

STATE OF INDIANA)	SHELBY COUNTY CIRCUIT COURT
)SS:	
COUNTY OF SHELBY)	
STATE OF INDIANA)	
)	
v.)	
)	CAUSE NO.73C01-1911-F6-541
CAROLANN M. OLIPHANT)	

GUILTY PLEA AGREEMENT

The Defendant, CAROLANN M. OLIPHANT, in person and by her attorney, Jeff Cardella, and the State of Indiana by Deputy Attorney General Maureen M. Devlin, hereby enter into this plea agreement made pursuant to negotiations.

1. This agreement, signed by the Defendant, Defense Counsel, and the attorney for the State of Indiana, shall be introduced into evidence by stipulation of all parties at the time of the guilty plea.

2. Defendant enters into this agreement knowing that the Court has the authority to accept or reject the agreement and understands that the Court may take the Defendant's criminal record into consideration in determining whether to accept or reject this plea agreement.

3. The Defendant agrees to plead **GUILTY** to:

Count 1: Obtaining a Controlled Substance by Fraud, Subterfuge or Deceit; I.C. 35-48-4-14(c); a Level 6 Felony (Hydromorphone)

Count 2: Obtaining a Controlled Substance by Fraud, Subterfuge or Deceit; I.C. 35-48-4-14(c); a Level 6 Felony (Fentanyl)

Count 5: Obtaining a Controlled Substance by Fraud, Subterfuge or Deceit; I.C. 35-48-4-14(c); a Level 6 Felony (Morphine)

4. The State agrees to dismiss counts 3,4 and 6,7.

5. At the time of the taking of the guilty plea and again at the time of the defendant's sentencing, the State reserves the right to question witnesses and comment on any evidence presented upon which the Court may rely to determine the sentence to be imposed; to present testimony or statements from the victim(s) or victim representative(s).

6. At the time this agreement is accepted by the Court, the following terms shall be binding upon the parties:

TOTAL SENTENCE: 3 YEARS AS FOLLOWS:

CONSECUTIVE 1 YEAR SENTENCES

Credit for time served to be applied to Count 1 only.

Judgments of conviction shall be entered as Felonies on all counts at the time of sentencing.

Defendant understands that a copy of this Agreement and the Judgment of Conviction will be forwarded to the Indiana Nursing Board, and she agrees to cooperate with proceedings before the Indiana Nursing Board. (CS)

COUNT 1: 1 YEAR; credit for 1+1 days; remainder suspended and Defendant placed on reporting probation, with STANDARD CONDITIONS and the following SPECIAL AGREED TERMS:

SPECIAL AGREED TERMS:

- Defendant to be evaluated for substance abuse and comply with substance abuse treatment at a placement approved by Probation, with random drug testing for compliance. (CS)
- Defendant to pay restitution to Major Hospital in the amount of \$3,170.98 during sentence on Count 1.
- Defendant to perform 48 hours of Community Service Work at a location approved by Probation that has no access to controlled substances. (CS)
- When Defendant pays restitution in full and completes her Community Service Work, judgments on all counts may be reduced to Class A Misdemeanors by agreement of the parties.

COUNT 2: 1 YEAR SUSPENDED. Defendant placed on reporting probation, with STANDARD CONDITIONS and the following SPECIAL AGREED TERMS:

SPECIAL AGREED TERMS:

- Defendant to comply with random testing for drug/alcohol consumption and to continue with any substance abuse treatment if recommended by Probation. (D)

COUNT 5: 1 YEAR SUSPENDED. Defendant placed on reporting probation, with STANDARD CONDITIONS.

7. Defendant shall pay Probation user fees, court imposed costs, any other legally required fees and a fine of \$300.00.

8. If the defendant has not previously been fingerprinted, the defendant shall immediately after sentencing go to be fingerprinted at the Shelby County Jail; IC 35-38-1-28.

1/10/20

Date

Carolann Oliphant
Carolann M. Oliphant, Defendant

1/10/20

Date

JPL
Jeff Cardella, Attorney for Defendant

Maureen M. Devlin

Maureen M. Devlin, Deputy Attorney General

1/9/20

Date