

APPENDIX A

**DECISION OF OREGON SUPREME COURT DENYING
DISCRETIONARY REVIEW**

IN THE SUPREME COURT OF THE STATE OF OREGON

STATE OF OREGON,
Plaintiff-Respondent,
Respondent on Review,

v.

MARVIN JOE RANDALL,
Defendant-Appellant,
Petitioner on Review.

Court of Appeals
A175867

S070109

ORDER DENYING REVIEW

Upon consideration by the court.

The court has considered the petition for review and the supplemental *pro se* petition for review and orders that they be denied.



MEAGAN A. FLYNN CHIEF JUSTICE, SUPREME COURT 6/15/2023 8:27 AM
--

c: Zachary Lovett Mazer
Jonathan N Schildt

rtd

ORDER DENYING REVIEW

REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563
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APPENDIX B

DECISION OF OPREGON COURT OF APPEALS

FILED: February 23, 2023

IN THE COURT OF APPEALS OF THE STATE OF OREGON

STATE OF OREGON,
Plaintiff-Respondent,

v.

MARVIN JOE RANDALL,
Defendant-Appellant.

Washington County Circuit Court
19CR56774

A175867

Erik M Buchér, Judge.

Submitted on February 02, 2023.

Before Shorr, Presiding Judge, and Mooney, Judge, and Pagán, Judge.

Attorney for Appellant: Zachary Lovett Mazer.

Attorney for Respondent: Jonathan N. Schildt.

AFFIRMED WITHOUT OPINION

DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS

Prevailing party: Respondent

☐ No costs allowed.
☐ Costs allowed, payable by

APPENDIX C

DECISION OF TRIAL COURT

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF
WASHINGTON

State of Oregon,)	
Plaintiff)	
)	Case No.: 19CR56774
vs.)	
)	AMENDED JUDGMENT *
)	
Marvin Joe Randall,)	Case File Date: 08/28/2019
Defendant)	District Attorney File #: 379522

DEFENDANT

True Name: Marvin Joe Randall

Date Of Birth: 02/03/1978

Fingerprint Control No (FPN): JWAS219742214

HEARING

Proceeding Date: 03/30/2021

Judge: Erik Bucher

Court Reporter: Recording, FTR

Defendant appeared in person and was in custody. The court determined that the defendant was indigent for purposes of court-appointed counsel, and the court appointed counsel for the defendant. The defendant was represented by Attorney(s) J Mark Lawrence, OSB Number 890052. Plaintiff appeared by and through Attorney(s) Marie Atwood, OSB Number 132976.

COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

Count 1 : Compelling Prostitution

Count number 1, Compelling Prostitution, 167.017, Felony Class B, committed on or about 03/10/2018. Conviction is based upon a Court Verdict of Guilty on 01/08/2021.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 1 is 8 and the Criminal History Classification (CHC) is I.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.700
- Enhancement Factor: crime involved multiple victims or incidents.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.700
- Enhancement Factor: crime involved multiple victims or incidents.
The Court did not rely upon this Enhancement Factor for Sentencing.

Incarceration

Defendant is sentenced to the custody of Oregon Dept of Corrections, for a period of 70 month(s). Defendant is remanded to the custody of the Washington Sheriff for transportation to the Oregon Dept of Corrections for service of this sentence. Defendant may receive credit for time served.

The Defendant may not be considered by the executing or releasing authority for any form of Reduction in Sentence, Conditional or Supervised Release Program, Temporary Leave From Custody, Work Release. The Defendant may not be considered for release on post-prison supervision under ORS 421.508(4) upon successful completion of an alternative incarceration program.

This sentence shall be concurrent with all previously imposed sentences.

Post-Prison Supervision

The term of Post-Prison Supervision is 3 year(s). If the Defendant violates any of the conditions of post-prison supervision, the defendant shall be subject to sanctions including the possibility of additional imprisonment in accordance with the rules of the State Sentencing Guidelines Board. The court recommends as a condition of post-prison supervision:

- Comply with the conditions of post-prison supervision.
- as well as recommendation in count 1

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076. Defendant is ordered to register as a sex offender pursuant to Oregon Revised Statutes.

Count 5 : Compelling Prostitution

Count number 5, Compelling Prostitution, 167.017, Felony Class B, committed on or about 04/06/2018. Conviction is based upon a Court Verdict of Guilty on 01/08/2021.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 5 is 8 and the Criminal History Classification (CHC) is A.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.700
- Enhancement Factor: crime involved multiple victims or incidents.
The Court did not rely upon this Enhancement Factor for Sentencing.

Incarceration

Defendant is sentenced to the custody of Oregon Dept of Corrections, for a period of 70 month(s). Defendant is remanded to the custody of the Washington Sheriff for transportation to the Oregon Dept of Corrections for service of this sentence. Defendant may receive credit for time served.

The Defendant may not be considered by the executing or releasing authority for any form of Reduction in Sentence, Conditional or Supervised Release Program, Temporary Leave From Custody, Work Release. The Defendant may not be considered for release on post-prison supervision under ORS 421.508(4) upon successful completion of an alternative incarceration program.

This sentence shall be concurrent with all previously imposed sentences.

Post-Prison Supervision

The term of Post-Prison Supervision is 3 year(s). If the Defendant violates any of the conditions of post-prison supervision, the defendant shall be subject to sanctions including the possibility of additional imprisonment in accordance with the rules of the State Sentencing Guidelines Board. The court recommends as a condition of post-prison supervision:

- Comply with the conditions of post-prison supervision.
- as well as recommendations in count 1.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076. Defendant is ordered to register as a sex offender pursuant to Oregon Revised Statutes.

COUNTS DISPOSED WITH NO CONVICTION

Count # 4, Promoting Prostitution, is merged with Count 4 merges with count 3..

Count # 6, Promoting Prostitution, is merged with Count 6 merges with count 5..

If convicted of a felony or a crime involving domestic violence, you may lose the right to buy, sell, transport, receive, or possess a firearm, ammunition, or other weapons in both personal and professional endeavors pursuant to ORS 166.250, ORS 166.291, ORS 166.300, and/or 18 USC 922(g).

Payment Schedule

Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

Washington County Circuit Court
150 N First Avenue
Hillsboro, Oregon 97124
P: 503-846-8888
F: <http://courts.oregon.gov/washington>

Dated the _____ day of _____, 20_____

10/21/2021 1:42:22 PM

Signed: _____
Erik Bucher
Circuit Court Judge, Erik M. Bucher