



Judgment of Conviction & Order for Commitment

Superior Court of New Jersey, MIDDLESEX County

State of New Jersey

v.

Last Name
RIOS

First Name
TYLER

Middle Name
K

Also Known As

Date of Birth
05/12/1994

SBI Number
405632G

Date(s) of Offense
11/30/2017

Date of Arrest

PROMIS Number
18 001230-001

Date Ind / Acc / Complt Filed
06/27/2018

Original Plea
 Not Guilty Guilty

Date of Original Plea
02/10/2020

Adjudication By Guilty Plea Jury Trial Verdict Non-Jury Trial Verdict Dismissed / Acquitted Date: 02/10/2020

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
18-06-00986-I	1	AGG ASSAULT - ON DOMESTIC VIOLENCE VICTIM	2C:12-1B(12)	3
18-06-00986-I	2	AGG ASSAULT - STRANGLE DOMESTIC VIOLENCE VICTIM	2C:12-1B(13)	3
18-06-00986-I	3	THEFT BY UNLAWFL TAKNG-MOVABLE PROP VAL \$500-\$74999 ETC	2C:20-3A	3

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
18-06-00986-I	1	AGG ASSAULT - ON DOMESTIC VIOLENCE VICTIM	2C:12-1B(12)	3

Sentencing Statement

It is, therefore, on 04/20/2020 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:
As to Count # 1 of the Indictment, the defendant is sentenced to Probation for a term of three (3) years with the following Special Conditions:

The defendant is to serve 180 days in the MCACC.

Conditions shall be set by Probation. Defendant was advised to report to Probation immediately after release from MCACC.

The defendant is to attend and complete Anger Management counseling.

Defendant is ordered to have no contact with victim.

Defendant has an FRO against him in Family Court, any exceptions/modifications that are done on the FRO shall apply to this no contact order.

Counts 2 and 3 are dismissed.

It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority.

Total Custodial Term
000 Years 00 Months 180 Days

Institution Name
COUNTY JAIL

Total Probation Term
03 Years 00 Months

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)		Additional Conditions																															
<p>A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.)</p> <p><input type="checkbox"/> DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2))</p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">Standard</th> <th></th> <th style="text-align: center;">Doubled</th> <th></th> </tr> </thead> <tbody> <tr> <td>1st Degree</td> <td style="text-align: center;">_____ @</td> <td>\$</td> <td style="text-align: center;">_____ @</td> <td>\$</td> </tr> <tr> <td>2nd Degree</td> <td style="text-align: center;">_____ @</td> <td>\$</td> <td style="text-align: center;">_____ @</td> <td>\$</td> </tr> <tr> <td>3rd Degree</td> <td style="text-align: center;">_____ @</td> <td>\$</td> <td style="text-align: center;">_____ @</td> <td>\$</td> </tr> <tr> <td>4th Degree</td> <td style="text-align: center;">_____ @</td> <td>\$</td> <td style="text-align: center;">_____ @</td> <td>\$</td> </tr> <tr> <td>DP or Petty DP</td> <td style="text-align: center;">_____ @</td> <td>\$</td> <td style="text-align: center;">_____ @</td> <td>\$</td> </tr> </tbody> </table> <p style="text-align: center;">Total DEDR Penalty \$ _____</p> <p><input type="checkbox"/> The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)</p>			Standard		Doubled		1st Degree	_____ @	\$	_____ @	\$	2nd Degree	_____ @	\$	_____ @	\$	3rd Degree	_____ @	\$	_____ @	\$	4th Degree	_____ @	\$	_____ @	\$	DP or Petty DP	_____ @	\$	_____ @	\$	<p><input checked="" type="checkbox"/> The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20 and N.J.S.A. 53:1-20.29).</p> <p><input type="checkbox"/> The defendant is hereby sentenced to community supervision for life (CSL) if offense occurred before 1/14/04 (N.J.S.A. 2C:43-6.4).</p> <p><input type="checkbox"/> The defendant is hereby sentenced to parole supervision for life (PSL) if offense occurred on or after 1/14/04 (N.J.S.A. 2C:43-6.4).</p> <p><input type="checkbox"/> The defendant is hereby ordered to serve a _____ year term of parole supervision, pursuant to the No Early Release Act (NERA), which term shall begin as soon as the defendant completes the sentence of incarceration (N.J.S.A. 2C:43-7.2).</p> <p><input type="checkbox"/> The court imposes a Drug Offender Restraining Order (DORO) (N.J.S.A. 2C:35-5.7h). DORO expires _____</p> <p><input type="checkbox"/> The court continues/imposes a Sex Offender Restraining Order (SORO) if the offense occurred on or after 8/7/07 (Nicole's Law N.J.S.A. 2C:14-12 or N.J.S.A. 2C:44-8).</p> <p><input type="checkbox"/> The court imposes a Stalking Restraining Order (N.J.S.A. 2C:12-10.1).</p> <p><input type="checkbox"/> The defendant is prohibited from purchasing, owning, possessing, or controlling a firearm and from receiving or retaining a firearms purchaser identification card or permit to purchase a handgun (N.J.S.A. 2C:25-27c(1)).</p>	
	Standard		Doubled																														
1st Degree	_____ @	\$	_____ @	\$																													
2nd Degree	_____ @	\$	_____ @	\$																													
3rd Degree	_____ @	\$	_____ @	\$																													
4th Degree	_____ @	\$	_____ @	\$																													
DP or Petty DP	_____ @	\$	_____ @	\$																													
<p>Forensic Laboratory Fee (N.J.S.A. 2C:35-20) _____</p> <p style="text-align: center;">Offenses @ \$ _____</p>		<p>Total Lab Fee _____</p> <p style="text-align: center;">\$ _____</p>																															
VCCO Assessment (N.J.S.A. 2C:43-3.1)																																	
Counts	Number	Amount																															
1	1 @	\$ 50.00																															
_____	_____ @	\$ _____																															
_____	_____ @	\$ _____																															
_____	_____ @	\$ _____																															
Total VCCO Assessment \$ 50.00																																	
Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)																																	
Offense _____		Mandatory Penalty \$ _____																															
Offense Based Penalties																																	
Penalty _____		Amount \$ _____																															
Other Fees and Penalties																																	
<p>Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3)</p> <p><input checked="" type="checkbox"/> \$ 30.00</p>		<p>Safe Neighborhoods Services Fund Assessment (N.J.S.A. 2C:43-3.2)</p> <p><input checked="" type="checkbox"/> 1 Offenses @ \$ 75.00</p> <p style="text-align: center;">Total: \$ 75.00</p>																															
<p>Probation Supervision Fee (N.J.S.A. 2C:45-1d)</p> <p><input checked="" type="checkbox"/> \$ 5.00</p>		<p>Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6)</p> <p><input type="checkbox"/> Offenses @ \$ _____</p> <p style="text-align: center;">Total \$ _____</p>																															
<p>Transaction Fee (N.J.S.A. 2C:46-1.1)</p> <p><input type="checkbox"/></p>																																	
<p>Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4)</p> <p><input type="checkbox"/> \$ _____</p>		<p>Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7)</p> <p><input type="checkbox"/> \$ _____</p>																															
<p>Fine</p> <p>\$ _____</p>		<p>Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10)</p> <p><input type="checkbox"/> \$ _____</p>																															
<p>Restitution Joint & Several</p> <p>\$ _____ <input type="checkbox"/></p>		<p>Total Financial Obligation</p> <p>\$ 155.00</p>																															
<p>Details</p>																																	
Findings Per N.J.S.A. 2C:47-3																																	
<input type="checkbox"/> The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior.																																	
<input type="checkbox"/> The court finds that the defendant is amenable to sex offender treatment.																																	
<input type="checkbox"/> The court finds that the defendant is willing to participate in sex offender treatment.																																	
License Suspension																																	
<input type="checkbox"/> CDS / Paraphernalia (N.J.S.A. 2C:35-16)		<input type="checkbox"/> Waived																															
<input type="checkbox"/> Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1)																																	
<input type="checkbox"/> Eluding (N.J.S.A. 2C:29-2)																																	
<input type="checkbox"/> Other																																	
Number of Months _____		<input type="checkbox"/> Non-resident driving privileges revoked																															
Start Date _____		End Date _____																															
Details																																	
Driver's License Number _____		Jurisdiction _____																															
If the court is unable to collect the license, complete the following: Defendant's Address _____																																	
City _____		State _____	Zip _____																														
Date of Birth _____		Sex <input type="checkbox"/> M <input type="checkbox"/> F	Eye Color _____																														

Time Credits		
Time Spent in Custody R. 3:21-8 Date: From - To 01/12/2020 - 01/12/2020 01/25/2020 - 04/20/2020 - - - - - - - - - Total Number of Days <u>88</u>	Gap Time Spent in Custody N.J.S.A. 2C:44-5b(2) Date: From - To - - - - Total Number of Days _____ Rosado Time Date: From - To - - - - Total Number of Days _____	Prior Service Credit Date: From - To - - - - - - - - - - Total Number of Days _____

Statement of Reasons - Include all applicable aggravating and mitigating factors

AGGRAVATING FACTORS

3. The risk that the defendant will commit another offense.

9. The need for deterring the defendant and others from violating the law.

MITIGATING FACTORS

10. The defendant is particularly likely to respond affirmatively to probationary treatment.

The Court finds that the aggravating factors outweigh the mitigating factors.

This was a negotiated plea agreement between the prosecutor and the defendant. There is, therefore, a presumption of reasonableness. It appears appropriate under all the facts and circumstances and, in the interest of justice, the Court will impose the recommended sentence.

Attorney for Defendant at Sentencing GABRIEL G KLEIN	Public Defender <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Prosecutor at Sentencing KRISTEN M PRIDGEN	Deputy Attorney General <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Judge at Sentencing Colleen Flynn	
Judge (Signature) /s Colleen Flynn	Date 04/20/2020