

ARIZONA SUPERIOR COURT, PIMA COUNTY

HON. GUS ARAGON

CASE NO. CR20185217-001

COURT REPORTER: Maria Haro  
Courtroom - 814

DATE: October 07, 2019

STATE OF ARIZONA

Ashley C Enderle, Esq. counsel for State

VS.

DANIEL ZAROS BRITO  
Defendant

Joel Feinman, Esq. counsel for Defendant

Eric L. Hager, Esq. counsel for Alleged Victim

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**MINUTE ENTRY**

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**CHANGE OF PLEA**

Defendant present, out of custody.

Defendant sworn.

Victim is present and makes statements to the Court in opposition of the Defendant entering into the plea agreement.

The Court notes that it has taken into account the Victim's statements and will proceed with the change of plea this date.

The Court questions the Defendant regarding his understanding of the terms and conditions of the plea agreement, the possible consequences thereof, and the constitutional rights he waives by entering the plea.

The Defendant enters a plea of guilty to the crime of AMENDED COUNT ONE: THEFT BY CONTROL, a Class Six Undesignated Offense, committed on or about November 3, 2018.

The Defendant enters a plea of guilty to the crime of AMENDED COUNT THREE: AGGRAVATED ASSAULT ON AN INCAPACITATED VICTIM, a Class Six Undesignated Offense, committed on or about November 3, 2018.

Defense counsel provides the Court with the factual basis for the plea, to which the Defendant concurs.

THE COURT FINDS that the Defendant knowingly, voluntarily, and intelligently enters a plea to the charges set forth in the plea agreement, and that there is a factual basis for the plea.

The plea is accepted and entered of record.

Defendant waives time for sentencing.

IT IS ORDERED setting the matter for entry of judgment of guilt and sentencing on November 12,

R. Calero  
Deputy Clerk

MINUTE ENTRY

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2019, at 10:00 AM, in Division 30.

IT IS ORDERED that a presentence report be prepared by the Adult Probation Department.

Defendant is directed to cooperate with the probation department in the preparation of the presentence report.

IT IS ORDERED that the Defendant's conditions of release are hereby affirmed.

IT IS ORDERED that the Jury Trial set for October 15, 2019, in Division 30, is vacated.

The Court notes that the Defendant has stipulated that restitution is not part of this case.

IT IS ORDERED that the Defendant have no contact with the Victim with the exception of communication concerning the litigation of the pending civil case.

FILED IN COURT: Plea Agreement; Sentence Notification Form

cc: Hon. Gus Aragon  
Ashley C Enderle, Esq.  
David L Berkman, Esq.  
Eric L. Hager, Esq.  
Joel Feinman, Esq.  
Adult Probation  
Pretrial Services

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R. Calero  
Deputy Clerk