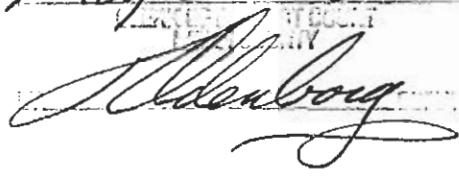


CASE NO. CR 05-02027
May 5 2006 10:46 AM
 CLERK OF DISTRICT COURT
 LATAH COUNTY


IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF
 THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

STATE OF IDAHO,)	
)	
Plaintiff,)	
)	Case No. CR-2005-02027
V.)	
)	ORDER SUSPENDING EXECUTION OF
STEVEN JAMES SITLER,)	SENTENCE AND ORDER OF PROBATION
DOB: 11-01-84)	
SSN: 537-15-9352)	
)	
Defendant.)	
_____)	

On the 4th day of May, 2006, the defendant STEVEN JAMES SITLER,
 defendant's counsel, Dean Wullenwaber, and the State's Attorney,
 William W. Thompson, Jr., appeared before this Court for review of
 retained jurisdiction.

The Court considered the report of the Jurisdictional Review

ORIGINAL

Committee of the Idaho Department of Correction filed herein, any evidence of circumstances in aggravation and in mitigation, the arguments of counsel and any statement of the defendant.

Good cause appearing,

THE COURT HEREBY ORDERS that the remainder of the sentence imposed by this Court on October 12, 2005, nunc pro tunc to September 26, 2005, be SUSPENDED, and that the defendant be placed on PROBATION to the Idaho State Board of Correction for a PERIOD OF LIFE, upon the following terms and conditions:

- (1) Laws and Cooperation: The defendant shall respect and obey all city, county, state and federal laws and have no law violations (other than a traffic infraction as defined by the State of Idaho), and shall comply with all lawful requests of his supervising probation officer including, but not limited to, participation in the intensive supervision caseload.
- (2) Residence: The defendant shall not change residence without first obtaining permission from defendant's supervising probation officer.

- (3) Reports: The defendant shall submit a written, truthful report to defendant's supervising probation officer each and every month and shall report in person on dates and at times specified by such probation officer.
- (4) Travel: Except as provided in paragraph 19 below, the defendant shall not leave Idaho or defendant's assigned probation district of Lewis, Idaho, Clearwater, Nez Perce, and Latah counties without first obtaining written permission of defendant's supervising probation officer.
- (5) Employment: The defendant shall seek and maintain gainful employment and, once such employment is secured, shall not change that employment or cause it to be terminated without first obtaining written permission from defendant's supervising probation officer; or, in the alternative, if defendant chooses to pursue education in a program approved by defendant's supervising probation officer, defendant shall enroll in such a program and not change his course of study or drop out

without prior written permission of such probation officer.

- (6) Alcohol: The defendant shall not consume or possess alcoholic beverages in any form and will not enter upon any establishment where the sale of alcohol for consumption on the premises is a primary source of income; the defendant shall submit to tests of defendant's bodily fluids for traces of alcohol at the defendant's own expense whenever requested by defendant's supervising probation officer or any agent of the Division of Probation and Parole of the Idaho State Board of Correction. The defendant shall submit to any testing deemed necessary by the defendant's probation officer to determine if the defendant has an alcohol abuse problem. The defendant shall also submit to any counseling for alcohol abuse deemed warranted by the defendant's probation officer.

- (7) Controlled Substances: The defendant shall not use or possess any controlled substance unless lawfully prescribed for defendant's use by a licensed physician or dentist; the defendant shall submit to tests of defendant's bodily fluids for traces of controlled substances at the defendant's own expense whenever requested by defendant's supervising probation officer or any agent of the Division of Probation and Parole of the Idaho State Board of Correction. The defendant shall submit to any testing deemed necessary by the defendant's probation officer to determine if the defendant has a substance abuse problem. The defendant shall also submit to any counseling for substance abuse deemed warranted by the defendant's probation officer.
- (8) Weapons: The defendant shall not purchase, carry, or have in his possession any firearms or weapons.
- (9) Search: The defendant shall submit to a search of defendant's person, vehicle, residence, and/or property

conducted in a reasonable manner and at reasonable times by any agent of the Division of Probation and Parole of the Idaho State Board of Correction in order to determine whether or not the defendant is complying with the terms and conditions of his probation.

(10) Payments: The defendant shall:

(a) Pay restitution for counseling/treatment expenses of all of his victims including any in Stevens County, Washington, or any other jurisdiction (although only one victim is named in the charging documents);

(b) Pay the previously ordered fine of \$5,000 into the District Court Fund;

(c) Pay the previously ordered court costs of \$288.50;

The total of such sums shall be paid to the clerk of this Court in monthly installments in such amounts as directed by the defendant's supervising probation officer. All payments shall be made by cash, cashier's or certified check or money order, and no personal checks will be

accepted. The defendant shall also be required to pay a \$2.00 processing fee with each installment.

- (11) Costs of Probation Supervision: The defendant will comply with Idaho Code 20-225 by paying a fee of not more than \$50.00 per month to the Idaho Department of Correction to help defray the costs of defendant's probation supervision at such times and in such amounts as his probation officer may direct.
- (12) Association: The defendant shall not associate with person(s) with whom defendant's supervising probation officer directs him not to associate.
- (13) Duration: Probation has been ordered for a specific length of time; however, probation shall not be terminated until the Court has both reviewed the performance of the probationer and has signed an order discharging the probationer. Probation is subject to extension for non-payment of costs, fines, and restitution or for unsatisfactory performance.

Special Conditions of Probation:

- (14) The defendant shall submit to polygraph examinations at his own expense if requested to do so by his probation officer.
- (15) The defendant shall not associate with any person under the age of eighteen (18) years without another competent adult present who has previously been approved by his probation officer.
- (16) The defendant shall not go to any city park, grade school, junior high or high school unless accompanied by another adult chaperon who has been previously approved by his probation officer.
- (17) The defendant shall register as a sex offender in accordance with Idaho Code 18-8304 through 18-8307 and similar laws of other jurisdictions.
- (18) The defendant shall submit to DNA testing in accordance with Idaho Code 19-5506.

(19) The defendant shall remain in the custody of the Latah County Sheriff for one (1) year with treatment release authorized to allow the defendant to travel at his expense ~~and by his vehicle directly to and from treatment with~~

(20) This case shall come before the court for review on the 4th day of May, 2007, at 4:00 p.m., at which time the court will review the defendant's progress and status and determine whether any modifications of the defendant's probation conditions are appropriate.

DATED this 5th day of May, 2006, nunc pro tunc to May 4, 2006.



John R. Stegner
District Judge