

The Defendant, MELISSA R. SMITH, in person and by her attorney, Adam Brower, and the State of Indiana by Deputy Attorney General Maureen M. Devlin, hereby enter into this plea agreement made pursuant to negotiations.

1. This agreement, signed by the Defendant, Defense Counsel, and the attorney for the State of Indiana, shall be introduced into evidence by stipulation of all parties at the time of the guilty plea.

2. Defendant enters into this agreement knowing that the Court has the authority to accept or reject the agreement and understands that the Court may take the Defendant's criminal record into consideration in determining whether to accept or reject this plea agreement.

3. The Defendant agrees to plead **GUILTY** to:

Count 5: Failure to Make, Keep or Furnish a Record;  
I.C. 35-48-4-14(a)(3); a Level 6 Felony

Count 6: Failure to Make, Keep or Furnish a Record;  
I.C. 35-48-4-14(a)(3); a Level 6 Felony

Count 7: Failure to Make, Keep or Furnish a Record;  
I.C. 35-48-4-14(a)(3); a Level 6 Felony

Count 8: Failure to Make, Keep or Furnish a Record;  
I.C. 35-48-4-14(a) (3); a Level 6 Felony

4. The State agrees to **dismiss** remaining counts.



5. At the time of the taking of the guilty plea and again at the time of the defendant's sentencing, the State reserves the right to question witnesses and comment on any evidence presented upon which the Court may rely to determine the sentence to be imposed; to present testimony or statements from the victim(s) or victim representative(s).

6. At the time this agreement is accepted by the Court, the following terms shall be binding upon the parties:

TOTAL SENTENCE OF 2 YEARS AS FOLLOWS:

1 YEAR SUSPENDED ON EACH COUNT.

Counts 5 and 6 CONCURRENT TO EACH OTHER.

Counts 7 and 8 CONCURRENT TO EACH OTHER,  
but CONSECUTIVE to Counts 5 and 6.

Credit for time served applied to Count 5 and 6 only;  
Defendant placed on reporting probation on each count, with  
STANDARD CONDITIONS and the following SPECIAL AGREED TERMS:

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- Defendant to be evaluated for substance abuse and comply with substance abuse treatment at a placement approved by Probation, with random drug testing for compliance. (MS)
- Defendant to perform 60 hours of Community Service Work at a location approved by Probation that has no access to controlled substances during the sentence on counts 5 and 6. (MS)
- Defendant to perform an additional 60 hours of Community Service Work at a location approved by Probation that has no access to controlled substances during the sentence on counts 7 and 8. (MS)

IF THE DEFENDANT COMPLETES HER SENTENCE ON COUNTS 5 AND 6 WITHOUT VIOLATIONS OR PENDING VIOLATIONS, DEFENDANT MAY PETITION THE COURT FOR REDUCTION OF THE FELONY CONVICTIONS ON ALL COUNTS TO MISDEMEANORS WITH CONSENT OF THE STATE; HOWEVER, DEFENDANT SHALL STILL SERVE THE REMAINING SENTENCE ON COUNTS 7 AND 8.

7. Defendant shall pay Probation user fees, court imposed costs, and a fine of \$200.00.

8. If the defendant has not previously been fingerprinted, the defendant shall immediately after sentencing go to be fingerprinted at the Hendricks County Jail; IC 35-38-1-28.



01/23/2020

*Melissa Smith*

Date

Melissa R. Smith, Defendant

*1/23/2020*

Date

  
Adam Brower, Attorney for Defendant

*Maureen M Devlin*

Maureen M. Devlin, Deputy Attorney General

*1/17/20*  
Date

