

**NOTICE**

This order was filed under Supreme Court Rule 23 and may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

2014 IL App (4th) 120739-U  
NOS. 4-12-0739, 4-13-0398 cons.  
IN THE APPELLATE COURT

**FILED**  
February 28, 2014  
Carla Bender  
4<sup>th</sup> District Appellate  
Court, IL

OF ILLINOIS

FOURTH DISTRICT

THE PEOPLE OF THE STATE OF ILLINOIS,	)	Appeal from
Plaintiff-Appellee,	)	Circuit Court of
v.	)	Woodford County
PAUL A. WERNSMAN,	)	Nos. 09CF57,
Defendant-Appellant.	)	11CF161
	)	
	)	Honorable
	)	Charles M. Feeney,
	)	Judge Presiding.

JUSTICE KNECHT delivered the judgment of the court.  
Justices Turner and Steigmann concurred in the judgment.

**ORDER**

¶ 1 *Held:* (1) The trial court's sentence was not excessive.

(2) We vacate fines imposed by the circuit clerk and remand with directions for the trial court to impose mandatory fines and apply a \$5-per-day credit against defendant's creditable fines in both cases.

¶ 2 In May 2009, the State charged defendant, Paul A. Wernsman, with the offense of aggravated driving under the influence (DUI) (625 ILCS 5/11-501(d)(1)(A), (d)(2)(A) (West 2008)) in case No. 09-CF-57. In July 2009, defendant pleaded guilty and the trial court sentenced defendant to 30 months' probation, including as a condition that he serve 90 days in jail. In November 2011, in case No. 11-CF-161, the State filed another charge of aggravated DUI against defendant. 625 ILCS 5/11-501(d)(1)(A) (West 2010). The State also filed a motion to revoke defendant's probation in case No. 09-CF-57.

¶ 3 In April 2012, defendant pleaded guilty to the aggravated DUI in case No. 11-CF-161 and admitted a probation violation in case No. 09-CF-57. In case No. 11-CF-161, the trial court sentenced defendant to 6 years in prison and, in case No. 09-CF-57, revoked defendant's probation, resentencing him to 2 1/2 years in prison. The trial court also ordered defendant to serve both sentences consecutively.

¶ 4 On appeal, defendant claims the 6-year prison sentence for case No. 11-CF-161 was excessive and he is entitled to a \$5-per-day statutory credit against his creditable fines in each case. The State argues this court lacks jurisdiction as defendant filed a late notice of appeal. Alternatively, the State argues the trial court's sentence was not excessive and concedes defendant is entitled to a \$5-per-day credit against creditable fines in each case. We affirm in part, vacate in part, and remand with directions.

¶ 5 I. BACKGROUND

¶ 6 A. Charges Against Defendant

¶ 7 In May 2009, the State charged defendant (in case No. 09-CF-57) with one count of aggravated DUI, alleging on April 6, 2009, defendant knowingly drove a motor vehicle while he was under the influence of alcohol, a Class 4 felony. 625 ILCS 5/11-501(d)(1)(A), (d)(2)(A) (West 2008). Defendant had committed the same offense on two prior occasions. On July 7, 2009, defendant pleaded guilty and the trial court sentenced him to 30 months' probation, including as a condition that he serve 90 days in jail.

¶ 8 In November 2011, in case No. 11-CF-161, the State filed another aggravated DUI charge (625 ILCS 5/11-501(d)(1)(A) (West 2010)) against defendant. The State alleged on July 30, 2011, defendant knowingly operated a motor vehicle under the influence of alcohol and had

been convicted of the same crime on three previous occasions. The State also filed a petition to revoke defendant's probation in case No. 09-CF-57, stating defendant violated probation by committing the offenses of (1) DUI, (2) driving on a suspended license (625 ILCS 5/6-303 (West 2010)), (3) driving without a seat belt (625 ILCS 5/12-603.1 (West 2010)), and (4) failure to drive on the right side of the roadway (625 ILCS 5/11-701 (West 2010)).

¶ 9 B. Defendant's Plea Hearing

¶ 10 In April 2012, defendant pleaded guilty to aggravated DUI in case No. 11-CF-161 and admitted violating probation in case No. 09-CF-57. Awaiting sentencing, the trial court agreed not to take defendant into custody but required him to wear a Secure Continuous Remote Alcohol Monitor (SCRAM) device (a transdermal monitoring system).

¶ 11 C. Sentencing

¶ 12 At the May 2012 sentencing hearing, defendant called his probation officer Elizabeth Roush to testify. Roush testified defendant wore the SCRAM device for approximately a month, from the April plea hearing until the sentencing hearing, and the device did not detect any indication of alcohol consumption.

¶ 13 Defendant testified he did not consume any alcohol while wearing the SCRAM device. Defendant also stated he understood "very clearly" he could not drink and had learned from being sober for the last month. On cross-examination, the State asked defendant if he believed he had successfully completed two alcohol rehabilitation programs prior to this DUI charge, and defendant responded he had. Defendant also admitted he had a blood alcohol content of 0.274 when he was arrested in 2011.

¶ 14 The trial court found the only mitigating factor was defendant's conduct did not

cause harm to anyone. In aggravation, the court found defendant's actions threatened serious harm to others, defendant had a prior history of this crime, and the sentence was necessary to deter others. The court noted its concern was protecting the public from defendant, as after education and treatment defendant chose to drive intoxicated.

¶ 15 A fourth DUI offense is a Class 2 felony (625 ILCS 5/11-501(d)(2)(C) (West 2010)) for which the sentencing range is between 3 and 7 years. 730 ILCS 5/4.5-35(a) (West 2010). The State recommended the trial court sentence defendant to 4 1/2 years in case No. 11-CF-161 and 3 years in case No. 09-CF-57, to be served concurrently. Defendant argued for the minimum, of 3 years, in both cases, and asked the sentences be served concurrently. The court sentenced defendant to 6 years in case No. 11-CF-161 and 2 1/2 years in case No. 09-CF-57, to be served consecutively, finding defendant posed a great risk of harm to society.

¶ 16 D. Subsequent Procedural History

¶ 17 In June 2012, defendant filed a timely motion to modify the sentence, arguing the trial court should not have imposed consecutive sentences. The trial court denied defendant's motion, stating it had discretionary authority to impose consecutive sentences based upon its finding consecutive sentence are necessary to protect the public. 730 ILCS 5/5-8-4(c)(1) (West 2012). The court noted defendant had demonstrated an "inability to control his conduct when it comes to alcohol."

¶ 18 In August 2012, defendant filed a timely notice of appeal in both cases. In case No. 11-CF-161, our docket No. 4-12-0740, we granted defendant's motion for summary remand for strict compliance with Illinois Supreme Court Rule 604(d) (eff. July 1, 2006). *People v. Wernsman*, No. 4-12-0740 (Oct. 30, 2012) (agreed motion for summary remand). The appeal in

case No. 09-CF-57 was docketed No. 4-12-0739. The trial court appointed the office of the State Appellate Defender (OSAD) to represent defendant on appeal.

¶ 19 On December 18, 2012, after remand, the trial court again denied defendant's motion to reconsider sentence. At the hearing, the court asked defendant if he had any other motions or issues to consider and defendant's counsel at trial responded: "No. Your Honor. We would stand by our prior motions." The court then stated, "Okay. Very good. At this point, then, if the defendant wishes to appeal, he needs to file a Notice of Appeal." Defense counsel responded, "I will do that, Your Honor," and the hearing concluded.

¶ 20 Defense counsel did not file a new notice of appeal. On June 20, 2013, OSAD filed a notice of late appeal on behalf of defendant, docketed No. 4-13-0398, claiming defendant believed an appeal was properly filed and defendant did not know anything else needed to be done. Several days later, this court allowed defendant's motion to file a late appeal. This court later consolidated the cases on defendant's motions.

¶ 21 **II. ANALYSIS**

¶ 22 On appeal, defendant argues (1) the trial court's 6-year sentence for case No. 11-CF-161 was excessive and (2) he is entitled to a \$5-per-day fine against his fines in each case. The State argues this court lacks jurisdiction to hear the appeal of case No. 4-13-0398. Alternatively, the State argues the sentence was not excessive, but the State concedes defendant is entitled to a \$5-per-day credit in both cases. We first address our jurisdiction to hear this case. As we conclude this case is properly before this court, we then address the merits of defendant's claims.

¶ 23 **A. Jurisdiction**

¶ 24

1. *Timeliness of Defendant's Appeal*

¶ 25 Under Illinois Supreme Court Rule 606(b) (eff. Mar. 20, 2009), a "notice of appeal must be filed with the clerk of the circuit court within 30 days after the entry of the final judgment appealed from[.]" If a motion for late appeal is filed within six months of the expiration of time for filing a notice of appeal, the court may grant the motion upon showing "there is merit to the appeal and that the failure to file a notice of appeal on time was not due to appellant's culpable negligence[.]" Ill. S. Ct. R. 606(c) (eff. Mar. 20, 2009).

¶ 26 On December 18, 2012, after remand from this court, the trial court again denied defendant's motion to reconsider sentence. Under Rule 606(b), the clock started to run on December 18, 2012, and a notice of appeal (if any was to be taken) became due 30 days later, on January 17, 2013. See Ill. S. Ct. R. 606(b) (eff. Mar. 20, 2009). Defendant filed a notice of late appeal on June 21, 2013, within six months of the expiration of the 30-day appeal deadline.

¶ 27

2. *This Court's Discretion To Allow Review*

¶ 28 When notice of appeal is late but within six months of the expiration of the 30-day deadline, the reviewing court may exercise its discretion to allow appeal upon defendant's motion supported by affidavit attesting (1) the appeal has merit and (2) defendant's failure to meet the deadline was not the result of defendant's culpable negligence. See *People v. Burks*, 355 Ill. App. 3d 750, 755, 824 N.E.2d 1064, 1068 (2004). We address each requirement in turn.

¶ 29

a. *Merit of This Appeal*

¶ 30 The State argues defendant's notice of late appeal is insufficient to show defendant's appeal has merit because it simply states "this appeal has merit." However, in this circumstance, we will abide by the following precept: the "[b]riefs, not the notice of appeal,

specify the precise points relied upon for reversal." *People v. Patrick*, 2011 IL 111666, ¶ 26, 960 N.E.2d 1114. First, as this case involves an appeal as of right, denial of this appeal for lack of jurisdiction would have a substantial effect on defendant's rights. Second, the State's brief concedes the second issue on appeal, indicating this appeal has merit. We conclude this appeal has merit.

¶ 31 b. Culpable Negligence

¶ 32 The State argues defendant cannot show failure to file a timely notice of appeal was not the result of defendant's culpable negligence because the trial court admonished defendant of the need to file a notice of appeal at the December 2012 hearing. We disagree.

¶ 33 "Illinois courts have almost uniformly held that culpable negligence entails something greater than ordinary negligence." (Internal quotation marks omitted.) *People v. Rissley*, 206 Ill. 2d 403, 419, 795 N.E.2d 174, 183 (2003). Culpable negligence "is akin to recklessness" (*People v. Boclair*, 202 Ill. 2d 89, 108, 789 N.E.2d 734, 745 (2002)), entailing blameable neglect involving 'a disregard of the consequences likely to result from one's actions.' " (Internal quotation marks omitted.) *People v. Lander*, 215 Ill. 2d 577, 586, 831 N.E.2d 596, 601 (2005) (citing *Boclair*, 202 Ill.2d at 106, 789 N.E.2d at 744). In *Rissley*, the court held the defendant's delay in filing due to reasonable reliance on the advice of his attorney was not due to his culpable negligence. *Rissley*, 206 Ill. 2d at 421, 795 N.E.2d at 184.

¶ 34 Defendant claims his failure to timely file a notice of appeal was due to his belief (1) nothing needed to be done after the Rule 604(d) certificate was filed and (2) an appeal existed. The trial court admonished defendant the filing of a notice of appeal was required following remand from the court, and at the December hearing defendant's attorney stated he would file a

notice of appeal. Defendant's attorney had properly filed a notice of appeal on behalf of defendant in the past. Defendant could reasonably have relied on his attorney's statement in assuming his attorney would file everything necessary for the appeal. Like the defendant in *Rissley*, defendant's reliance on his attorney did not constitute "blameable neglect" or a disregard for the consequences of his actions. See *Id.*

¶ 35 As defendant's motion to file a late notice of appeal and attached affidavit has asserted his appeal has merit and defendant's failure to file a timely notice of appeal was not due to his culpable negligence, we conclude this appeal is properly before this court, and we turn to the merits of this case.

¶ 36 B. Defendant's Sentence

¶ 37 1. *Standard of Review*

¶ 38 "The legislature sets forth by statute the range of permissible sentences for each class of criminal offense." *People v. Fern*, 189 Ill. 2d 48, 53, 723 N.E.2d 207, 209 (1999). "[A] sentence within statutory limits will not be deemed excessive unless it is greatly at variance with the spirit and purpose of the law or manifestly disproportionate to the nature of the offense." (Internal quotation marks omitted.) *People v. Little*, 2011 IL App (4th) 090787, ¶ 22, 957 N.E.2d 102. Such discretion is appropriate, as the trial court, "having observed the defendant and the proceedings, is in a far better position to consider such factors as the defendant's credibility, demeanor, general moral character, mentality, social environment, and habits than a reviewing court, which must rely on a 'cold' record." *Id.* ¶ 24, 957 N.E.2d 102. Thus, a reviewing court will not overturn a defendant's sentence unless it constitutes an abuse of discretion. *Id.*

¶ 39 2. *Defendant's Sentence Was Not Excessive*

¶ 40 Defendant claims the 6-year sentence in case No. 09-CF-161 was excessive, claiming the trial court improperly failed to consider defendant's alcoholism as a mitigating factor, and the trial court should have found defendant's character and attitudes indicated he was unlikely to commit another crime. We disagree.

¶ 41 "[T]he sentencing judge was free to conclude that defendant's dependencies and disorder were aggravating and simply had no mitigating value." *People v. Ballard*, 206 Ill. 2d 151, 190, 794 N.E.2d 788, 813 (2002). Here, the trial court found the only mitigating factor was defendant's conduct did not hurt anyone. It appears the court found defendant's alcoholism to be an aggravating factor because the court stated defendant was repeatedly committing the same offense and chose to drive despite realizing he was addicted to alcohol. The court was simply not required to consider defendant's alcoholism a mitigating factor.

¶ 42 The trial court did not abuse its discretion by not finding the offense was unlikely to recur based on defendant's character and attitudes. We first note, a judgment as to the character and attitude of a defendant is one best left to the trial judge. Second, this was defendant's fourth DUI. Defendant committed this DUI while he was on probation and lacked a valid driver's license. Defendant's blood alcohol content when arrested was much higher than the legal limit. Based on this evidence, we cannot say the court erred by failing to find defendant was unlikely to commit another DUI and instead finding defendant was a serious danger to society because it was likely he would commit another DUI.

¶ 43 Defendant also argues the 6-year length of this sentence, to be served consecutively to another 2 1/2 year sentence, conflicts with constitutional principles because it does not restore defendant to "useful citizenship." See Ill. Const. 1970, art. I, §11 (stating "[a]ll penalties shall be

determined \*\*\* with the objective of restoring the offender to useful citizenship"). Defendant claims he has a high rehabilitative potential and "long periods of confinement have little, if any, value in a rehabilitate strategy." *People v. Kosanovich*, 69 Ill. App. 3d 748, 752, 387 N.E.2d 1061, 1064 (1979).

¶ 44 While restoring defendant to useful citizenship is one objective, the trial court also properly considers other statutory aggravating factors, such as the need to deter others and defendant's criminal history. *People v. Calabrese*, 398 Ill. App. 3d 98, 126, 924 N.E.2d 6, 29 (2010). The trial court is not required "to accord greater weight to defendant's potential for rehabilitation than to the seriousness of the crime." *People v. Bocclair*, 225 Ill. App. 3d 331, 335-36, 587 N.E.2d 1221,1224 (1992). For defendant's offense, the nonextended sentencing range of between 3 and 7 years represents the range within which the court balances the defendant's character and the nature of the offense. See *Little*, 2011 IL App (4th) 090787, ¶ 22, 957 N.E.2d 102. Defendant's 6-year sentence was within the sentencing range. Based on defendant's previous violations and conduct, this sentence was not "at great variance with the spirit and purpose of the law nor manifestly disproportionate to the nature of the offense." See *Calabrese*, 398 Ill. App. 3d at 127, 924 N.E.2d at 29.

¶ 45 Defendant also points to his success with the SCRAM device in the month between his plea hearing and sentencing. However, probation with the SCRAM device was not available to the trial court, as the minimum prison sentence was 3 years in prison. The trial judge could have afforded little value to defendant's success with the SCRAM device because defendant knew any violations would have resulted in his immediate incarceration.

¶ 46 Defendant briefly argues the consecutive nature of his sentences constituted an

abuse of discretion. "Consecutive sentences may be imposed where the trial court 'having regard to the nature and circumstances of the offense and the history and character of the defendant \*\*\* is of the opinion that such a term is required to protect the public from further criminal conduct by the defendant.'" *People v. Stacey*, 193 Ill. 2d 203, 211, 737 N.E.2d 626, 630 (2000) (quoting 730 ILCS 5/5-8-4(b) (West 1994)). The trial court set forth clear and lengthy considerations explaining why it found consecutive sentences were necessary to protect the public. Such a conclusion is consistent with the record and, therefore, not an abuse of discretion.

¶ 47

### C. Fines and Fees

¶ 48 Defendant argues, in both case Nos. 09-CF-57 and 11-CF-161, he is entitled to a \$5 *per diem* credit. Our review of the fines assessed against defendant reveals some fines were improperly assessed by the circuit clerk and must be vacated. See *People v. Montag*, 2014 IL App (4th) 120993, ¶ 38, \_\_\_ N.E.2d \_\_\_ (holding "parties may not agree to overlook or otherwise ignore the circuit clerk's imposition of fines not ordered by the trial court"); see also *People v. Chester*, 2014 IL App (4th) 120564, ¶¶ 29-38, \_\_\_ N.E.2d \_\_\_. We first address the validity of defendant's fines, and then we address credit available to defendant.

¶ 49

#### 1. Fines Assessed by the Circuit Clerk

¶ 50 This court has consistently held "[t]he imposition of a fine is a judicial act" and the circuit clerk, a nonjudicial member of the court, has no power to levy fines. *People v. Swank*, 344 Ill. App. 3d 738, 747-48, 800 N.E.2d 864, 871 (2003); *People v. Isaacson*, 409 Ill. App. 3d 1079, 1085, 950 N.E.2d 1183, 1189 (2011); *People v. Alghadi*, 2011 IL App (4th) 100012, ¶ 20, 960 N.E.2d 612; *People v. Williams*, 2013 IL App (4th) 120313, 991 N.E.2d 914. In *Williams*, this court determined the assessments at issue in this case (specifically the child advocacy fee, a

medical costs fine, the violent crime fine, and the "State Police Ops" fine) are fines. *Id.* ¶¶ 21-22, 991 N.E.2d 914.

¶ 51 Our review of the record shows in case No. 09-CF-57, the trial court imposed the following fines in its July 2009 written order: (1) a \$500 fine; (2) a \$1,000 DUI equipment fine; and (3) a \$200 DNA analysis fine. The judge also ordered defendant to pay \$66.61 in restitution. The circuit clerk imposed the following additional fines: (1) a \$152 "V.C. Fee", or the violent crime fine; (2) \$10 "arrestee medical"; and (3) a \$5 "Child Advocacy Fund" fine. (See Appendix A) In case No. 11-CF-161, the judge orally imposed a \$1,000 DUI equipment fine and the circuit clerk imposed the following fines: (1) \$10 "arrestee medical"; (2) a \$5 "Child Advocacy Fund" fine; (3) a \$100 "V.C. Fee", or violent crime fine; and (4) a \$12.50 "State Police O.P" fine. (See Appendix B). We note on the assessment sheet, attached as appendices A and B, many of these fines are listed in the left-hand column, which sums the total costs, rather than including them in the right-hand column, which purports to total the fines.

¶ 52 We vacate the fines imposed by the circuit clerk and remand with directions for the trial court to impose these and, with the assistance of the State's Attorney and defense counsel, to determine and impose other mandatory fines applicable on the dates of the underlying offenses, which may include, for example, the following: a \$5 spinal cord fine (730 ILCS 5/5-9-1(c-7) (West 2012) (eff. July 1, 2009)); a \$100 DUI trauma fund fine (730 ILCS 5/5-9-1(c-5) (West 2012) (eff. July 1, 2009)); a \$150 DUI lab analysis fee (730 ILCS 5/5-9-1.9(b) (West 2012) (eff. June 13, 2000)); a \$50 roadside memorial fine (730 ILCS 5/5-9-1.18 (West 2012) (eff. July 2, 2010)); and a \$30 juvenile record expungement fine (730 ILCS 5/5-9-1.17(a) (West 2012) (eff. July 2, 2010)). We encourage the parties to review the appendix provided in *Williams*, 2013 IL App (4th) 120313,

app. A, 991 N.E.2d 914.

¶ 53 *2. Credit Against Defendant's Fines for Time Served*

¶ 54 Defendant argues, in both case Nos. 09-CF-57 and 11-CF-161, he is entitled to a \$5 *per diem* credit against his creditable fines. The State concedes defendant is entitled to this credit.

¶ 55 The defendant is entitled to credit "for the number of days spent in custody as a result of the offense for which the sentence was imposed." 730 ILCS 5/5-4.5-100(b) (West 2012). "A defendant should receive credit against his sentence for any part of a day that he is held in custody." *People v. Peterson*, 372 Ill. App. 3d 1010, 1019, 868 N.E.2d 329, 336 (2007).

Defendant was in custody for part of one day in each case. Defendant is entitled to a \$5 credit against his creditable fines in each case. The record before us does not indicate defendant was awarded such a credit. Defendant argues in case No. 09-CF-57, he was assessed about \$1,500 in fines, which he paid, so he should receive reimbursement. In case No. 11-CF-161, the trial court assessed a \$1,000 fine, against which his \$5 credit should be applied.

¶ 56 We remand and direct the trial court apply one \$5 credit against defendant's creditable fines in both case Nos. 09-CF-57 and 11-CF-161.

¶ 57 **III. CONCLUSION**

¶ 58 For the forgoing reasons we (1) affirm defendant's sentence, (2) vacate fines imposed by the court clerk, and (3) remand with directions for the trial court to reimpose mandatory fines and apply defendant's \$5 credit in each case against defendant's creditable fines. As part of this judgment, we award the State its \$50 statutory assessment against defendant as costs of this appeal. 55 ILCS 5/4-2002(a) (West 2012).

¶ 59 Affirmed in part and vacated in part; cause remanded with directions.

Felony Cost Sheet  
CLASS 1 2 3 (4)

DEFENDANT WERNSMAN, PAUL A.  
Case No. 09CF57 Ct. \_\_\_\_\_  
Charge AGG DRIVING UNDER THE INFLUENCE  
Bond Posted \_\_\_\_\_  
Date \_\_\_\_\_

BOND FEE 3000

CLERK FEE \_\_\_\_\_ 80.00  
COURT FEE \_\_\_\_\_ 50.00  
SECURITY FEE \_\_\_\_\_ 25.00  
AUTOMATION FEE \_\_\_\_\_ 12.50  
STATE'S ATTORNEY FEE \_\_\_\_\_ 30.00  
DOCUMENT STORAGE \_\_\_\_\_ 12.50  
ARESTEE MEDICAL \_\_\_\_\_ 10.00  
SHERIFF'S FEE \_\_\_\_\_  
CHILD ADVOCACY FUND \_\_\_\_\_ 5.00  
LUMP SUM SURCHARGE \_\_\_\_\_ 380  
V.C. FEE \_\_\_\_\_ 152  
STATE POLICE DUI FUND \_\_\_\_\_  
STATE POLICE LAB FEE \_\_\_\_\_  
DUI LAB FEE \_\_\_\_\_  
DRUG ASSESSMENT \_\_\_\_\_  
DOMESTIC BATTERY \_\_\_\_\_  
TRAUMA \_\_\_\_\_  
PROBATION FEE \_\_\_\_\_ 300  
PUBLIC DEFENDER \_\_\_\_\_

4-13-0398  
4-12-0739

**FILED**

OCT - 2 2013

CLERK OF THE APPELLATE  
COURT, 4TH DISTRICT

**SUPPLEMENT  
TO RECORD**

FINE 500

DRUG PARA. FINE \_\_\_\_\_  
DRUG FINE \_\_\_\_\_  
SEXUAL ASSAULT FINE \_\_\_\_\_  
DOMESTIC VIOLENCE \_\_\_\_\_  
CHILD PORN FINE \_\_\_\_\_  
DUI EQUIPMENT FINE 1,000  
DNA ANALYSIS 200

TOTAL COSTS 1,087  
TOTAL COSTS AND FINES \_\_\_\_\_  
LESS BOND \_\_\_\_\_  
RESTITUTION \_\_\_\_\_  
TOTAL OWED \_\_\_\_\_

TOTAL FINES 1,500  
2,787  
-300 from 09DT33  
666.61 Restitution  
2,553.61

Date	Transaction	Debit	Credit	Balanced Owed
				2553.61
12-1-09			100-	2453.61
12-31-09	A true copy of the original on file in my office		0	2353.61
1-29-10	Attested to this 29 day of Nov, 2013		100	2253.61
3-1-10			100-	2153.61
4-2-10	<i>Carol J. Newton</i>		50-	2103.61
5-3-10			50-	2053.61
7-2-10	Clerk of the Circuit Court 11th Judicial Circuit		100-	1953.61
9-10-10	Woodford County, Illinois.		47-	1906.61
11-5-10			200-	1706.61
1-14-11	by <i>[Signature]</i> DEPUTY CLERK		200	1506.61
3-28-11			100-	1406.61
5-20-11			300-	1106.61
27-28-11			300-	806.61
8-31-11			700-	106.61

✓

Felony Cost Sheet  
CLASS 1 (2) 3 4

DEFENDANT WERNSMAN, PAUL A  
Case No. 11 CF 161 Ct.           
Charge AGGRAVATED DRIVING UNDER THE INFLUENCE  
Bond Posted NTA  
Date                                 

BOND FEE 30

CLERK FEE	<u>80.00</u>	
COURT FEE	<u>50.00</u>	
SECURITY FEE	<u>25.00</u>	
AUTOMATION FEE	<u>12.50</u>	
STATE'S ATTORNEY FEE	<u>30.00</u>	
DOCUMENT STORAGE	<u>12.50</u>	
ARESTEE MEDICAL	<u>10.00</u>	
SHERIFF'S FEE	<u>28.50 x 2 - 28.50 x 2</u>	<u>384</u>
CHILD ADVOCACY FUND	<u>5.00</u>	
LUMP SUM SURCHARGE	<u>250</u>	FINE <u>X</u>
V.C. FEE	<u>100</u>	
STATE POLICE DUI FUND	<u>                </u>	DRUG PARA. FINE <u>                </u>
STATE POLICE LAB FEE	<u>                </u>	DRUG FINE <u>                </u>
DUI LAB FEE	<u>                </u>	SEXUAL ASSAULT FINE <u>                </u>
DRUG LAB FEE	<u>                </u>	DOMESTIC VIOLENCE <u>                </u>
PES TESTING -CANNABIS / OTHER	<u>50.00</u>	CHILD PORN FINE <u>                </u>
DRUG ASSESSMENT	<u>                </u>	DUI EQUIPMENT FINE <u>1,000</u> 750 1st 1000 2nd
DOMESTIC BATTERY	<u>                </u>	DNA ANALYSIS <u>                </u>
TRAUMA	<u>                </u>	STREET GANG \$100 (95-5)
PROBATION FEE	<u>                </u>	FIRE EQUIP FUND \$500
PUBLIC DEFENDER	<u>                </u>	
STATE POLICE O.P.	<u>12.50</u>	

TOTAL COSTS	<u>731.50</u>	TOTAL FINES	<u>1,000</u>
TOTAL COSTS AND FINES	<u>1731.50</u>		
LESS BOND	<u>-300</u>		<u>(110070)</u>
RESTITUTION	<u>                </u>		
TOTAL OWED	<u>1431.50</u>		

Date	Transaction	Debit	Credit	Balanced Owed
			DEPUTY CLERK	
			<i>[Signature]</i>	
			Clerk of the Circuit Court 11th Judicial Circuit	
			<i>[Signature]</i>	
			Attested to this day of Aug 20 13	

A true copy of the original on file in my office.