

**IN THE COMMON PLEAS COURT OF MERCER COUNTY, OHIO
CRIMINAL DIVISION**

STATE OF OHIO

vs.

NATHAN J. WATKINS

Defendant

FILED

9:52
FEB 27 2025

Christi W. Thomas
MERCER COUNTY CLERK OF COURTS
CELINA, OHIO

Case No. 25-CRM-002

JUDGMENT ENTRY SENTENCING
(COMMUNITY CONTROL)

Sup. R. 37 Statistical Report A
Termination 12 *EP*

On February 26, 2025, this matter came on for hearing on sentencing pursuant to R.C. 2929.19, the Defendant, having previously entered a plea of guilty to the following count(s) of the Indictment:

<u>Count(s)</u>	<u>Degree</u>	<u>Charge(s)/Specification(s)</u>
Amend 1	F5	Attempted Strangulation, R.C. 2923.02/2903.18(B)(3), 2903.18(C)(3)
2	M1	Domestic Violence, R.C. 2919.25(A), 2919.25(D)(2)

and the Defendant having previously been found guilty by this Court for the offense(s) for which Defendant is sentenced as set forth below in this entry.

The Court then proceeded with the Sentencing Hearing. The Court inquired and the State of Ohio represented that pursuant to Ohio Constitution Article 1, Section 10(a) and R.C. 2930. et seq, the victim(s) and/or victim(s) representative(s) had received notification about the nature of the hearing.

Prosecuting Attorney Erin M. Minor appeared on behalf of the State of Ohio. The Defendant appeared by remote contemporaneous video with Defendant's attorney Erin M. Abels. The Court acknowledged that it had received the written presentence report prepared by Dane Gross of the Adult Probation Department as previously ordered, and it was exhibited to counsel pursuant to statute. The Court indicated to the parties that it had reviewed the presentence investigation.

The court permitted Defendant and Defendant's counsel to offer evidence and make any statements either desired prior to the court making its final findings regarding the sentencing factors and pronouncing sentence. The Defendant's counsel made a statement on behalf of Defendant. The Prosecuting Attorney made a statement on behalf of the State.

Having considered the presentence investigation report, all relevant statutes, Criminal Rule 11(F), the statements made in open court, and any evidence presented, the court was then prepared to address the sentencing factors set forth in R.C. Chapter 2929. Based upon the foregoing, the court found the following factors applicable:

Pursuant to R.C. 2929.12(B), the court considered the following factors it determined applied, indicating that the Defendant's conduct is **more serious** than the conduct normally constituting the offense:

The victim suffered serious physical, psychological, or economic harm;

The offender's relationship with the victim facilitated the offense;

If the offense is a violation of Section 2919.25 or a violation of Section 2903.11, 2903.12, or 2903.13 of the Revised Code involving a person who was a family or household member at the time of the violation, the offender committed the offense in the vicinity of one or more children who are not victims of the offense, and the offender or the victim of the offense is a parent, guardian, custodian, or person in loco parentis of one or more of those children.

Pursuant to R.C. 2929.12(C), the court considered the following factors it determined applied, indicating that the Defendant's conduct is **less serious** than the conduct normally constituting the offense:

None.

Pursuant to R.C. 2929.12(D), the court considered the following factors it determined applied, indicating that the Defendant is **more likely** to commit future crimes:

The offender previously was adjudicated a delinquent child pursuant to Chapter 2151 of the Revised Code prior to January 1, 2022, or pursuant to Chapter 2152 of the Revised Code, or the offender has a history of criminal convictions;

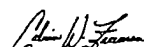
The offender has not been rehabilitated to a satisfactory degree after previously being adjudicated a delinquent child pursuant to Chapter 2151 of the Revised Code prior to January 1, 2022, or pursuant to Chapter 2152 of the Revised Code, or the offender has not responded favorably to sanctions previously imposed for criminal convictions.

Pursuant to R.C. 2929.12(E), the court considered the following factors it determined applied, indicating that the Defendant is **less likely** to commit future crimes:

None.

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Pursuant to R.C. 2929.12(F), the Court considered the offender's military service record and whether the offender had an emotional, mental, or physical condition that was traceable to the offender's service in the armed forces of the United States and that was a contributing factor in the offender's commission of the offense or offenses as follows:

No Military Service.

The Court has considered the record, oral statements, any victim impact statement and the Pre-Sentence Investigation report, the principles and purposes of sentencing under R.C. 2929.11, the seriousness and recidivism factors under R.C. 2929.12 and the factors contained in R.C. 2929.13

The Court finds that it has the discretion to impose a term of community control sanction upon the offender based on these findings and the law. Therefore, it is the sentence of the law and judgment of the Court that for the offense(s) of

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that the Defendant be and is hereby sentenced to the following community control sanctions:

Residential Sanctions

R.C. - 2929.16(A)(2) – Mercer County Adult Detention Center for a term up to one-hundred eight (180) days to be served upon the notice of your probation officer. You shall follow all rules and regulations of the Mercer County Adult Detention Center.

Non-Residential Sanctions

R.C. - 2929.17(F) –Supervision for a term up to Five (5) years.

1. You shall not violate any federal, state or local law. You shall contact one of your Probation Officers no later than 24 hours after you have been arrested or have had contact with a law enforcement officer. You shall not enter into any agreement or other arrangement with any law enforcement officer or agent which might place you in the position of violating any law or condition of your supervision.

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2. You shall not own, possess, or have under your control any firearm, dangerous ordnance, or weapons of any type.
3. You shall establish a permanent residence and shall report it to your Probation Officers. You shall not change your residence, telephone number, or address without permission of one of your Probation Officers during the entire period of supervision.
4. You shall not be absent from the county of your residence for more than 24 hours without permission from one of your Probation Officers.
5. You shall not associate with any person when association with that person has been prohibited by any of your Probation Officers.
6. Upon request, you shall submit to a search, without warrant, of your person; your motor vehicle or any motor vehicle under your control; any personal electronic devices owned by you or in your possession; your place of residence or any place it is believed you are residing; by Probation Officers. Upon request, you will be required to provide the usernames and passwords for any social media accounts or other internet-based accounts to Probation Officers.
7. You shall follow the instructions and advice of your Probation Officers in all matters during the entire period of your supervision and shall answer all questions honestly and completely.
8. You are subject to a curfew as determined by your Probation Officers.
9. You shall immediately enroll in the residential treatment program, and successfully complete the treatment plan assigned to you, at The Recovery Council, located in Waverly, Ohio.

R.C. - 2929.17(D) – Substance Abuse Treatment Plan for a term up to Five (5) years.

You shall immediately contact a substance abuse treatment provider and arrange for assessment and/or counseling with them. You shall actively participate in and successfully complete the case plan designed for you. You shall not reschedule or cancel any appointments without the permission of your probation officer. You shall sign a release of confidential information for your probation officer(s) to obtain copies of any reports, case plans, and progress notes.

R.C. - 2929.17(H) - Drug & Alcohol Use Monitor for a term up to Five (5) years.

You shall not consume any alcohol or any substances of abuse, both illegal and legal, including THC products, regardless of recommended card status. You are

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not permitted to have any of the aforementioned substances in your residence, on your person, or in any vehicle under your control. You are permitted to take any medications, as prescribed by a physician, and must provide a list of those medications to your Probation Officers. You are not permitted to frequent any establishment whose business is primarily serving alcohol by the drink.

You shall submit to random periodic urinalysis or other chemical tests as required by any probation officers, law enforcement, or treatment providers for the purpose of determining the presence of illegal drugs or alcohol, and you shall pay the costs of testing without regard to the test results. Any attempt to dilute, alter, or manipulate the urinalysis or other chemical test will be considered a violation of community control.

R.C. - 2929.17(J) -Obtain/Maintain Employment for a term up to Five (5) years.

You shall obtain/maintain regular employment in a lawful occupation and shall support your dependents, if any, to the best of your ability; and you shall not change your employment without permission from one of your probation officers. In the event you are unable to find or maintain such employment, you shall enroll in any program designed to enable you to obtain such employment, as designated by your probation officers.

NOTICE IF SANCTIONS VIOLATED

The defendant is advised that if the conditions of the sanctions are violated, if the defendant commits a violation of any law, or if the defendant leaves this state without the permission of the court or the defendant’s probation officer, the court may impose a longer time under the same sanction, may impose a more restrictive sanction, or may impose a prison term(s) on the defendant as follows:

- Count 1- 6 to 12 months in prison
- Count 2 - 6 months in jail

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If Defendant is sentenced to prison for violating Defendant’s community control sanctions, the prison term can be imposed consecutively to any other prison term imposed on the offender.

The Court informed the Defendant should Defendant serve a term in prison for this offense, that upon release from prison, the Defendant may be required to serve a discretionary period of post-release control pursuant to R.C. 2967.28 under the supervision of the parole board for a maximum period of two (2) years. If the Defendant violates post-release control, the Parole Board may increase the duration of the post-release control, impose more restrictive post-release control sanctions, and/or impose a prison term of up to nine months for each violation, up to a maximum of 50% of the stated prison term or stated minimum prison term imposed by the Court.

If the Defendant commits a new felony while on post-release control, in accordance with R.C. 2929.141, the sentencing court in the new felony case may impose a prison term for the post-release control violation of the period remaining on post-release control or twelve months, whichever is greater, consecutively to the prison term for the new felony.

FEDERAL FIREARM DISABILITY

Under Federal law, persons convicted of felonies can never lawfully possess a firearm. You should understand that if you are ever found with a firearm, even one belonging to someone else, you may be prosecuted by federal authorities and subject to imprisonment for several years.

CIVIL ASSESSMENT

Court costs are assessed against the Defendant. Assigned Counsel Fees in the amount of \$250.00 are assessed against the Defendant. The Court having found that Defendant has, or reasonably may be expected to have, the means to meet all of the costs of the services rendered to the Defendant.

No fine was imposed.

Bond previously set is hereby discharged.

No Restitution due or ordered.

IT IS SO ORDERED.

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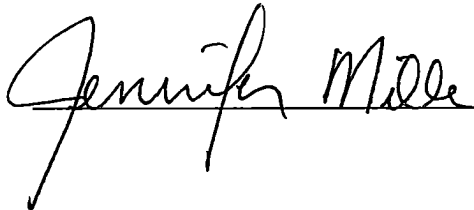
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COLUMBIA, OHIO


Matthew K. Fox, Judge

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was delivered to Prosecutor, Erin M. Minor, Defendant's attorney, Erin M. Abels, on this 27th day of February, 2025. A courtesy copy has been issued to the Mercer County Sheriff's Office- Corrections Division.

XC: COURT


Jennifer Miller