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MONTANA SEVENTH JUDICIAL DISTRICT COURT, DAWSON COUNTY

STATE OF MONTANA,
Plaintiff,

Cause No.: DC-24-092

v.

PLEA AGREEMENT WITH
ACKNOWLEDGMENT OF RIGHTS

EVA LIPP CROCKETT,
Defendant.

WHEREAS, the Defendant has been charged with the following offenses:

**COUNT I: THEFT OF PROPERTY BY EMBEZZLEMENT
(PROPERTY VALUE EXCEEDING \$10,000), BY COMMON
SCHEME, a felony, in violation of Sections 45-6-301(7)(3)(c) and
45-2-101(8), M.C.A.**

A person convicted of the offense of THEFT OF PROPERTY BY EMBEZZLEMENT (PROPERTY VALUE EXCEEDING \$10,000), BY COMMON SCHEME, a felony, shall be imprisoned in the state prison for a term of not less than one (1) year or more than ten (10) years, and may be fined an amount not to exceed \$50,000. The court may, in its discretion, place the person on probation with the requirement that restitution be made under terms set by the court. If the terms are not met, the required prison term may be ordered.

**COUNT II: THEFT OF PROPERTY BY EMBEZZLEMENT
(PROPERTY VALUE EXCEEDING \$1,500 BUT NOT
EXCEEDING \$5,000), BY COMMON SCHEME, a felony, in
violation of Sections 45-6-301(6) and 45-2-101(8), M.C.A.**

1 A person convicted of the offense of THEFT OF PROPERTY BY EMBEZZLEMENT
2 (PROPERTY VALUE EXCEEDING \$1,500 BUT NOT EXCEEDING \$5,000), BY COMMON
3 SCHEME, a felony, shall be fined an amount not to exceed \$1,500 or be imprisoned in the state
4 prison for a term not to exceed 3 years, or both

5 WHEREAS, the parties have made an investigation into the circumstances of the alleged
6 offense; and

7 WHEREAS, the parties have negotiated respecting plea and sentencing in this matter; and

8 WHEREAS, the parties have reached an agreement respecting plea and sentencing in this
9 matter;

10 NOW, THEREFORE, in consideration of the mutual covenants and agreements
11 hereinafter contained the parties now recite their agreement as follows:

12 1. GUILTY PLEA AND OFFENSE. The Defendant will enter a plea of GUILTY to
13 the following offenses, of which she has previously been advised of the maximum potential
14 penalty:

15 **COUNT I: THEFT OF PROPERTY BY EMBEZZLEMENT**
16 **(PROPERTY VALUE EXCEEDING \$10,000), BY COMMON**
17 **SCHEME**, a felony, in violation of Sections 45-6-301(7)(3)(c) and
18 45-2-101(8), M.C.A.

19 2. SENTENCE RECOMMENDATION. At sentencing, the State will make the
20 following sentence recommendation:

21 **COUNT I: THEFT OF PROPERTY BY EMBEZZLEMENT**
22 **(PROPERTY VALUE EXCEEDING \$10,000), BY COMMON**
23 **SCHEME**, a felony, in violation of Sections 45-6-301(7)(3)(c) and
24 45-2-101(8), M.C.A.

25 A. The Defendant shall be sentenced to the Montana Department of
26 Corrections for a period of five (5) years, all suspended but thirty-
27 three (33) weekends, for a total sixty-six (66) days in jail.

28 B. The Defendant agrees to pay restitution to Babe Ruth Baseball in an
amount to be stipulated to by the parties or determined at a
restitution hearing prior to sentencing.

1 C. Any fine imposed shall be at the discretion of the Court.

2 D. The Defendant shall pay all applicable surcharges.

3 The Defendant can argue for any legal sentence, including a deferred imposition of
4 sentence.

5 3. CONDITIONS. The Dawson County Attorney will further recommend to the
6 Court that during the periods to which the Defendant is eligible for any Deferred or Suspended
7 Sentence, or Probation, that the Defendant is subject to the following conditions:

8 A. The Defendant shall be under the supervision of the Montana Department
9 of Corrections, Probation & Parole Office, subject to administrative and
10 statutory rules and conditions.

11 B. Any other conditions recommended by the Probation and Parole Officer
12 contained within the Pre-Sentence Investigation Report.

13 4. DISMISSAL AGREEMENT: If the Defendant pleads guilty and is sentenced
14 pursuant to this agreement, the State agrees to dismiss the following charge:

15 **COUNT II: THEFT OF PROPERTY BY EMBEZZLEMENT**
16 **(PROPERTY VALUE EXCEEDING \$1,500 BUT NOT EXCEEDING \$5,000),**
17 **BY COMMON SCHEME**, a felony, in violation of Sections 45-6-301(6) and 45-
18 2-101(8), M.C.A.

19 5. WITHDRAWAL FROM AGREEMENT. If, prior to sentencing, the Defendant
20 were to commit *any* other offense while released on bail prior to sentencing, or violate any
21 condition of bail, the State is free to withdraw from this Agreement, and argue for any appropriate
22 and legal sentence at the time of sentencing in this matter, including the maximum sentence
23 allowed under the law.

24 6. ACKNOWLEDGMENT OF RIGHTS. The Defendant acknowledges that she has
25 been advised of her rights including, but not limited to:

26 A. The right to plead NOT GUILTY or, if that plea has already been made, to
27 persist in the plea of NOT GUILTY.

28 B. The right to be presumed innocent throughout all stages of trial.

- 1 C. The right to require that her guilt be proven beyond a reasonable doubt.
- 2 D. The right to be released on reasonable bail pending trial on the charges.
- 3 E. The right to discovery from the State of any evidence it might have of an
- 4 exculpatory nature (which might show that she is not guilty, or which tends
- 5 to lessen the degree of an offense).
- 6 F. The right to discovery from the State of certain information and records
- 7 specified by statutes.
- 8 G. The right to challenge the way the State has gathered its evidence against
- 9 her.
- 10 H. The right to be present in court for all proceedings in her case, including
- 11 the trial.
- 12 I. The right to trial.
- 13 J. The right to a speedy trial.
- 14 K. The right to a public trial.
- 15 L. The right to trial by judge or jury. The jury in felony cases would be twelve
- 16 (12) persons, and in misdemeanor cases would be six (6) persons.
- 17 M. The right to an impartial jury.
- 18 N. The right to a jury of the county or district in which the offense is alleged
- 19 to have been committed, subject to the right of the State to have a change
- 20 of venue for any of the causes for which she may obtain the same.
- 21 O. The right to an independent jury uninfluenced by anything but the evidence
- 22 and law of the case as given to the jury in jury instructions from the Court.
- 23 P. The right to submit an instruction to the jury regarding a lesser included
- 24 offense if applicable.
- 25 Q. The right to secret jury deliberations and a general verdict not requiring the
- 26 jury to account for or explain or justify its verdict.
- 27 R. The right to a unanimous verdict.
- 28 S. The right to defend in person and by counsel.

- 1 T. The right to assistance of counsel. If she cannot afford an attorney, one
2 will be appointed for her at no expense to her. If she pleads guilty or is
3 found guilty, she may have to pay the cost of her court appointed lawyer.
4 U. The right to cross-examine witnesses against her.
5 V. The right to present witnesses and evidence on her behalf.
6 W. The right to have compulsory process to compel the attendance of
7 witnesses on her behalf, by subpoena or otherwise, at no cost to her.
8 X. The right not to be compelled to incriminate herself. She has the right to
9 remain silent, and the State may not force her to testify and incriminate
10 herself.
11 Y. The right to testify on her own behalf, but if she does so, she risks
12 incriminating herself, and she will be open to cross-examination by the
13 State.
14 Z. The right to appeal any finding of guilt.

15 7. WAIVER OF RIGHTS. The Defendant realizes that by pleading GUILTY she
16 gives up the right to a trial by judge or jury, the right to have witnesses testify on her behalf, the
17 right to confront and cross-examine witnesses against her, the right not to be compelled to
18 incriminate herself, and the right to appeal any finding of guilt, the right to post-conviction relief,
19 and that all that will remain for the Court to do is pronounce sentence against her.

20 8. COURT NOT BOUND. The Defendant realizes that the County Attorney's Office
21 has agreed to recommend the above-recited sentence to the Court, but realizes that such a
22 recommendation is NOT BINDING UPON THE COURT in passing sentence, and that some
23 more severe sentence, including the maximum allowed by law, of which she has been advised of
24 by her attorney, might nevertheless be imposed upon her. The Defendant fully understands that
25 if the Court were to impose the maximum penalty as a sentence upon her for her plea of guilty,
26 the Defendant is not entitled to withdraw her plea of guilty in this matter.

27 9. VOLUNTARINESS. The Defendant is acting voluntarily of her own free will
28 and is not suffering from any emotional or mental disability from any cause including mental

1 defect or impairment or the taking of drugs, alcohol, or prescription medicine, and she has not
2 been threatened in any way if he would not enter into this Agreement, nor promised anything of
3 benefit to her other than the benefits recited in this Agreement for her entry into this Agreement,
4 and feels that she understands what she is doing and the consequences of entering into this
5 Agreement, and of pleading GUILTY.

6 10. EFFECTIVE COUNSEL. The Defendant acknowledges that she is satisfied with
7 the services of her attorney, that there has been ample time to prepare any defense that might have
8 been made, and that she has told her attorney all the facts and circumstances of the case. The
9 Defendant further acknowledges that her attorney has advised her of any lesser included offenses
10 which carry with them lesser potential penalties that she could be found guilty of if she proceeded
11 to trial. The Defendant acknowledges that her attorney has not forced her to enter into this Plea
12 Agreement and her attorney has not misled her in entering into this Plea Agreement.

13 11. INTELLIGENT AGREEMENT. The Defendant acknowledges receiving a copy
14 of this Agreement and a satisfactory explanation of it by his attorney.

15 Eva Crockett 01/04/2026
16 EVA LIPP CROCKETT DATE
17 DEFENDANT

18 Joel G. Krautter 1/5/26
19 JOEL G. KRAUTTER DATE
20 DEFENDANT'S ATTORNEY

21 Brett Irigoien 1/5/26
22 BRETT IRIGOIN DATE
23 DAWSON COUNTY ATTORNEY