

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2010-005892-001 DT

07/12/2013

HONORABLE BRUCE R. COHEN

CLERK OF THE COURT  
T. Gatz  
Deputy

STATE OF ARIZONA

KYRA JOHNSON GODDARD

v.

JOSHUA NEAL BARNEY (001)  
DOB: 11/11/1983

PHILLIP G NOLAND

APO-SENTENCINGS-CCC  
APPEALS-CCC  
DISPOSITION CLERK-CSC  
MCSO-ATTN RECORDS MANAGER  
RFR

**SUSPENSION OF SENTENCE - PROBATION GRANTED**

10:30 a.m.

Courtroom 6B SCT

State's Attorney: Kyra Goddard  
Defendant's Attorney: Phillip Noland  
Defendant: Present

Court Reporter, Jovanna Roman, is present.

A record of the proceeding is also made by audio and/or videotape.

The following person spoke on behalf of the Victim: Paul Westcott.

The following people spoke on behalf of the Defendant: Yolanda Barney, Colin Sherratt and David Barney.

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**Count(s) 1 and 2: WAIVER OF TRIAL:** The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

**IT IS THE JUDGMENT** of the Court Defendant is guilty of the following:

**OFFENSE: Count 1 AND 2: (AMENDED) ATTEMPTED SEXUAL EXPLOITATION OF A MINOR**

Class 3 felony

A.R.S. § 13-1001, 13-3553, 13-3551, 13-3821, 13-610, 13-604.01, 13-902, 13-701, 13-702, 13-702.01 and 13-801

Date of Offense: committed on or between 06/01/2008 and 10/10/2008

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

**Count 1 Probation Term: lifetime**

**To begin 07/12/2013.**

**IT IS ORDERED** that probation in Count 1 shall run concurrent with probation in Count 2.

**Count 2 Probation Term: lifetime**

**To begin 07/12/2013.**

**IT IS ORDERED** that probation in Count 2 shall run concurrent with probation in Count 1.

**Condition 5** - If deported or processed through voluntary departure, will not return to the United States without legal authorization during the term of probation, and all conditions remain in effect.

**Condition 6:** Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

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**Condition 8** - Request and obtain written permission of the APD prior to leaving the state.

**Condition 9** - May apply for Interstate Compact supervision in the state of Utah and will not proceed to that state until reporting instructions are received and the APD issues a written travel permit.

**Condition 15:** Restitution, Fines and Fees:

**RESTITUTION:** Count 1 - \$20679.80 payable \$100.00 per month, beginning 09/01/2013, to the following persons:

Lauren Westcott (Individual) \$20679.80

Restitution ledger provided; priority of payment as stated in the restitution ledger.

**PROBATION SERVICE FEE:** Count 1 - \$65.00 per month, beginning 09/01/2013.

**SEX OFFENDER REGISTRATION FEE:** Count 1 - \$250.00, beginning 09/01/2013.

**PROBATION SURCHARGE:** Count 1 - \$20.00 payable on 09/01/2013.

**Count 1: Time payment fee** pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on 09/01/2013.

**INTERSTATE COMPACT APPLICATION FEE:** Count 1 - \$300.00, payable in full at the time of submission of the application.

All amounts payable through the Clerk of the Superior Court.

**Condition 16** - Not consume or possess any substances containing alcohol.

**Condition 19:** Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

**Condition 21** - Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Mental Health

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Sex Offender

Pursuant to A.R.S. § 13-3821(K), notification is made to the Sheriff of Maricopa County, Arizona.

**Condition 22:** Other - Defendant may engage in computer usage for career or work related purposes only, as monitored by APD.

**IT IS FURTHER ORDERED** that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

**IT IS ORDERED** granting the Motion to Dismiss the following: Counts 3 -8, the State agrees not to file Sexual Conduct with a Minor, Aggravated Luring and Sexual Exploitation of a Minor charges relating to victim L.W., arising out of Phoenix Police Department Report No. 200881747453.

**IT IS ORDERED** exonerating any bond previously posted in this matter to the party posting same.

**IT IS FURTHER ORDERED** that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

11:49 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE BRUCE R. COHEN  
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)