

IN THE IOWA DISTRICT COURT FOR WOODBURY COUNTY

THE STATE OF IOWA,  Plaintiff,  vs.  ROMAN MCDANIEL,  Defendant.	FECR089987   SENTENCING ORDER
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Defendant's current address: 612 7<sup>th</sup> Street, Apartment #1, Sioux City, IA 51105.

Prosecuting Attorney: Jill R. Esteves

Defendant's Attorney: Heidi Rouse

\_xxx\_ The State of Iowa moves to amend the Trial Information to charge the Defendant with the crime of Child Endangerment, an aggravated misdemeanor, in violation of Iowa Code § 726.6(1)(a) and 726.6(7). The court grants the motion to amend.

This matter comes before the court for plea taking and sentencing. The Defendant has submitted a plea of guilty. The court finds that the Defendant's plea of guilty is voluntarily and intelligently made. The court accepts the Defendant's plea of guilty.

The Defendant stands convicted and is guilty of the crime of Child Endangerment, an aggravated misdemeanor, in violation of Iowa Code § 726.6(1)(a) and 726.6(7).

Sentence is as follows:

\_xxx\_ The Defendant is committed to the custody of the director of adult corrections for a term not to exceed two (2) years. This sentence of incarceration:

\_xx\_ Is suspended.

\_xxx\_ The Defendant shall pay restitution through the Clerk of Court to the following victims in the following amounts: by further order of the court.

\_xxx\_ The Defendant is fined \$625 plus a thirty-five percent surcharge. The fine and surcharge are suspended.

\_xxx\_ The Defendant is placed on probation to the Third Judicial District Department of Correctional Services, 515 Water Street, Sioux City, Iowa 51103, telephone number 712-252-0590, for a period of two (2) years. The Defendant shall report to the Third Judicial District Department of Correctional Services within ten days of sentencing. The Defendant shall pay a probation enrollment fee in the amount of \$300.00.

\_xxx\_ The Defendant shall obtain a substance abuse and a mental health evaluation within 30 days of sentencing and will comply with all recommendations thereof for a period of twenty-four (24) months. The defendant must follow all the recommendations made by the Department of Human Services for services.

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The sentence imposed in this case is based on the facts shown to the court, the plea agreement, presentence investigation or NCIC criminal history report and/or for reasons of deterrence. Other reasons include:

Costs are taxed to the Defendant. The Defendant was advised of the Defendant's right to a fifteen day delay before sentencing. The Defendant was advised of the Defendant's right to file a motion in arrest of judgment challenging the plea of guilty based on alleged defects in the plea proceedings and that failure to raise such challenges precludes the right to assert them on appeal. The Defendant was advised that a criminal conviction, deferred judgment, or deferred sentence will affect the Defendant's status under federal immigration laws and will likely result in deportation and other adverse immigration consequences if the Defendant is not a United States citizen. Appeal bond is set in the amount of \$10,000.00.

If the Defendant was represented by court-appointed counsel, the Defendant must pay restitution for attorney fees pursuant to Iowa Code § 815.9 for any costs incurred, and judgment is ordered for the same.

The Clerk of Court shall send a copy of this order to the attorneys of record and to the Defendant.



State of Iowa Courts

**Type:** ORDER FOR DISPOSITION

<b>Case Number</b>	<b>Case Title</b>
FECR089987	STATE OF IOWA VS MCDANIEL, ROMAN SANTIAGO (NOCO)(IN CUSTODY)

So Ordered

A handwritten signature in black ink, reading "Duane E. Hoffmeyer", is written over a horizontal line.

Duane E. Hoffmeyer, Chief Judge,  
Third Judicial District of Iowa