

**For the purposes of criminal history calculations, the instant offense conduct occurred on 03/01/2012.**

**Which Chapter Four Guidelines apply to the following criminal history entries and how many points are assigned to this entry?**

<u>Date of Arrest</u>	<u>Conviction/Court</u>	<u>Date Sentence Imposed/Disposition</u>	<u>Guideline</u>	<u>Pnt</u>
07/19/1995 (Age 15)	Assault and Battery, Juvenile Court of Pennington County; Rapid City, SD Dkt. No. 95-J-12345	09/24/1995: 2 Years Diversion with Community Supervision; 01/14/1996: Diversion Terminated, Execution of Sentence Imposed, 3 Years Probation; 06/06/1996: Probation Violation, 4 Months Detention and Continued Supervision		

On the above-stated date, the defendant was arrested at Stevens High School in Rapid City after fighting with another student. Injuries to the other student included a broken nose and orbital socket. Due to the extent of the injuries to the other student, charges were brought against the defendant. His diversion was approved by the Court after the defendant fully admitted to his conduct and the Court found there would be sufficient evidence to make a finding of guilt.

The defendant's juvenile diversion was terminated and he was adjudicated a delinquent after he was found with a knife at school. His probation was revoked for drug use and absconding from supervision for 4 months.

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08/11/1998 (Age 19)	Carry Possess Firearm in Public Circuit Court of Cook County; Illinois Dkt. No. 98-S-7654321	11/02/1998: Pled Guilty; 18 Months Probation; 06/29/2000: Probation Violation (Warrant Issued); 04/07/2012: Arrested on Warrant; 04/09/2012: Probation Terminated Unsatisfactorily		

On 08/11/98 the 017 District Tac Team and other officers with the Chicago Police Department responded to a report of a man with a gun. Upon arrival, officers observed the defendant standing in a courtyard pointing a gun at a wall. After the defendant observed the officers approaching, he threw the firearm and ran into a hallway. He was chased up to the third floor of the building and arrested. In exchange for the defendant's guilty plea to the above charge, one count of Possession of Firearm with an Invalid Firearms Owner Identification Card was dismissed.

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01/23/1999 (Age 19)	Burglary (2 Counts); Seventh Judicial Circuit Court, Pennington County, Rapid City, SD Dkt. No 12-A-34 and 56-B-78	07/29/1998: 12 Months Imprisonment/6 Months Suspended, 2 Years Probation, \$5,320 Restitution; 05/11/1999: Probation Violation, 47 Days Jail, Probation Extended One Year; 07/20/1999: Probation Violation, 30 Days Jail; 08/22/2000: Probation Violation, 30-72 Months Imprisonment all Suspended, 3 Year Extension of Supervision; 04/17/2003: Probation Violation Found; 21 Months Imprisonment		

Court documents reflect, that on the above date, the defendant entered two residences at 123 Washington Street on 01/10/1999 and then at 456 Chapman Road on 01/11/1999 in Rapid City without permission and with the intent to commit a theft. The defendant was represented by counsel. The defendant's probation violations all involved the use of drugs and failing to maintain contact with his probation officer.

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10/28/2010 (Age 30)	Driving with Suspended License; Vermont Superior Court, Windham Circuit Dkt. No. 10-A-109876	11/30/2010: \$300 Fine		

On 10/28/2010 an officer with the Bellows Falls Police Department observed a Crown Victoria roll through a red light without coming to a complete stop. After initiating a motor vehicle stop on this basis, the operator was identified as the defendant and a query with the Vermont Department of Motor Vehicles revealed that his license was under suspension.

According to the Information filed in this case, the offense of DLS, a violation of 23 VSA § 674 is punishable by not more than 2 years imprisonment, a \$5,000 fine, or both.