

IN THE JUSTICE COURT OF RANKIN COUNTY, MISSISSIPPI

Defendant: \_\_\_\_\_

File No. \_\_\_\_\_

Trial     Guilty Plea     Nolo Plea

SENTENCING ORDER FOR DUI CONVICTION – SECOND (2<sup>nd</sup>) OFFENSE DUI

The defendant having been convicted of a **second** offense DUI, the Court hereby orders:

1. The defendant shall:
  - (a) be fined \$\_\_\_\_\_ (*not less than \$600.00 nor more than \$1,500.00*) plus costs and assessments;
  - (b) be imprisoned in the county jail for \_\_\_\_\_ days (*not less than 5 days nor more than 1 year*) with \_\_\_\_\_ days suspended with any suspension subject to compliance with this Court’s orders;
  - (c) perform community service work as follows:
    - (1) perform community service work for \_\_\_\_\_ days (*not less than 10 days nor more than 1 year*) with \_\_\_\_\_ (“agency”);
    - (2) have contacted the agency about performing community service work for the agency with such contact on or before
      - \_\_\_\_\_ or
      - ten (10) days after release from jail;
    - (3) have completed the community service work and provided the Justice Court Clerk with proof of successful completion of the community work on or before
      - \_\_\_\_\_ or
      - one hundred twenty (120) days after release from jail;
2. In accordance with Miss. Code Ann. § 63-11-31(2)(b)(i), the defendant is hereby assessed, in addition to the criminal fines, penalties and assessments provided by law for violations of Section 63-11-30, a fee of Fifty Dollars (\$50.00), to be deposited in the Interlock Device Fund in the State Treasury.
3. In accordance with Miss. Code Ann. § 63-11-30(2)(b)(i), thirty (30) days after receipt of the court abstract, the Department of Public Safety shall suspend the driver's license of the defendant for one (1) year unless the defendant has surrendered his/her driver's license to be voided and obtained a new driver's license that is restricted to operation of vehicles equipped with an ignition-interlock device that complies with Section 63-11-31; the defendant shall not be eligible for an unrestricted license until the defendant has either been subject to a full one-year suspension of license or has exercised the driving privilege solely under an interlock-restricted driver's license for one (1) full year. Suspension of commercial driving privileges shall be governed by Section 63-1-216.
4. In accordance with Miss. Code Ann. § 63-11-30(2)(d), the defendant shall receive an in-depth diagnostic assessment, and if as a result of the assessment is determined to be in need of treatment for alcohol or drug abuse, the defendant shall successfully complete treatment at a program site certified by the Department of Mental Health.
5. In accordance with Miss. Code Ann. § 63-11-31(6)(a), all vehicles owned by the defendant that are not equipped with an ignition-interlock device shall be
  - impounded or
  - immobilized
 pending further order of the court lifting the offender's driving restriction. The cost associated with any impoundment or immobilization shall be paid by the defendant without regard to ability to pay.
 

appear before the Court for sentencing compliance evaluation at **8:30 AM** on \_\_\_\_\_ and any other dates subsequently ordered by the Court.

So ordered, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge

Acknowledged by the Defendant \_\_\_\_\_