

2024 Sep-25 AM 11:51  
U.S. DISTRICT COURT  
N.D. OF ALABAMAState of Alabama v. Toby Armstrong  
Case No. CC- 23 - 002

On 9/27/24, the Defendant appeared in open Court with counsel and made known (his/her) desire to plead guilty to the charges pending. The Court received a written Plea Agreement signed by the Defendant, Defendant's attorney, and the Prosecutor. The Court conducted a full colloquy advising the Defendant of (his/her) constitutional rights, the charges against (him/her) and the facts surrounding (his/her) case prior to accepting the guilty plea. The Court ascertained from the Defendant that there are sufficient facts on which to base the plea of guilty. The Defendant entered a plea of guilty to the charge(s) of Identity Theft; Voter - False Info.

and further, (he/she) waived (his/her) right to appeal the guilty plea. The Court's Official Court Reporter recorded the entire proceeding. Based on the guilty plea, this Court finds the Defendant guilty of the above-mentioned charges and the Defendant having had an opportunity to speak, it is the Court's Order that (he/she) be and hereby is sentenced to:

The custody of the (☒) Dept of Corrections; (☐) Dept of Corrections as a youthful Offender; (☒) County Jail; or  
(☐) Community Corrections for a term of 10 years; 12 months  
to run (☒) concurrently, (☐) consecutively.

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- [ ] The Defendant's sentence shall be split with the Defendant serving \_\_\_\_\_.  
Following release, the Defendant shall be placed on (supervised)(unsupervised)(conditional release) probation for a period of \_\_\_\_\_.
- [ ] The Defendant's sentence is hereby suspended for a period of \_\_\_\_\_.  
(supervised)(unsupervised)

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- ☒ Defendant shall receive credit for any time served since the date of arrest in connection with this matter to which (he/she) may be legally entitled.
- ☒ Defendant shall pay the costs of court, which shall include the cost of (his/her) legally appointed attorney.
- ☒ Defendant shall reimburse the State of Alabama and the County for any medical or dental expenses incurred while an inmate in connection with this case.
- ☒ Defendant shall pay a Victim's Compensation Fund Award of \$ 50.
- ☒ Defendant shall pay a bail bond fee of \$ 175.00.
- [ ] Defendant shall pay a fine of \$1000.00 pursuant to Section 13A-12-281.
- [ ] Defendant shall pay a fine of \$2000.00 pursuant to Section 13A-12-281.
- [ ] Defendant shall pay \$100.00 to the Forensic Sciences Drug Trust Fund.
- [ ] Defendant shall pay \$250.00 to the Alabama Head Injury Foundation Fund.
- [ ] Defendant shall pay \$100.00 to the Alabama Chemical Testing Training and Equipment Trust Fund
- [ ] \$ \_\_\_\_\_ Assessment pursuant to the Investment in Justice Act of 1999.
- [ ] Defendant shall pay \$ \_\_\_\_\_ pursuant to Drug Offense Investigation Section 20-2-190.
- [ ] Defendant shall pay a fine of \$ \_\_\_\_\_.
- [ ] Defendant shall pay restitution as follows: \_\_\_\_\_
- [ ] Restitution shall be determined within \_\_\_\_\_.
- [ ] All fines and court costs shall be paid at a rate of \$ \_\_\_\_\_ per month beginning \_\_\_\_\_.
- [ ] Restitution shall be collected first.
- [ ] Defendant shall report to the Court Referral Office and successfully complete all programs as directed.
- [ ] Other conditions of sentence are: \_\_\_\_\_

- [ ] Any items seized in connection with this case are to be condemned and forfeited to the investigating agency for proper disposal or destruction.

- [ ] All other counts of this indictment not specifically addressed are hereby dismissed.

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- ☒ The Defendant's (application for probation)(restitution hearing) is set for 9/27/24.
- [ ] Defendant waived (his/her) right to make application for probation.

9/27/24  
Date

William I. Whorton  
WILLIAM I. WHORTON - Circuit Judge

DEFENDANT'S  
EXHIBIT  
**199**

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The Court considered the application of the Defendant for probation. The Court took into consideration all evidence presented, including any report submitted by the Probation Officer. Based upon the matters presented before the Court, IT IS ORDERED as follows:

- ☐ Defendant's application for probation is denied.
- ☒ Defendant's application for probation is granted. The Defendant shall be placed on (supervised)(~~unsupervised~~) probation for a period of 36 months - 12 months (unsupervised)
- ☐ The Defendant's sentence shall be split with the Defendant serving \_\_\_\_\_ Following release, the Defendant shall be placed on (supervised)(unsupervised) probation for a period of \_\_\_\_\_.
- ☐ The Defendant shall attend and successfully complete the Substance Abuse Program through the Department of Corrections prior to (his/her) release.
- ☐ Defendant shall report to the Court Referral Office and successfully complete all programs as directed.
- ☐ Defendant shall perform \_\_\_\_\_ hours of Community Service with \_\_\_\_\_ Said community service shall be completed \_\_\_\_\_
- ☐ The Defendant is specifically Ordered to refrain from any consumption of alcoholic beverages during the duration of (his/her) probation period.
- ☐ Restitution in this matter shall be Ordered as follows: \_\_\_\_\_
- ☒ The Defendant shall pay at least \$ 100.00 per month toward any and all Court Ordered monies. Said payments shall begin 3/1/24 and continue each month thereafter until all sums are paid in full.
- ☐ Other conditions of probation are: \_\_\_\_\_

Date

7/27/24

William I. Whorton  
 WILLIAM I. WHORTON  
 Circuit Judge