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2/20/2024 11:30 AM
COMMON PLEAS COURT
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IN THE COURT OF COMMON PLEAS OF LUCAS COUNTY, OHIO

STATE OF OHIO	*	CASE NOS: CR 23-2126 and CR23-2204
	*	
Plaintiff,	*	Judge Joseph V. McNamara
	*	
vs.	*	
	*	**SENTENCING MEMORANDUM**
ADAM ALEKHTIAR	*	
	*	
Defendant.	*	Mark Hanusz (103870)
	*	Assistant Prosecuting Attorney
	*	Lucas County Prosecutor's Office
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COMES NOW the State of Ohio, by and through its undersigned counsel, Mark Hanusz, and respectfully submits this Sentencing Memorandum in support of its position on the appropriate sentencing for the Defendant, Adam Alekhtiar, who has pled guilty to charges of failure to comply with the order or signal of a police officer and intimidation. Count two of CR23-2204 (OVI) will be dismissed at sentencing on March 20, 2024.

This memorandum is tendered to assist the Honorable Joseph McNamara in fashioning a sentence that accurately reflects the gravity of the Defendant's actions, the statutory mandates, and the interests of justice.

BACKGROUND

These cases arise from two separate incidents involving the Defendant. The first incident, case CR23-2204, occurred on or about June 1, 2023 and involved the intimidation of a state trooper. The second incident, case CR23-2126, occurred on or around June 7, 2023 and involved a failure to comply with the order or signal of a police officer. The Defendant pled guilty to both charges – third degree felonies – in open court on February 7, 2024.

ARGUMENT

The State urges the Court to consider the full context and impact of the Defendant's actions, as evidenced by the video recordings of the incidents. These recordings provide insight into the Defendant's conduct and form the basis for our sentencing recommendations.

A. Video Evidence

In preparation for a jury trial, the State has prepared video evidence that captures the Defendant's unlawful activities. The first video documents the Defendant's acts of intimidation of a public servant, Ohio State Trooper Jake Teal. The second video is radio communication between Lucas County Deputy Sheriff Wilbarger and Dispatch that gives a real-time account of the Defendant's failure to comply with a direct order from a law enforcement officer. Videos three, four and five are from the Defendant's personal YouTube channel (@adamalekhtiar2144) and show him driving his vehicle at speeds up to 165 MPH on the expressway while smoking a joint. Access to the video evidence will be provided as five MP4 video files burned onto a CD-ROM and hand-delivered to the Court's criminal bailiff [1].

B. Sentencing Recommendation

In light of the Defendant's guilty plea and the compelling nature of the video evidence, the State recommends a sentence that includes five years of community control with 6 months served at the Lucas County Correctional Treatment Facility and a 10-year driving license suspension. Further, as the Defendant has admitted to earning several hundred thousand dollars per year in the video, we ask that the Court imposes the maximum fine of $10,000 for each count for a total of $20,000 as well as costs of prosecution according to R.C. 2947.23. This recommendation is

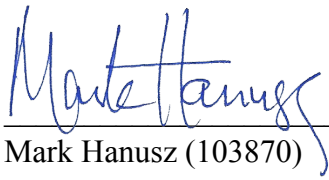
[1] These videos have already been provided to defense counsel

designed to reflect the seriousness of the offenses, promote rehabilitation of the Defendant, and protect the community from future harm.

CONCLUSION

The State respectfully requests that this Court consider the evidence and arguments presented in this memorandum and impose a sentence that serves justice, respects the statutory guidelines, and addresses the harm caused by the Defendant's actions.

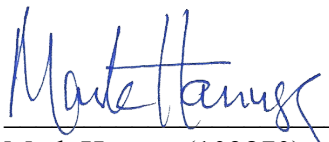
Respectfully submitted,



Mark Hanusz (103870)
Assistant Prosecuting Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Sentencing Memorandum was served on Martin Dow, counsel for the defendant, via email to martindow@bex.net on February 20, 2024.



Mark Hanusz (103870)
Assistant Prosecuting Attorney