdemeanor at the time of sentencing and the defendant shall be placed on unsupervised probation and pay a fine of \$3000 inclusive of surcharges.

RB 3. The following charges are dismissed, or if not yet filed, shall not be brought against the defendant:

RB
Counts 2-5. 1-3, 5

RB 4. This agreement serves to amend the complaint or information to charge the offense to which the defendant pleads, without the filing of any additional pleading. However, if the plea is rejected by the court or withdrawn by either party, or if the conviction is subsequently reversed, the original charges and any charges that are dismissed by reason of this plea agreement are automatically reinstated.

RB 5. If the defendant is charged with a felony, he/she hereby waives his/her rights to a preliminary hearing or other probable cause determination on the charges to which he/she pleads. The defendant agrees that this agreement shall not be binding on the State should the defendant be charged with or commit a crime between the time of this agreement and the time for sentencing in this cause; nor shall this agreement be binding on the State until the State confirms all representations made by the defendant and his/her attorney, to-wit:

defendant avows no prior felony convictions.

If the defendant fails to appear for sentencing, the court may disregard the stipulated sentence and impose any lawful sentence which is the same as or exceeds the stipulated sentence in the plea agreement. In the event the court rejects the plea, or either the State or the defendant withdraws the plea, the defendant hereby waives and gives up his/her right to a preliminary hearing or other probable cause determination on the original charges.

RB 6. Unless this plea is rejected by the court or withdrawn by either party, the defendant hereby waives and gives up any and all motions, defenses, objections, or requests which he/she has made or raised, or could assert hereafter, to the court's entry of judgment against him/her and imposition of a sentence upon him/her consistent with this agreement. By entering this agreement, the defendant further waives and gives up the right to appeal.

RB 7. The parties hereto fully and completely understand and agree that it is the court's duty to impose sentence upon the defendant, and that any sentence either stipulated to or recommended herein in paragraph two is not binding on the court. If after accepting this plea the court concludes that any of the plea agreement's provisions regarding the sentence or the term and conditions of probation are inappropriate, it can reject the plea. If the court decides to reject the plea agreement provisions regarding the sentencing, it must give both the state and the defendant an opportunity to withdraw from the plea agreement. In case this plea agreement is withdrawn, all original charges will automatically be reinstated. The defendant in such case waives and gives up his/her right to a probable cause determination on the original charges.

RB 8. If the court decides to reject the plea agreement provisions regarding sentencing and neither the State nor the defendant elects to withdraw the plea agreement, then any sentence either stipulated to or recommended herein in paragraph 2 is not binding upon the court, and the court is bound only by the sentencing limits set forth in paragraph 1 and the applicable statutes.

RB 9. This plea agreement in no way affects any forfeiture proceedings pursuant to A.R.S. § 13-4301, et seq., § 13-2314, or § 32-1993, if applicable, nor does the plea agreement in any way compromise or abrogate any civil actions, including actions pursuant to A.R.S. § 13-2301, et seq., or § 13-4301, et seq., or the provisions of A.R.S. § 13-2314(G) or A.R.S. § 13-4310(C).

RB 10. I have read and understand all of the provisions, on all of the pages, of this agreement, and I have discussed the case and my constitutional rights with my lawyer. I understand that, by pleading guilty, I will be waiving and giving up my right to a determination of probable cause, to a trial by jury, to confront, cross-examine, and compel the attendance of witnesses, to present evidence in my behalf, my right to remain silent, my privilege against self-incrimination, presumption of innocence and right to appeal. I agree to enter my plea as indicated above on the terms and conditions set forth herein. I fully understand that if, as part of this plea agreement, I am granted probation by the court, the terms and conditions thereof are subject to modification at any time during the period of probation. I understand that if I violate any of the written conditions of my probation, my probation may be terminated and I can be sentenced to any term or terms stated above in paragraph one, without limitation.

I have personally and voluntarily placed my initials in each of the above boxes and signed the signature line below to indicate I read and approved all of the previous paragraphs in this agreement, both individually and as a total binding agreement.

Date 1-21-04

Defendant Robert Balin
Robert Balin

I have discussed this case with my client in detail and advised him/her of his/her constitutional rights and all possible defenses. I believe that the plea and disposition set forth herein are appropriate under the facts of this case. I concur in the entry of the plea as indicated above and on the terms and conditions set forth herein.

Date 1-20-04

Phil Noland
Phil Noland
Defense Counsel

I have reviewed this matter and concur that the plea and disposition set forth herein are appropriate and are in the interests of justice.

Date 1/20/04

Kristen E. Hoffmeyer
Kristen E. Hoffmeyer
Assistant Attorney General

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY



CR2003-017373-001 DT

01/20/2004

HON. KAREN L. O'CONNOR

CLERK OF THE COURT
A. Moore
Deputy

FILED: 01/26/2004

STATE OF ARIZONA

KRISTEN E HOFFMEYER

v.

ROBERT BALIN (001)

PHILLIP G NOLAND

APO-PLEAS-CCC

PLEA AGREEMENT/CHANGE OF PLEA

State's Attorney:	Kristen Hoffmeyer
Defendant's Attorney:	Phil Noland
Defendant:	Present
Court Reporter:	Lydia Estrada-Gray

The Court reviews the Plea Agreement with Defendant. The Court advises Defendant of the range of possible sentence and the availability of probation, and any special conditions of sentencing and probation. The Court advises Defendant of all pertinent constitutional rights and rights of review.

Defendant enters a plea of Guilty to the following:

OFFENSE: Amended Count IV: Attempted Sale of a Precursor Chemical
Class 6 Undesignated
A.R.S. § 13-3404.01(D), 13-3404, 13-3401, 13-1001, 13-701, 13-702, 13-707, 13-801,
13-802
Date of Offense: On or between 1/16/2002 and 1/16/2003
Non Dangerous - Non Repetitive

IT IS ORDERED accepting the plea.

Defendant has waived preparation of Presentence Report.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2003-017373-001 DT

01/20/2004

IT IS ORDERED vacating any pending dates.

Defendant waives time for sentencing, and sentencing proceeds at this time.

EXHIBIT B - Suspension of Sentence - Unsupervised Probation

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

~~FILED~~
JAN 26 2004

CR2003-017373-001 DT

01/20/2004

HON. KAREN L. O'CONNOR

CLERK OF THE COURT
A. Moore
Deputy

FILED: JAN 26 2004

STATE OF ARIZONA

KRISTEN E HOFFMEYER

v.

ROBERT BALIN (001)
DOB: 9/3/1926

PHILLIP G NOLAND

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR

SUSPENSION OF SENTENCE - UNSUPERVISED PROBATION

State's Attorney:	Kristen Hoffmeyer
Defendant's Attorney:	Phil Noland
Defendant:	Present
Court Reporter:	Lydia Estrada-Gray

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:

OFFENSE: Amended Count IV: Attempted Sale of a Precursor Chemical
Class 6 Undesignated
A.R.S. § 13-3404.01(D), 13-3404, 13-3401, 13-1001, 13-701, 13-702, 13-707, 13-801,
13-802
Date of Offense: On or between 1/16/2002 and 1/16/2003
Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition of sentence and placing Defendant on unsupervised probation as stated in the Uniform Conditions of Probation.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2003-017373-001 DT

01/20/2004

Count IV Probation Term: Pending completion of payment of fine beginning 1/20/2004.
Probation shall expire upon completion of payment of fine.

Conditions of probation include the following:

Condition 23 - Restitution, Fines, and Fees:

FINE: Total amount of \$3000.00, payable \$500.00 per month beginning 2/1/2004.
Surcharges are waived.

All amounts payable through the Clerk of the Superior Court.

IT IS ORDERED granting the Motion to Dismiss Counts I, II, III and V.

Defendant has waived the preparation of a presentence report.

IT IS ORDERED now designating this offense a misdemeanor.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CLERK OF THE COURT
FORM TH1

Date: JAN 20 2004

HON. KAREN L. O'CONNOR

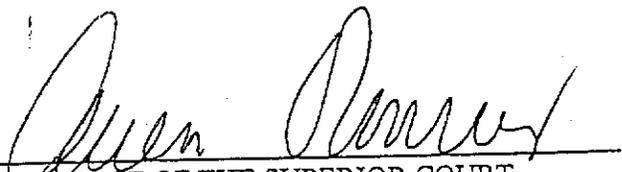
A. Moore
Deputy

CR 2003-017373 001

STATE v. BALIN

Let the record reflect that the Defendant's thumbprint is permanently affixed to this sentencing order in open court.

(thumbprint)



JUDGE OF THE SUPERIOR COURT

