

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
SECOND JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO,  
Plaintiff,

CR#: 2017-01237

vs.

AMEER MUHAMMAD,  
Defendant.

[REDACTED]  
[REDACTED]

Address: MDC

- CONDITIONAL DISCHARGE**
- ORDER DEFERRING SENTENCE**
- JUDGMENT, SENTENCE AND -**
  - FULLY SUSPENDED SENTENCE**
  - PARTIALLY SUSPENDED SENTENCE**
  - COMMITMENT TO THE METROPOLITAN DETENTION CENTER**
  - COMMITMENT TO THE N.M. DEPARTMENT OF CORRECTIONS**

THIS MATTER having come before the Honorable JACQUELINE FLORES, District Court Judge, on September 24, 2018, for sentencing, the State appearing and being represented by COLLIN BRENNAN, Defendant appearing in person and represented by counsel of record, ROBERT MARTIN, and Defendant having been convicted on July 27, 2018, of the following crimes pursuant to:

- Guilty Plea(s)**
- Guilty Plea Pursuant to North Carolina v. Alford**
- No Contest Plea(s)**
- Verdict(s)** *Guilty to Count 1 attempted & Count 4 shoplifting.*
- Provisional Plea of Guilty subject to a Conditional Discharge**

Defendant is hereby sentenced to the custody of the:

- Bernalillo County Metropolitan Detention Center**
- New Mexico Department of Corrections**

*Count 3 was  
a not guilty  
verdict.*

for the following term(s) of imprisonment:

|  |  |                                       |                             |                         |                                       |   |                                    |
|--|--|---------------------------------------|-----------------------------|-------------------------|---------------------------------------|---|------------------------------------|
| Case Number<br>2017-01237                              | Statute Number   | Class<br>PM/M/F4/<br>F3/F2/F1         | State<br>Tracking<br>Number | Date Of<br>Offense      | Serious<br>Violent<br>Offense<br>Y/N* | Charging Document<br>(Circle One)         |                                    |
| Count Number<br>one                                    | 30-2-1(A)(2)   | first<br><b>F1</b>                    |                             | March 19,<br>2017       | <b>Y</b>                              | <b>Indictment</b><br>Information          |                                    |
| Offense Name<br>FIRST DEGREE MURDER (FELONY<br>MURDER) | <input type="checkbox"/> Conditional Discharge - STOP<br><input type="checkbox"/> Deferred Sentence - STOP<br><input checked="" type="checkbox"/> Sentence - Enter Sentence Data Below |                                       |                             | Concurrent<br>to Counts | Consec-<br>utive to<br>Counts         | Enhancement<br>Code (Circle)<br>FA O H HO | Parole<br>(Circle)<br><b>(Y)</b> N |
|  | Years  | Months                                | Days                        |                         |                                       |   |                                    |
|  | <b>L I F E</b>   |                                       |                             |                         |                                       |   |                                    |
| Case Number<br>2017-01237                              | Statute Number   | Class<br>PM/M/F4/<br>F3/F2/F1         | State<br>Tracking<br>Number | Date Of<br>Offense      | Serious<br>Violent<br>Offense<br>Y/N* | Charging Document<br>(Circle One)         |                                    |
| Count<br>four  | 30-16-20(A)  | petty<br>misdemean<br>or<br><b>PM</b> |                             | March 19,<br>2017       | <b>N</b>                              | <b>Indictment</b><br>Information          |                                    |
| Offense Name<br>SHOPLIFTING (\$250 OR LESS)            | <input type="checkbox"/> Conditional Discharge - STOP<br><input type="checkbox"/> Deferred Sentence - STOP<br><input checked="" type="checkbox"/> Sentence - Enter Sentence Data Below |                                       |                             | Concurrent<br>to Counts | Consec-<br>utive to<br>Counts         | Enhancement<br>Code (Circle)<br>FA O H HO | Parole<br>(Circle)<br>Y N          |
|  | Years  | Months                                | Days                        |                         |                                       |   |                                    |
|  |  | <b>6</b>                              |                             |                         |                                       |   |                                    |
| Case Number<br>2017-01237                              | Statute Number   | Class<br>PM/M/F4/<br>F3/F2/F1         | State<br>Tracking<br>Number | Date Of<br>Offense      | Serious<br>Violent<br>Offense<br>Y/N  | Charging Document<br>(Circle One)         |                                    |
| Count  |  |                                       |                             |                         |                                       | Indictment<br>Information                 |                                    |
| Offense Name   | <input type="checkbox"/> Conditional Discharge - STOP<br><input type="checkbox"/> Deferred Sentence - STOP<br><input type="checkbox"/> Sentence - Enter Sentence Data Below            |                                       |                             | Concurrent<br>to Counts | Consec-<br>utive to<br>Counts         | Enhancement<br>Code (Circle)<br>FA O H HO | Parole<br>(Circle)<br>Y N          |
|  | Years  | Months                                | Days                        |                         |                                       |   |                                    |
|  |  |                                       |                             |                         |                                       |   |                                    |

Enhancements: FA = Firearm, O= Old Age, H = Handicap, HO = Habitual Offender

\* Applies to crimes committed after July 1, 1999. See below for any special enumerations required for this status.

**SENTENCE SPECIFICS:**

Enumeration of Discretionary Special Violent Offender or Aggravation Findings for Count(s) \_\_\_\_\_.

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Total Sentence of life imprisonment plus 6 months

Consecutive to the sentence imposed in Case Number

Concurrent to the sentence imposed in Case Number

Actual Term of Incarceration. Defendant is to be incarcerated for life imprisonment plus \_\_\_\_\_ years, 6 months, \_\_\_\_\_ days in

New Mexico Corrections Department

Metropolitan Detention Center

MDC Good Time  Authorized  Not authorized

Community Custody Program (CCP)  Authorized  Ordered

**SENTENCE FORM**

Suspended Sentence \_\_\_\_\_ years, \_\_\_\_\_ months, \_\_\_\_\_ days of the total sentence is suspended.

Deferred Sentence Sentence is deferred for \_\_\_\_\_ years, \_\_\_\_\_ months \_\_\_\_\_ days.

Conditional Discharge. Without adjudication of guilt, further proceedings are deferred for \_\_\_\_\_ years, \_\_\_\_\_ months, \_\_\_\_\_ days pursuant to:

NMSA §31-20-13

NMSA §30-31-28 (Controlled Substances Act; only for violations of §30-31-23)

**PAROLE**

Defendant, if imprisoned at any time in the New Mexico Corrections Department, shall be placed on **parole** for an amount of years to determined by law.

**PROBATION**

Probation. Probation term of \_\_\_\_\_ years, \_\_\_\_\_ months \_\_\_\_\_ days

Supervised

Unsupervised

No Probation.

**PROBATION COSTS:**

- Probation Costs shall be waived.
- Probation Costs shall be determined by the probation office based on ability to pay.
- Defendant shall pay \$ \_\_\_\_\_ per month.
- Probation costs shall be waived for any month that Defendant is paying for:
  - Treatment
  - Restitution
  - Counseling
  - Other

**FEES & FINES**

Defendant must pay the following:

- Controlled Substance Fee \$75. §31-12-8
- DNA Fee of \$100 and provide DNA sample as directed. §29-16-11 & §29-3-10
- Domestic Violence Fund Fee of \$5.00. §31-12-11A
- Crime Victim Reparation Fee §31-12-13
  - Felony - \$75
  - Misdemeanor - \$50

DWI Offenses:

- Chemical/Other Testing Fee of \$85. §31-12-7A
- Comprehensive Community Corrections Fee of \$75. §31-12-7B
- Subsequent Offense Mandatory Fine §66-8-102F
  - 2<sup>nd</sup> Offense: \$500
  - 3<sup>rd</sup> Offense: \$750

**PRE-SENTENCE CONFINEMENT CREDIT**

Pre-sentence confinement credit in the amount of 556 days is awarded as of this date, and post-sentence confinement credit until transported to the Corrections is also awarded if Defendant is imprisoned at any time pursuant to the above conviction(s). The Defendant shall not receive pre-sentence confinement credit towards any period of probation.

*\* Court 2 found guilty vacated because it is the predicate felony for felony Murder.*

District Judge: JACQUELINE FLORES  
Division: X

*Robert Martin*

ROBERT MARTIN  
505 MARQUETTE AVE NW #120  
Albuquerque, NM 87102  
(505) 505-369-3600

*Collin Brennan*

COLLIN BRENNAN  
520 Lomas Blvd. NW  
Albuquerque, NM 87102  
(505) 222-1099