

**IN THE COURT OF COMMON PLEAS  
OF VAN WERT COUNTY, OHIO**

**Case No. CR-25-01-012**

**STATE OF OHIO**

**Plaintiff,**

**JUDGMENT ENTRY  
ARRAINGMENT BOI  
SENTENCE**

**vs**

**DAVID ALAN BRADFORD,**

**Defendant.**

This cause came for hearing on January 30, 2025, upon the filing of a Bill of Information with arraignment, the Defendant, Defendant's counsel, Scott Gordon and the Office of the Van Wert County Prosecuting Attorney through Special Prosecutor Peter Seibel on behalf of the State of Ohio, being present.

The Defendant is charged in the Bill of Information with:

Count One: **ATTEMPTED GROSS SEXUAL IMPOSITION**, in violation of ORC § 2923.02/ 2907.05(A)(4) / 2907.05(C)(2), a felony of the FOURTH degree;

Scott Gordon entered his appearance and was retained by the Defendant.

Pursuant to Ohio Rules of Criminal Procedure 10, Defendant waived reading of the Bill of Information and Defendant waived receipt of a copy of said Bill of Information Twenty-four (24) hours before arraignment.

The Defendant signed a waiver of grand jury in open court after explanation of the Defendant's right to a grand jury consideration of the charge and an opportunity to discuss the same with counsel.

The Defendant is charged in the Bill of Information with:

Count One: **ATTEMPTED GROSS SEXUAL IMPOSITION**, in violation of ORC § 2923.02/ 2907.05(A)(4) / 2907.05(C)(2), a felony of the FOURTH degree;

Before accepting Defendant's plea of Guilty, the Court inquired of the Defendant if Defendant had read the Indictment and Bill of Information and understood it and if Defendant understood completely the nature of the charges set forth in said Bill of Information and Indictment, to which Defendant responded affirmatively.

COURT OF COMMON PLEAS  
2025 JAN 30 PM 2:46  
CINDY MOLLENKOPF, CLERK  
VAN WERT CO. OHIO

000808

The Court further informed the Defendant that the Defendant was charged:

In the Bill of Information with Count One **ATTEMPTED GROSS SEXUAL IMPOSITION**, in violation of ORC § 2923.02/ 2907.05(A)(4) / 2907.05(C)(2), a felony of the FOURTH degree; carrying a minimum penalty of zero incarceration and a maximum penalty of Eighteen (18) Months incarceration together with a maximum fine of \$5,000.00;

The Court further informed the Defendant that upon acceptance of the plea, the Court could proceed to judgment and sentencing and that the Defendant, by entering said plea, was waiving the Defendant's right to trial, right to confront, and subpoena witnesses, right to remain silent, right to require the State to prove the Defendant's guilt beyond a reasonable doubt and the right to appeal the decision of the trial court should its ruling or verdict be against the Defendant.

Whereupon the Court required the Office of the Van Wert County Prosecuting Attorney to recite the facts of the case set forth in the Bill of Information and Indictment and Defendant, in open Court, admitted said facts to be true.

The Court inquired of the Defendant if the Defendant was a citizen of the United States to which the Defendant replied the Defendant was a citizen of the United States.

Upon further inquiry of the Court, the Defendant acknowledged that the Defendant had reviewed the case and the Defendant's rights fully with counsel and the Defendant acknowledged that the Defendant was satisfied with counsel's representation.

Defendant further acknowledged that the Defendant knew from reviewing the petition to enter a plea of guilty that if the law enforcement agency involved in this case had seized a motor vehicle or other personal property, the same may be subject to forfeiture pursuant to Ohio Revised Code §2925.41 to 2925.45 and/or Ohio Revised Code §2933.41 to 2933.43.

Defendant further acknowledged that if the Defendant was on probation or parole at the time of this hearing and understood that this plea may have an effect on the Defendants probation, parole or community control at another court and this Court has no control over that court or parole board. The Defendant further acknowledged the Court could sentence the Defendant to serve the remainder of post release control time consecutive to the sentence in this case.

The Defendant freely entered a plea of Guilty herein; that the Defendant voluntarily desired to give up the explained rights; that the plea of guilty was voluntary and that no promises or threats were made to induce the Defendant's plea. The Defendant further executed in open Court a written plea of guilty.

The Defendant was advised that a conviction for this offense requires the Defendant to be classified as a Tier II sex offender which requires him to register every 180 days for twenty-five (25) years.

\* 000809 \*

Defendant further acknowledges that if the Defendant is not a resident of the State of Ohio and is given Community Control or Post-Release Control, that following sentencing the Defendant may not return to the Defendant's state of residence until the Defendant is accepted by the probation of parole authority of her state of residence under the terms of the Interstate Compact Agreement.

The defendant was notified that the Defendant will be given five years of post release control after release from prison.

The defendant was further notified that if the period of post release controls is imposed and the defendant violates the conditions of that control, the parole board may impose a prison term as part of the sentence of up to one half of the stated prison term originally imposed upon the defendant.

The defendant was further notified that if the violation results from a conviction for a new felony offense the court may impose a prison term for the violation up to the remaining period of post release control or one year, whichever is greater, together with the sentence for the new felony offense.

The defendant was further notified that if the Defendant is granted community control and violates the conditions imposed, the Defendant could be given a longer period of community control, greater restrictions, or a prison term up to the maximum term stated.

Whereupon the Court accepted Defendant's plea of Guilty to:

In the Bill of Information **ATTEMPTED GROSS SEXUAL IMPOSITION**, in violation of ORC § 2923.02/ 2907.05(A)(4) / 2907.05(C)(2), a felony of the FOURTH degree;

At the request of the parties a sentencing hearing was held pursuant to R.C. 2929.19, notice having been given to all parties.

The Court found that no legal cause had been shown as to why sentence should not be pronounced.

Defendant was present in person, was represented by counsel , Scott R. Gordon, the Defendant and Defendant's counsel were given an opportunity to speak and to present witnesses and was afforded all rights pursuant to Crim.R. 32. Special Prosecuting Attorney Peter Seibel was present for the State of Ohio and was afforded the opportunity to speak.

The Court finds that the defendant has been convicted after a plea of guilty to;

Count One: **ATTEMPTED GROSS SEXUAL IMPOSITION**, in violation of ORC § 2923.02/ 2907.05(A)(4) / 2907.05(C)(2), a felony of the FOURTH degree;

set forth in the Bill of Information.

000810

The court complied with the requirements of Crim.R. 11 during the plea hearings. The Court finds that the defendant entered the guilty plea knowingly, intelligently, and voluntarily and that the defendant understood the nature of the charge and the full consequences of entering this plea. Based on the defendant's plea and the statement of facts which was provided, the court accepted the defendant's guilty plea and finds the Defendant guilty.

The Court has considered the record, oral statements, and the prior presentence report, which was prepared by the Adult Probation Department; that said report was furnished to both defense counsel and the office of the Prosecuting Attorney for their review prior to the original sentencings admitted into evidence as part of the record in those cases. The Court considered the purposes and principles of sentencing under R.C. 2929.11, the seriousness and recidivism factors relevant to the offense and offender pursuant to R.C. 2929.12, and the need for deterrence, incapacitation, rehabilitation and restitution. The Court is guided by the overriding purposes of felony sentencing, including protection of the public from future crime by the offender and others and punishment of the offender, using the minimum sanctions that the court determines accomplish those purposes without imposing an unnecessary burden on state or local government resources. R.C. 2929.11.

The Defendant is not a veteran of the United States of America Armed Services.

The Court further finds that the defendant was born on March 10, 1969.

The Van Wert County Court of Common Pleas is a **TCAP** Court for **F-5 only and this is F-4 and a sex offense.**

The Court finds that a mandatory prison term is not required.

There is a stipulated sentence for community control

**IT IS THE SENTENCE OF THE LAW AND THE JUDGMENT OF THIS COURT:**

The Court finds that, after considering the factors set forth in R.C. 2929.12, a prison term is not consistent the purposes and principles of sentencing set forth in R.C. 2929.11 and the Defendant a good candidate for community control along with a jail sentence.

The Court has considered the factors contained in R.C. 2929.13 and the potential sanctions in R.C. 2929.14 through R.C.2929.18.

It is ORDERED that the defendant be sentenced to Five (5) years of community control to be monitored by the Van Wert County Adult Probation Department under the rules and requirements of the Van Wert County Adult Probation Department specifically to include the following:

The Defendant is hereby Classified as a Tier II (2) Sex offender.

The Defendant shall not use illegal drugs, alcoholic beverages or prescription drugs without a prescription.

The Defendant shall submit to random or periodic substance screening as required by the Defendant's probation officer.

The Defendant is further ordered to provide a DNA sample to the State of Ohio.

The Defendant shall have no contact with the victim in this matter and no unsupervised contact with minors under the age of 13.

Failure to register, failure to verify residence at the specified times or failure to provide notice of change in residence address or other required information as described above will result in criminal prosecution.


The court having considered the defendant's present and future ability to pay hereby orders that the defendant is subject to the following financial sanctions: the Defendant is ordered to pay a \$500.00 fine during the five years of community control and court costs herein. Failure to pay court costs could lead to the imposition of additional community service.

The Defendant is Further Notified that should the Defendant fail to comply with or complete any of the terms of the ordered Community Control that could lead to a longer and more restricted sentence which the Defendant is put on notice may include a maximum penalty of Eighteen (18) Months incarceration together with a maximum fine of \$5,000.00; for Count One: **ATTEMPTED GROSS SEXUAL IMPOSITION**, in violation of R.C. 2923.02/ 2907.05(A)(4), 2907.05(C)(2), a felony of the FOURTH degree; a maximum penalty of Eighteen (18) Months incarceration together with a maximum fine of \$5,000.00.

Bond if any is ordered released.

**IT IS SO ORDERED.**

Dated: January 30, 2025.

  
James Brogan, Retired Visiting Judge

**ON ASSIGNMENT BY THE  
SUPREME COURT OF OHIO**

cc: Attorney for Defendant  
Prosecutor  
Probation  
Sheriff

000812