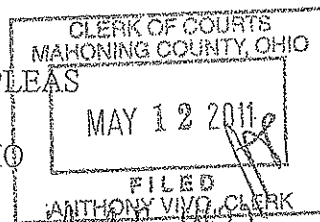


IN THE COURT OF COMMON PLEAS  
CRIMINAL DIVISION  
MAHONING COUNTY, OHIO



STATE OF OHIO )

PLAINTIFF, )

VS. )

Robert McLaughlin )

SSN (last 4 digits): 8968 )

DEFENDANT. )

CASE NO. 10 CR 1783

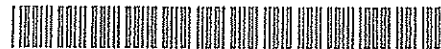
HONORABLE MAUREEN A. SWEENEY

PLEA OF GUILTY PURSUANT  
TO CRIM. R.11(F)

I, Robert McLaughlin, DEFENDANT IN THE ABOVE-  
STYLED CASE, BEING BEFORE THIS COURT WITH MY COUNSEL ATTORNEY  
Ruth Fischheim-Cohen, HEREBY REPRESENT THAT I WITHDRAW  
MY PREVIOUSLY ENTERED PLEA OF "NOT GUILTY" AND NOW ENTER A PLEA OF  
GUILTY TO THE FOLLOWING CHARGE(S) AND/OR SPECIFICATION(S):

Counts 1, 2, and 3 - Pandering Obscenity - R.C. 2907.32 (a)(1)(c) F-5  
Counts 4, 5, and 6 - Possession Criminal Tools - R.C. 2923.24 (a)(c) F-5

FURTHER, AS PART OF THIS AGREEMENT, THE STATE HAS AGREED TO  
MOVE TO DISMISS THE FOLLOWING CHARGE(S) AND/OR SPECIFICATION(S):



2010 CR  
01422  
00061512071  
CRJUD

2607  
000076

I UNDERSTAND THAT MY GUILTY PLEA(S) TO THE CHARGE(S) AND/OR SPECIFICATION(S) CONTAINED HEREIN CONSTITUTE(S) BOTH AN ADMISSION OF GUILT AND A WAIVER OF ANY AND ALL CONSTITUTIONAL, STATUTORY, OR FACTUAL DEFENSES WITH RESPECT TO SUCH CHARGE(S) AND/OR SPECIFICATION(S) IN THIS CASE. I FURTHER UNDERSTAND THAT MY PLEA OF GUILTY IS A COMPLETE ADMISSION OF MY GUILT AS TO THE CHARGE(S) AND/OR SPECIFICATION(S) CONTAINED HEREIN.

I REPRESENT THAT I AM SATISFIED WITH MY LEGAL COUNSEL AND THAT I FULLY UNDERSTAND THE NATURE OF THE CHARGE(S) AND/OR SPECIFICATION(S) AGAINST ME AND THE ELEMENTS CONTAINED THEREIN. FURTHER, I UNDERSTAND THE MAXIMUM PENALTY(IES) INVOLVED AND THAT THE COURT MAY IMMEDIATELY PROCEED TO SENTENCE ME AS FOLLOWS UPON ACCEPTANCE OF MY PLEA:

MAXIMUM PENALTY(IES)

<u>OFFENSE</u>	<u>MAXIMUM TERM(S)</u>	<u>MAXIMUM FINE(S)</u>	<u>PRISON PRESUMED NECESSARY</u>	<u>PRISON MANDATORY</u>
<i>Pandering</i>				
<i>Obscenity</i>	<i>12 mos.</i>	<i>\$2,500</i>	<i>No</i>	<i>No</i>
<i>Possessing Criminal Tools</i>	<i>12 mos.</i>	<i>\$2,500</i>	<i>No</i>	<i>No</i>

PLUS COURT COSTS, RESTITUTION, AND/OR OTHER FINANCIAL SANCTIONS AS SET FORTH IN R.C. 2929.18

I UNDERSTAND THAT I ~~AM~~ / AM NOT SUBJECT TO A MANDATORY DRIVER'S LICENSE SUSPENSION OF NOT LESS THAN SIX MONTHS NOR MORE THAN FIVE YEARS PURSUANT TO R.C. 4507.16 AND 4507.16.9 AS I HAVE ENTERED A PLEA TO A DRUG OR DRUG-RELATED OFFENSE.

THE STATE OF OHIO, AS PART OF THIS CRIM. R. 11(F) AGREEMENT, HAS AGREED TO RECOMMEND THE FOLLOWING:

NO RECOMMENDATION

COMMUNITY CONTROL

COMMUNITY CONTROL WITH COMPLETION OF IN-HOUSE CCA PROGRAM

ADOPT A FAVORABLE RECOMMENDATION IN PSI, OTHERWISE STAND SILENT

OTHER: Defendant forfeits any computer /s and or hardware seized by the Canfield Police Department. Defendant shall have no contact with the victim.

*which EXC  
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- Please note that any recommendation offered by the State is expressly contingent upon the Defendant appearing timely at his/her sentencing hearing and not committing any new crimes pending sentencing. In the event the Defendant fails to appear for sentencing or is charged with or convicted of any crimes following his/her plea, the State shall be relieved of its obligation with regards to its recommendation.

RELEASE ON OWN RECOGNIZANCE PENDING SENTENCING  
The Defendant is hereby cautioned that his/her failure to appear at any future court hearings could result in additional felony charges pursuant to R.C. 2937.29 and 2937.99.

ADDITIONALLY, I RECOGNIZE THAT SENTENCING LIES SOLELY WITHIN THE DISCRETION OF THE COURT AND THAT ANY AGREEMENT BETWEEN COUNSEL FOR THE STATE OF OHIO AND MY ATTORNEY IS MERELY A RECOMMENDATION.

BY ENTERING INTO THIS PLEA AGREEMENT, I HEREBY KNOWINGLY, INTELLIGENTLY AND VOLUNTARILY WAIVE MY RIGHT TO TRIAL BY JURY

AND FACT-FINDING BY A JURY AND HEREBY CONSENT TO JUDICIAL FACT-FINDING FOR PURPOSES OF SENTENCING. I HEREBY STIPULATE THAT THE JUDGE ALONE MAY MAKE ANY FACTUAL FINDINGS NECESSARY TO IMPOSE A SENTENCE FROM THE RANGE OF AVAILABLE SENTENCES FOR THIS PARTICULAR OFFENSE(S) AND/OR SPECIFICATION(S).

I UNDERSTAND THAT BY ENTERING THIS PLEA, I WAIVE CERTAIN FUNDAMENTAL CONSTITUTIONAL AND STATUTORY RIGHTS, NAMELY: MY RIGHTS TO A TRIAL BY JURY; TO CONFRONT WITNESSES AGAINST ME; TO HAVE COMPULSORY SUBPOENA PROCESS FOR OBTAINING WITNESSES IN MY FAVOR; AND TO REQUIRE THE STATE TO PROVE ME GUILTY OF EACH AND EVERY ELEMENT OF THE OFFENSE(S) AND/OR SPECIFICATION(S) FOR WHICH I AM CHARGED BEYOND A REASONABLE DOUBT AT A TRIAL AT WHICH I CANNOT BE COMPELLED TO BE A WITNESS AGAINST MYSELF. FURTHER, SHOULD I DECIDE NOT TO TESTIFY, I UNDERSTAND THAT NO ONE CAN COMMENT ON MY FAILURE TO TESTIFY. I UNDERSTAND THAT BY ENTERING THIS PLEA OF GUILTY, I FORFEIT MY RIGHT TO APPEAL. HOWEVER, I DO UNDERSTAND MY RIGHT TO APPEAL A MAXIMUM SENTENCE, MY OTHER LIMITED APPELLATE RIGHTS, THAT AN APPEAL MUST BE FILED WITHIN 30 DAYS OF MY SENTENCE AND MY RIGHT TO A LAWYER TO HANDLE THAT APPEAL IF I WERE UNABLE TO AFFORD ONE.

IF YOU ARE NOW UNDER THE SUPERVISION OF THE OHIO ADULT PAROLE AUTHORITY OR THE MAHONING COUNTY PROBATION DEPARTMENT, THIS PLEA MAY RESULT IN A REVOCATION PROCEEDING THAT COULD SUBJECT YOU TO ADDITIONAL PENALTIES, POSSIBLY CONSECUTIVE SENTENCES.

IF THE COURT FINDS ME GUILTY OF A REPEAT VIOLENT OFFENDER SPECIFICATION (R.C. 2941.149) AND THE COURT IMPOSES THE MAXIMUM PRISON TERM(S) FOR THE UNDERLYING OFFENSE(S); OR GUILTY OF A VIOLATION OF R.C. 2925.03, 2925.04, OR 2925.11 THAT REQUIRES A TEN-YEAR PRISON TERM; OR GUILTY OF A MAJOR DRUG OFFENDER SPECIFICATION (R.C. 2941.1410) THAT

REQUIRES A TEN YEAR PRISON TERM(S) FOR THE UNDERLYING OFFENSE(S); OR GUILTY OF R.C. 2923.32 WHEN THE MOST SERIOUS OFFENSE IN THE PATTERN IS A FIRST DEGREE FELONY THAT REQUIRES A TEN YEAR PRISON TERM; OR GUILTY OF AN ATTEMPTED FORCIBLE VIOLATION OF R.C. 2907.02 WITH THE VICTIM BEING UNDER 13 YEARS OF AGE THAT REQUIRES A TEN YEAR PRISON TERM; I UNDERSTAND THAT THE COURT MAY IMPOSE AN ADDITIONAL PRISON TERM OF 1-10 YEARS TO EACH TERM.

I UNDERSTAND THAT I  AM ~~NOT~~ ELIGIBLE FOR THE IMPOSITION OF A COMMUNITY CONTROL SANCTION AT THE TIME OF SENTENCING.

IF THIS COURT IS NOT REQUIRED BY LAW TO IMPOSE A PRISON SANCTION, IT MAY IMPOSE A COMMUNITY CONTROL OR OTHER NON-PRISON SANCTION. IF YOU VIOLATE THE RULES OR CONDITIONS OF SUCH COMMUNITY CONTROL SANCTION, THE COURT MAY EXTEND THE TIME WHICH YOU ARE SUBJECT TO THIS SANCTION UP TO A MAXIMUM OF FIVE (5) YEARS, IMPOSE A MORE RESTRICTIVE SANCTION, OR IMPRISON YOU FOR UP TO THE MAXIMUM TERM PROVIDED FOR THE OFFENSE(S) AS SET FORTH ABOVE.

IF THE COURT IMPOSES A PRISON SANCTION, I UNDERSTAND THAT THE FOLLOWING PERIOD OF POST RELEASE CONTROL (PRC) IS APPLICABLE:

(CHECK ONLY ONE BOX FOR THE HIGHEST LEVEL FELONY):

- |  |  |
|--|--|
| <input type="checkbox"/> F-1 .....                                       | NOT ELIGIBLE FOR PRC – MANDATORY PAROLE ONLY |
| <input type="checkbox"/> F-1 .....                                       | FIVE YEARS MANDATORY                         |
| <input type="checkbox"/> Felony Sex Offense .....                        | FIVE YEARS MANDATORY                         |
| <input type="checkbox"/> F-2 .....                                       | THREE YEARS MANDATORY                        |
| <input type="checkbox"/> F-3 with Cause or Threat of Physical Harm ...   | THREE YEARS MANDATORY                        |
| <input type="checkbox"/> F-3 without Cause or Threat of Physical Harm .. | UP TO THREE YEARS OPTIONAL                   |

F-4 ..... UP TO THREE YEARS OPTIONAL  
  ✓   F-5 ..... UP TO THREE YEARS OPTIONAL

I UNDERSTAND THAT A VIOLATION OF ANY PRC RULE OR CONDITION CAN RESULT IN A MORE RESTRICTIVE SANCTION WHILE RELEASED, AN INCREASED DURATION OF PRC UP TO THE MAXIMUM SET ABOVE AND/OR RE-IMPRISONMENT WHICH CAN BE IMPOSED IN SEGMENTS OF THIRTY, SIXTY OR NINETY DAYS UP TO NINE MONTHS, BUT THE TIME CANNOT EXCEED A MAXIMUM OF ONE-HALF OF THE TOTAL TERM IMPOSED FOR ALL OFFENSES SET OUT ABOVE. IF YOU COMMIT ANOTHER FELONY WHILE UNDER PRC, YOU MAY BE SUBJECT TO AN ADDITIONAL PRISON TERM CONSISTING OF THE MAXIMUM PERIOD OF UNSERVED TIME REMAINING ON PRC OR TWELVE MONTHS, WHICHEVER IS GREATER. THE PRISON TERM MUST BE SERVED CONSECUTIVELY TO ANY TERM IMPOSED FOR THE NEW FELONY FOLLOWING CONVICTION.

I NOW CERTIFY THAT THIS PLEA HAS BEEN FREELY AND VOLUNTARILY MADE AND, FOLLOWING ADVICE OF COUNSEL, I HAVE KNOWINGLY, INTELLIGENTLY AND VOLUNTARILY WAIVED MY RIGHTS. I HAVE NOT BEEN COERCED OR INDUCED INTO MAKING THIS PLEA BY ANY THREATS OR PROMISES, OTHER THAN ANY RECOMMENDATIONS THE STATE HAS AGREED TO MAKE AS PART OF THIS AGREEMENT. I FURTHER ACKNOWLEDGE THAT MY DECISION TO PLEAD GUILTY PLACES ME COMPLETELY, AND WITHOUT RESERVATION OF ANY KIND, UPON THE MERCY OF THE COURT WITH RESPECT TO SENTENCING.

ALL THE ABOVE HAS BEEN EXPLAINED TO ME TO MY SATISFACTION BY THE COURT AND BY MY COUNSEL. I HAVE READ OR HAVE HAD READ TO ME THIS WRITTEN PLEA OF GUILTY AND AT THIS TIME WISH TO PROCEED AS DESCRIBED ABOVE.

I HEREBY CERTIFY THAT I AM /  A CITIZEN OF THE UNITED STATES OF AMERICA. (IF YOU ARE NOT A CITIZEN OF THE UNITED STATES, YOU

ARE HEREBY ADVISED THAT A CONVICTION FOR AN OFFENSE MAY CARRY WITH IT CERTAIN CONSEQUENCES, PARTICULARLY THE RISK OF DEPORTATION, EXCLUSION FROM ADMISSION TO THE UNITED STATES OR DENIAL OF NATURALIZATION PURSUANT TO THE LAWS OF THE UNITED STATES.)

THIS WRITTEN PLEA FORM REPRESENTS THE COMPLETE AGREEMENT BETWEEN THE STATE OF OHIO AND THE DEFENDANT.

5/11/11  
DATE

Rout My  
DEFENDANT

[Signature]  
COUNSEL FOR DEFENDANT

CC:

Carle Baldwin Fields  
ASSISTANT PROSECUTOR

Ruth Fischbein Cohen  
COUNSEL FOR DEFENDANT