

IN THE COURT OF COMMON PLEAS OF VAN WERT COUNTY, OHIO

COURT OF COMMON PLEAS
2025 JAN 30 PM 1:16
CINDY MULLENKOPF, CLERK
VAN WERT CO. OHIO

THE STATE OF OHIO,
Plaintiff,

vs.

DAVID ALAN BRADFORD
Defendant.

Case No. CR- 22-01-012
PETITION TO ENTER A PLEA OF GUILTY
(SEX OFFENSE)

The defendant represents to the Court under the penalty of perjury that:

1. My full name is David Alan Bradford; that I am presently 55 years of age; that I have completed 14 years of school; that I am (not) able to read and understand the English language. I further request that all proceedings against me be in my true name as above.
2. I am represented by a lawyer whose name is Scott R. Gordon.
3. I have received a true copy of the ~~indictment~~ (Bill of Information) at least twenty-four hours before being called upon to plead, or I have waived that right in open court. I have read or had read to me the ~~indictment~~ (Bill of Information) and have discussed it fully with my lawyer, and I fully understand the nature of the charge(s) contained in said ~~indictment~~ (Bill of Information), and the elements necessary for the State of Ohio to prove said charge(s).
4. I have told my lawyer all the facts and circumstances known to me about the charge(s) made against me in the ~~indictment~~ (Bill of Information) and I believe that my lawyer is fully informed of such matters.
5. I know that the court must be satisfied that there is a factual basis for a plea of guilty before my plea can or will be accepted. The prosecuting attorney has made a statement of such facts to the court in open court and in my presence and I acknowledge those facts to be true as stated.

6. My lawyer has counseled with me and advised me as to the nature of the charge(s) against me, the elements contained therein, and all the lesser included offenses and on all possible defenses that I might have to this case, and I am satisfied that my lawyer has done what I have requested him to do and I am satisfied with the advise and counsel I have received from my lawyer.
7. I know that I may plead "not guilty" to any charge(s) against me. If I plead "not guilty," the Constitutions of the United States and the State of Ohio guarantee me the following rights:
- (a) a right to a speedy and public trial by jury or by the court;
 - (b) a right to confront the witnesses against me;
 - (c) a right to compulsory service of process for obtaining witnesses in my favor;
 - (d) a right to have the State prove my guilt beyond a reasonable doubt;
 - (e) a right not to be compelled to testify against myself;
 - (f) a right to appeal any judgment of this court;
 - (g) a right to have the assistance of a lawyer at all stages of the proceedings;
 - (h) a right to have the charges considered first by a Grand Jury.
8. I know that if I plead guilty, there will be no trial in this case, either to a jury or to the court, and that the court may impose the same punishment as if I had plead "not guilty" and stood trial and been found guilty by a jury or by the court. Both my lawyer and the court informed me that the maximum penalty could be a basic prison term of up to 18 months; that none of that prison term is mandatory; that during said prison term, I am/am not eligible for judicial release or community control; that the maximum fine possible is \$ 5,000.00, of which \$ none is mandatory; that restitution and other financial costs are possible in my case. I know that if I am pleading guilty to a first or second degree felony, or other

specified felony there is a presumption of imprisonment, but that the presumption may be rebutted. I know that if I am sentenced to a total term of incarceration of five years I will not be eligible for judicial release for four years or four years after the expiration of all mandatory terms. I know that if I am sentenced to a total term incarceration of more than five years, but less than ten years, I will not be eligible for judicial release for five years or five years after the expiration of all mandatory terms. I know that if I am sentenced to a total term of incarceration of ten years or more I will not be eligible for judicial release until I have served one-half of the stated prison term. I know that I may be eligible to earn days of credit under RC 2967.19; that days of credit are not automatically awarded under that section, but that they may be earned in accordance with RC 2967.19.

9. I know that if I am sentenced to prison for felony sex offense, that for each count I will have five years mandatory post release control after my release from prison. I understand that if I violate the conditions of supervision while under post release control, the parole board could return me to prison for up to 50% of my originally stated term, and if that violation is a new felony, I could receive a new prison term of the greater of one year or the time remaining on post release control. I understand that if I am granted community control at any point in my sentence, and if I violate any of the conditions imposed, I could be given a longer period under court control, greater restrictions, or a prison term up to the maximum term stated herein. I understand that community control could last five years.

10. I know that if the offense to which I am pleading guilty is a Sex Offense or a Child-Victim Oriented I will be classified as a Tier II sex offender.

Tier I: Includes Attempt, Complicity, Conspiracy: Importuning-2907; Unlawful Sexual Conduct (victim less than 4 years younger-no priors) 2907.04; Voyeurism 2907.08; Sexual Imposition 2907.06; Gross Sexual Imposition 2907.05 (A)(1)-(3),(5), Illegal Use of a Minor 2907.323 (A)(3); Child Enticement with sexual motivation 2905.05 (B); Pandering Obscenity 2907.32; Menacing by Stalking with sexual motivation 2903.211(A)(3); Unlawful Restraint with a sexual motivation 2905.03 (B);

Tier II: Includes Attempt, Complicity, Conspiracy; Compelling Prostitution 2907.21; Pandering Obscenity Involving a Minor 2907.321; Pandering Sexually Oriented Material Involving a Minor 2907.322; Illegal Use of a Minor in Nudity-oriented Material or Performance 2907.04; Unlawful Sexual Conduct 2907.04 (victim more than 4 years younger-or prior) Less-more than 4 years difference in age; Gross Sexual Imposition victim under 13 2907.05 (A)(4); Child Endangering 2919.22(B)(5); Kidnapping With Sexual Motivation 2905.01 (A)(1)-(3), (5); victim over 18 2905.02 (A)(4); Abduction with Sexual Motive 2905.02 (B); Any Sexual Offense by a Tier I Offender;

Tier III: Includes Attempt, Complicity, Conspiracy; Rape 2907.02; Sexual Battery 2907.03; Agg. Murder with sexual motivation 2903.01; Murder with sexual motivation 2903.02; Unlawful Death or termination of pregnancy with felony with sexual motivation 2903.04 (A); Kidnapping of a minor to engage in sexual activity 2905.01; Kidnapping of minor, not by parent 2905.01 (B); 2907.05 (B); Felonious Assault with sexual motivation 2903.11; Any sexual offense after classified as Tier I or Tier II.

As a Tier II sex offender I will be required to register as a sex offender for a period of 25 years with in-person verification every 180 days.

TIER I- for a period of 15 years with in-person verification annually.

TIER II- for a period of 25 years with in-person verification every 180 days.
TIER III –for your lifetime with in-person verification every 90 days

I know that failure to comply with these registration requirements is a crime and will result in criminal prosecution.

11. I know that the court must orally inform me of my rights, of the elements of the charge(s) and any punishment that I am subject to by entering this plea of guilty, and if applicable, that I am not eligible for community control consideration, pursuant to Criminal Rule 11.

I know that if the law enforcement agency involved in this matter has seized my motor vehicle or other personal property, the same may be subject to forfeiture pursuant to Ohio Revised Code 2933.41 to 2933.43 and/or Ohio Revised Code 2925.41 to 2925.45.

12. If I am presently on parole, probation, community control or post release control in this or any other court or state, I know that by pleading guilty in this matter, my probation, parole, community control or post release control may be revoked and I may be required to serve additional imprisonment in that case in addition to any sentence imposed upon me in this case, and that those sentences would be served consecutively.

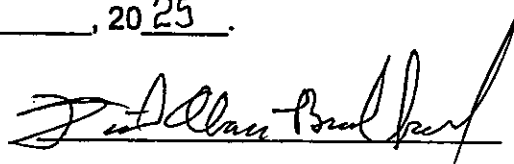
13. I declare that no officer of this court nor any attorney has promised or suggested that I will receive a lighter sentence, or community control, or any other form of leniency in exchange for my plea of guilty, and if any one did make such a promise or suggestion, I know that he or she had no authority to do it. I also declare that I have not been coerced, forced or threatened to plead guilty.

14. I understand that there is an underlying agreement upon which this plea is based and it is as follows:


The State will recommend community control with no local jail.
The victim's mother and father concur. The Defendant will
provide a DNA sample. Again, with the victim's parents concurring,
no other charges will be filed to the investigation of 07/24/2024.

15. I know that the sentence I will receive irrespective of the underlying agreement is solely a matter within the control of the judge. I request leniency, but I am prepared to accept any punishment permitted by law which this court sees fit to impose. I respectfully request the court to consider, in mitigation of punishment, that I have voluntarily entered a plea of guilty.
16. I know that the court will not and cannot permit any one to plead guilty who maintains his innocence. Because I am guilty and do not believe that I am innocent, I respectfully request the court to accept my plea of guilty as charged.
17. I am not now under the influence of alcohol or drugs and am not now under the care of a doctor for any illness or affliction that would impair my ability to rationally understand my actions and decisions here today. The only drugs, medicines, pills or alcohol that I have taken within the last twenty-four hours are:
- _____
- _____
- _____
- _____
18. I understand that I am _____ eligible for consideration for community control, but that no one has or may promise that I will receive community control if I enter this plea. I hereby state for the record that I am not drug dependent or in fear of becoming drug dependent at the present time.
19. I acknowledge that I did knowingly commit the actions specifically set forth in the ~~Indictment~~ (Bill of Information) herein on or about the date set forth therein.
20. **I OFFER MY PLEA OF GUILTY FREELY AND VOLUNTARILY AND OF MY OWN ACCORD WITH FULL UNDERSTANDING OF ALL MATTERS SET FORTH BOTH HEREIN AND IN THE ~~INDICTMENT~~ (BILL OF INFORMATION).**

Signed by me, in open court and in the presence of my attorney, this
30TH day of January, 2025.


Defendant

Witnessed by:


Counsel for Defendant

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THE STATE OF OHIO,

Plaintiff,

vs.

Case No. CR 25-01-012

CERTIFICATE OF COUNSEL

DAVID ALAN BRADFORD,

Defendant.


The undersigned, as lawyer and counselor for the defendant,

David Alan Bradford, HEREBY CERTIFIES:
(Name of Defendant)

1. I have read and fully explained to the defendant the allegations contained in the ~~indictment~~ (Bill of Information) in this case;
2. To the best of my knowledge and belief, the statements, representations and declarations made by the defendant in the guilty plea petition are in all respects accurate and true;
3. I explained the maximum penalty for the charge(s) in the ~~indictment~~ (Bill of information) to the defendant. I also explained to the defendant the elements of said crime and any possible defenses applicable. I also explained to the defendant that if the law enforcement agency involved in this case had seized defendant's motor vehicle or other personal property, the same may be subject to forfeiture pursuant to the Ohio Revised Code;
4. The plea of guilty offered by the defendant in paragraph 20 of the petition to enter a guilty plea accords with my understanding of the facts that the defendant related to me and is consistent with my advice to the defendant.

5. In my opinion, the plea of guilty offered by the defendant is voluntarily and understandingly made. I recommend that the court accept the plea of guilty.

Signed by me in open court in the presence of the defendant above named and after a full discussion of the contents of this certificate with the defendant this 30TH day of January, 2025.



Attorney for the Defendant