

**IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF
BAKER**

State of Oregon,
Plaintiff

VS.

Jeremy G Thamert,
Defendant

Case No.: 19CR57085

JUDGMENT

Case File Date: 08/29/2019

DEFENDANT

True Name: Jeremy G Thamert
Date Of Birth: 11/12/1971

Sex: Male

HEARING

Proceeding Date: 10/08/2021
Judge: Russell B West
Court Reporter: FTR, Baker

Defendant appeared in person and was not in custody. The defendant was represented by Attorney(s) ERICK W WARD, OSB Number 076570. Plaintiff appeared by and through Attorney(s) KURT W MILLER, OSB Number 084210. Defendant knowingly waived two day waiting period before sentencing.

COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

Count 5 : Theft in the Second Degree

Count number 5, Theft in the Second Degree, 164.045, Misdemeanor Class A, committed on or between 07/01/2017 and 07/31/2017. Conviction is based upon a Jury Verdict of Guilty on 10/08/2021.

Incarceration

Defendant is sentenced to the custody of County Jail, for a period of 10 day(s). Defendant is to report to by 11/12/2021

at 5:00 PM. Defendant may not receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the Defendant shall pay any required per diem fees.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

Fees and Assessments: Payable to the Court.

Type	Amount	Modifier	Reduction	Actual Owed
Fine	\$100.00			\$100.00
Total	\$100.00			\$100.00

Count 6 : Theft in the First Degree

Count number 6, Theft in the First Degree, 164.055, Felony Class C, committed on or between 08/01/2017 and 08/31/2017. Conviction is based upon a Jury Verdict of Guilty on 10/08/2021.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 6 is 3 and the Criminal History Classification (CHC) is H.

Probation

Defendant is sentenced to Supervised Probation for a period of 24 month(s) and shall be subject to the following conditions of Probation: Defendant is ordered to pay a supervision fee.

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance, cannabis or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.

- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- If recommended by the supervising officer (SO), successfully complete a sex offender treatment program approved by the SO and submit to polygraph examinations at the direction of the SO if the probationer: (A) Is under supervision for a sex offense under ORS 163.305 to 163.467; (B) Was previously convicted of a sex offense under ORS 163.305 to 163.467; or (C) Was previously convicted in another jurisdiction of an offense that would constitute a sex offense under ORS 163.305 to 163.467 if committed in this state.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- If required to report as a sex offender under ORS 163A.010 or 163A.015, report with the Department of State Police, a city police department, a county sheriff's office or the supervising agency: (A) When supervision begins; (B) Within 10 days of a change in residence; (C) Once each year within 10 days of the probationer's date of birth; (D) Within 10 days of the first day the person works at, carries on a vocation at or attends an institution of higher education; and (E) Within 10 days of a change in work, vocation or attendance status at an institution of higher education.
- Submit to a risk and needs assessment as directed by the supervising officer and follow reasonable recommendations resulting from the assessment.

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Defendant shall not apply for, accept, or continue any employment or volunteer position that includes the handling of money or negotiable instruments, i.e., cash, checks, credit cards, bank cards, stocks, bonds, accounts payable, or similar items, without prior written approval of the probation department.
- Defendant shall have no contact with Maken Van Geld LLC, The Home Place in Baker LLC (Memory Lane Homes) and employees of those businesses; and Warren Whitnah, Robert Whitnah and his residence and business; without prior written approval by the court or probation department
- Defendant shall report to probation officer immediately

- Defendant shall provide the probation department with employment information and allow communication between your employer and the probation department for the purposes of monitoring compliance with probation conditions.
- Defendant shall provide complete personal financial records, i.e., tax records, household income and expenses, bank statement, and similar items, to the probation department upon their request.
- Defendant may not create, own manage or participate in any manner as an owner or manager of any form of business, without prior written approval of the probation department.
- Defendant shall submit to a polygraph examination at his own expense at the request of his probation officer

Pursuant to the sentencing guidelines grid, the Defendant is subject to 90 sanction units with 30 jail units.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

Fees and Assessments: Payable to the Court.

Type	Amount	Modifier	Reduction	Actual Owed
Fine - Criminal	\$200.00			\$200.00
Total	\$200.00			\$200.00

Compensatory Fine/Restitution:

Restitution is ordered to be paid to the court and disbursed to the payee(s) named below.

Payee	Not To Exceed	Amount
The Home Place in Baker, LLC		\$8,565.00
Total		\$8,565.00

Count 7 : Theft in the First Degree

Count number 7, Theft in the First Degree, 164.055, Felony Class C, committed on or between 09/01/2017 and 09/30/2017. Conviction is based upon a Jury Verdict of Guilty on 10/08/2021.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 7 is 3 and the Criminal History Classification (CHC) is G.

Probation

Defendant is sentenced to Supervised Probation for a period of 24 month(s) and shall be subject to the following conditions of Probation: Defendant is ordered to pay a supervision fee.

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance, cannabis or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- If recommended by the supervising officer (SO), successfully complete a sex offender treatment program approved by the SO and submit to polygraph examinations at the direction of the SO if the probationer: (A) Is under supervision for a sex offense under ORS 163.305 to 163.467; (B) Was previously convicted of a sex offense under ORS 163.305 to 163.467; or (C) Was previously convicted in another jurisdiction of an offense that would constitute a sex offense under ORS 163.305 to 163.467 if committed in this state.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- If required to report as a sex offender under ORS 163A.010 or 163A.015, report with the Department of State Police, a city police department, a county sheriff's office or the supervising agency: (A) When supervision begins; (B) Within 10 days of a change in residence; (C) Once each year within 10 days of the probationer's date of birth; (D) Within 10 days of the first day the person works at, carries on a vocation at or attends an institution of higher education; and (E) Within 10 days of a change in

work, vocation or attendance status at an institution of higher education.

- Submit to a risk and needs assessment as directed by the supervising officer and follow reasonable recommendations resulting from the assessment.

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Defendant shall not apply for, accept, or continue any employment or volunteer position that includes the handling of money or negotiable instruments, i.e., cash, checks, credit cards, bank cards, stocks, bonds, accounts payable, or similar items, without prior written approval of the probation department.
- Defendant shall have no contact with Maken Van Geld LLC, The Home Place in Baker LLC (Memory Lane Homes) and employees of those businesses: and Warren Whitnah, Robert Whitnah and his residence and business; without prior written approval by the court or probation department
- Defendant shall provide the probation department with employment information and allow communication between your employer and the probation department for the purposes of monitoring compliance with probation conditions
- Defendant shall provide complete personal financial records, i.e., tax records, household income and expenses, bank statement, and similar items, to the probation department upon their request
- Defendant may not create, own, manage, or participate in any manner as an owner or manager of any form of business, without prior written approval of the probation department.
- Defendant shall submit to a polygraph examination at his own expense at the request of his probation officer

Pursuant to the sentencing guidelines grid, the Defendant is subject to 90 sanction units with 30 jail units.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

Count 8 : Theft in the First Degree

Count number 8, Theft in the First Degree, 164.055, Felony Class C, committed on or between 10/01/2017 and 10/31/2017. Conviction is based upon a Jury Verdict of Guilty on 10/08/2021.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 8 is 8 and the Criminal History Classification (CHC) is F.

Probation

Defendant is sentenced to Supervised Probation for a period of 24 month(s) and shall be subject to the following conditions of Probation: Defendant is ordered to pay a supervision fee.

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance, cannabis or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- If recommended by the supervising officer (SO), successfully complete a sex offender treatment program approved by the SO and submit to polygraph examinations at the direction of the SO if the probationer: (A) Is under supervision for a sex offense under ORS 163.305 to 163.467; (B) Was previously convicted of a sex offense under ORS 163.305 to 163.467; or (C) Was previously convicted in another jurisdiction of an offense that would constitute a sex offense under ORS 163.305 to 163.467 if committed in this state.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- If required to report as a sex offender under ORS 163A.010 or 163A.015, report with the Department of State Police, a city police department, a county sheriff's office or the supervising agency: (A) When supervision begins; (B) Within 10 days of a change in residence; (C) Once each year within 10 days of the probationer's date of birth; (D) Within 10 days of the first day the person works at, carries on a vocation at or attends an institution of higher education; and (E) Within 10 days of a change in work, vocation or attendance status at an institution of higher education.
- Submit to a risk and needs assessment as directed by the supervising officer and follow reasonable recommendations resulting from the assessment.

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Defendant shall not apply for, accept, or continue any employment or volunteer position that includes the handling of money or negotiable instruments, i.e., cash, checks, credit cards, bank cards, stocks, bonds, accounts payable, or similar items, without prior written approval of the probation department.
- Defendant shall have no contact with Maken Van Feld LLC, The Home Place in Baker LLC (Memory Lane Homes) and employees of those businesses; Warren Whitnah, Robert Whitnah and his residence and business; without prior written approval by the court or probation department
- Defendant shall provide the probation department with employment information and allow communication between your employer and the probation department for the purposes of monitoring compliance with probation conditions
- Defendant shall provide complete personal financial records, i.e., tax records, household income and expenses, bank statement, and similar items, to the probation department upon their request
- Defendant may not create, own, manage, or participate in any manner as an owner or manager of any form of business, without prior written approval of the probation department.
- Defendant shall submit to a polygraph examination at his own expense at the request of his probation officer

Pursuant to the sentencing guidelines grid, the Defendant is subject to 120 sanction units with 60 jail units.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

Compensatory Fine/Restitution:

A compensatory fine is ordered to be paid to the court and disbursed to the payee(s) named below.

Payee	Not To Exceed	Amount
Robert Whitnah		\$1,000.00
Robert Whitnah		\$1,000.00
Total		\$2,000.00

COUNTS DISPOSED WITH NO CONVICTION

Count # 2, Theft in the First Degree is Acquitted.

Count # 3, Theft in the Second Degree is Acquitted.

Count # 1, Theft in the Second Degree is Dismissed.

Count # 4, Theft in the First Degree is Dismissed.

If convicted of a felony or a crime involving domestic violence, you may lose the right to buy, sell, transport, receive, or possess a firearm, ammunition, or other weapons in both personal and professional endeavors pursuant to ORS 166.250, ORS 166.291, ORS 166.300, and/or 18 USC 922(g).

MONEY AWARD INCLUDING RESTITUTION

Judgment Creditor: State of Oregon

Judgment Debtor: Jeremy G Thamert

Compensatory Fine

Payee	Amount
Robert Whitnah	\$2,000.00

Restitution

Payee	Amount
The Home Place in Baker, LLC	\$8,565.00

Payees are to be paid as ordered under Monetary Terms.

Defendant is ordered to pay the following monetary totals, including restitution or compensatory fine amounts stated above, which are listed in the Money Award portion of this document:

Type	Amount Owed
Compensatory Fine	\$2,000.00
Restitution	\$8,565.00
Fine	\$100.00
Fine - Criminal	\$200.00
Total	\$10,865.00

The court may increase the total amount owed by adding collection fees and other assessments. These fees and assessments may be added without further notice to the defendant and without further court order.

Subject to amendment of a judgment under ORS 137.107, money required to be paid as a condition of probation remains payable after revocation of probation only if the amount is included in the money award portion of the judgment document, even if the amount is referred to in other parts of the judgment document.

Any financial obligation(s) for conviction(s) of a violation, which is included in the Money Award, creates a judgment lien.

Payment Schedule

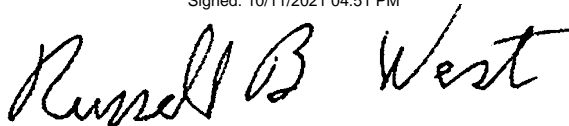
Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

Baker County Circuit Court
1995 3rd St. Suite #220
Baker City, Oregon 97814
P: 541.523.6305
F: <http://courts.oregon.gov/Baker>

Dated the _____ day of _____, 20____

Signed: 10/11/2021 04:51 PM



Signed: _____

Russell B West

Russell B. West,
Senior Circuit Court Judge