

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

STATE OF NEBRASKA,	)	CR 18 – 4168
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b>SENTENCING ORDER</b>
JOHN C. EZELL,	)	
	)	
Defendant.	)	

This matter came on for sentencing on this 28<sup>th</sup> day of April, 2022. The Defendant was present before the Court with counsel, Peder Bartling. The State appeared by Deputy County Attorney, Jameson Cantwell. The Court finds that on the 6<sup>th</sup> day of January, 2022, the Defendant was found guilty of Count 1 - Attempted Assault on an Officer, Emergency Responder, or Health Care Professional in the 1<sup>st</sup> Degree, a Class II Felony, Count 3 – Assault on an Officer, Emergency Responder, or Health Care Professional in the 1<sup>st</sup> Degree, a Class ID Felony, Count 4 – Possession of a Deadly Weapon (Firearm) During Commission of Felony, a Class II Felony and Count 5 – Possession of a Deadly Weapon by Prohibited Person, a Class ID Felony. Neither the defendant nor his attorney provided any reason why sentence should not be passed against him.

It is the judgment and sentence of the Court that the Defendant shall be imprisoned in an institution under the jurisdiction of the Nebraska Department of Correctional Services, for a period of **Twenty-Six to Thirty (26-30) Years on Count 1, Forty to Forty-Five (40-45) Years on Count 3, Ten to Sixteen (10-16) Years on Count 4, Twenty to Twenty-Five (20-25) Years on Count 5, to be served consecutively**, no part of which shall be in solitary confinement, and judgment is rendered against the Defendant for the costs of prosecution. Commitment ordered accordingly. Credit for time served of **One Thousand Three Hundred Twenty-Six (1,326) Days** shall be given against the sentence imposed. Commitment ordered accordingly. As good time reductions do not apply to mandatory minimum sentences, the Defendant will not receive any good

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time reduction for the three (3) year mandatory minimum portions of this sentence. See Neb. Rev. Stat. § 83-1,110(1) (Reissue 2014); State v. Russell, 291 Neb. 33, 38, 863 N.W.2d 813, 818 (2015).

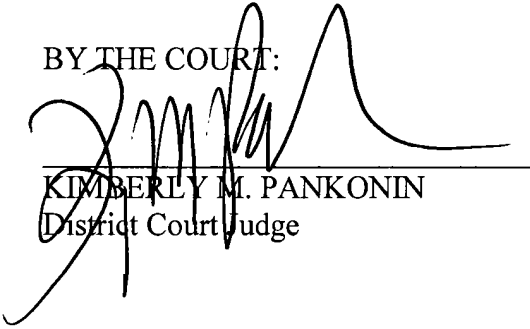
Sentence imposed in CR 18-4168 to be served consecutively to the sentence to be imposed in Federal Case 8:13CR00374.

IT IS FURTHER ORDERED that pursuant to Neb. Rev. Stat. § 29-4106, the Defendant shall submit to a DNA test and shall pay to the Nebraska Department of Correctional Services twenty-five dollars (\$25.00). Such amount may be taken by the Department of Correctional Services from funds held by the Defendant in the trust account maintained by the Department of Correctional Services on behalf of the Defendant, until the full amount in the Order has been remitted.

IT IS FURTHER ORDERED that the Defendant's bond, if any, is hereby released and exonerated. Mittimus signed.

**IT IS SO ORDERED on this 28<sup>th</sup> day of April, 2022.**

BY THE COURT:



\_\_\_\_\_  
KIMBERLY M. PANKONIN  
District Court Judge

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on April 29, 2022 , I served a copy of the foregoing document upon the following persons at the addresses given, by mailing by United States Mail, postage prepaid, or via E-mail:

Peder C Bartling  
peder@bartlinglaw.com

Amy G Jacobsen  
amy.jacobsen@douglascounty-ne.gov

NEWS Agency - KETV  
NEWS@KETV.com

Date: April 29, 2022

BY THE COURT:

*John M. Friend*  
CLERK

