

STATE OF INDIANA) IN THE MARION SUPERIOR COURT 9
COUNTY OF MARION) SS: CRIMINAL DIVISION
))
STATE OF INDIANA) CAUSE NO. 49G09-1811-F6-039549
))
v.))
MIA NICOLE MERRIWEATHER))

GUILTY PLEA AGREEMENT

The Defendant, MIA NICOLE MERRIWEATHER, in person and by her attorney, Jeff Baldwin, and the State of Indiana by Deputy Prosecutor Sha'na Harris and/or 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 attorneys 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 1: FORGERY, a Level 6 Felony

Count 2: FORGERY, a Level 6 Felony

Count 8: FORGERY, a Level 6 Felony

4. The State agrees to **dismiss** all 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:

ALL COUNTS CONSECUTIVE

COUNT 1:

365 Days; 60 DAYS EXECUTED AT MARION COUNTY JAIL; CREDIT FOR 2+2=4 DAYS APPLIED TO COUNT 1 ONLY; REMAINDER SUSPENDED; DEFENDANT PLACED ON REPORTING PROBATION, WITH STANDARD CONDITIONS AND THE FOLLOWING SPECIAL AGREED TERMS:

SPECIAL AGREED TERMS:

- NO AMS
- Defendant shall pay RESTITUTION to the Indiana Medicaid Program, of \$7,956.25:
 - ✓ ○ \$500 case bond to be applied to restitution
 - ✓ ○ Defendant shall pay a minimum of \$2500 restitution during probation on Count 1, with at least \$100 paid per month.
- ✓ • Defendant to attend 8 HOUR ANTI-CONVERSION CLASS.

COUNT 2:

365 Days; SUSPENDED; DEFENDANT PLACED ON REPORTING PROBATION, WITH STANDARD CONDITIONS AND THE FOLLOWING SPECIAL AGREED TERMS:

SPECIAL AGREED TERMS:

- ✓ • NO AMS
- ✓ • Defendant shall continue to make RESTITUTION of at least \$250/month; minimum of \$2800 during sentence on Count 2.

COUNT 8:

365 Days; SUSPENDED; DEFENDANT PLACED ON REPORTING PROBATION, WITH STANDARD CONDITIONS AND THE FOLLOWING SPECIAL AGREED TERMS:

SPECIAL AGREED TERMS:

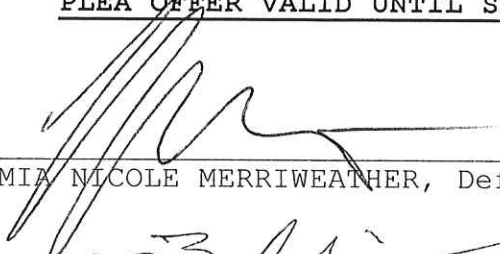
- NO AMS
- Defendant shall pay remaining balance of RESTITUTION within 9 months of beginning sentence on Count 8.

7. Defendant shall pay Probation user fees; other fines and costs left to the discretion of the Court.

8. The Defendant understands that a copy of this Guilty Plea Agreement and the subsequent Judgment of Conviction will be sent to the Indiana Nursing Board. (MM)


PLEA OFFER VALID UNTIL SEPTEMBER 9, 2019

9/9/2019
Date



MIA NICOLE MERRIWEATHER, Defendant

9/9/19
Date



Attorney for Defendant



Maureen M. Devlin, Deputy Attorney General

9/9/19
Date



Deputy Prosecuting Attorney

9/9/2019
Date

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

STATE OF INDIANA)
 v.)
MIA NICOLE MERRIWEATHER)

IN THE MARION SUPERIOR CRIMINAL
COURT 9
CRIMINAL DIVISION

CAUSE NO. 49G09-1811-F6-039549

ADVISEMENT AND WAIVER OF RIGHTS – LEVEL 6 FELONY

Before the Court may accept a GUILTY PLEA, you must be informed of certain facts and certain RIGHTS that you have. You must READ this document carefully.

MM The State of Indiana has charged you with a Level 6 Felony. The maximum penalty for a Level 6 Felony is 2.5 years imprisonment at the Department of Correction, the minimum penalty is 6 months imprisonment at the Department of Correction and the advisory sentence is 1 year at the Department of Correction. The Court may suspend all or any part of the penalty. Additionally, the Court may impose a fine of not more than \$10,000.00 and the Court may impose court costs. The Court may order that your sentence be served through Community Corrections. The Defendant understands and acknowledges that placement into the Marion County Community Corrections program component depends on availability and that the defendant shall (or may) be held in custody pending availability

MM 2. Notwithstanding paragraph 1, and unless otherwise provided in the plea agreement, the Court may sentence you as a Class A Misdemeanor unless you have received such treatment on a prior, unrelated Level 6 Felony and that prior felony was committed within 3 years of the commission of this offense. The maximum penalty for a Class A Misdemeanor is 365 days in jail and/or a fine of \$5,000.00. The Court may suspend any part of the sentence or fine. The Court may also put you on probation for up to 1 year. The minimum penalty for a Class A Misdemeanor is no days in jail and no fine; however, court costs must be paid

MM 3. If you are pleading guilty to more than one offense, the Court may impose penalties concurrently (together) or consecutively (one after the other).

MM 4. If you were on probation or parole, or were incarcerated, or released on bond on your own recognizance for another offense at the time you committed this offense, your plea of guilty may have an adverse effect upon your probation, parole, or incarceration status. Any sentence that you may receive for this offense must be consecutive to any sentence that you may have or will receive on the other offense.

MM 5. If you have a prior history of juvenile or criminal offenses, that fact alone may cause a harsher penalty than you would otherwise receive.

MM 6. The Defendant understands and acknowledges that if this agreement is accepted the Defendant gives up the following rights:

- a. The right to a public and speedy trial by jury
- b. The right to confront and cross examine the witnesses against him/her
- c. The right to have compulsory process for obtaining witnesses in his/her favor
- d. The right to require the State to prove his/her guilt beyond a reasonable doubt
- e. The right to remain silent and the right not to be compelled to testify against oneself
- f. The right to present evidence on one's own behalf and to be presumed innocent until proven guilty beyond a reasonable doubt
- g. The right to appeal any Sentence given in accordance with this agreement including review of sentence under Appellate Rule 7(B), so long as the Court sentences the defendant within the terms of this plea agreement
- h. The right to appeal the conviction(s)

MM 7. If the offense to which you are pleading guilty involves the operation of a motor vehicle, notice of your conviction will be sent to the Bureau of Motor Vehicles and will be placed on your driving record and may count toward you being a Habitual Traffic Violator.

MM 8. If you are pleading to an offense under I.C. 9-30-5, then your conviction will count toward you being a Habitual Vehicular Substance Offender.

MM 9. If you are pleading to a felony, then your conviction will count toward you being a Habitual Offender.

MM 10. If you and the State have entered into a plea agreement on your case, and the Judge accepts your guilty plea, the Judge must follow the plea agreement and cannot alter the terms. If the Court rejects the plea, all of your rights are restored to you.

MM 11. You further acknowledge that entry of a guilty plea pursuant to this agreement constitutes an admission of the truth of all facts alleged in the charge or counts to which you plead guilty and that entry of the guilty plea will result in a conviction on those charges or counts.

MM 12. The Defendant affirms that if he/she is not a citizen of the United States, he/she wishes to enter a guilty plea even if a conviction in this case results in deportation, denial of re-entry, prohibition of citizenship, or loss of any future immigration benefit. You have discussed fully with your counsel the effect of signing this agreement on your citizenship status.

MM 13. You are satisfied with Defense Counsel's representation and competency in this matter. You believe this agreement to be in your best interest.

MM 14. You acknowledge that the State's recommendation, or agreement to make no recommendation, is based on your criminal history known to the Deputy Prosecutor at the time this agreement is executed. In the event that such information is incomplete, that a further more accurate criminal history is discovered prior to the entry of judgment or you are charged with the commission of another offense prior to sentencing, the State reserves the right to unilaterally withdraw from this agreement at any time prior to the entry of judgment herein.

MM 15. Pursuant to Administrative Rule 9(G)(6)(a) & I.C. 35-35-3-3, Defendant and State waive rights to exclude this plea agreement from Public Access.

I HEREBY CERTIFY THAT I HAVE READ THE ABOVE STATEMENTS, UNDERSTAND EACH PARAGRAPH, AND WISH TO WAIVE AND HEREBY DO WAIVE EACH AND EVERY RIGHT CONTAINED IN THOSE PARAGRAPHS.

Date: 9/19/2019

Defendant's Attorney

Defendant Atty.