

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA JUL 10 PM 3:33

IN AND FOR THE COUNTY OF YAVAPAI JEANNE HICKS, CLERK

C. TROWBRIDGE

STATE OF ARIZONA,

Plaintiff,

vs.

JOE CERVANTES,

Defendant.

BY:

Superior Court No. CR 8008-1426Grand Jury No. 153-GJ-216698Division 6**INDICTMENT**

The grand jurors of Yavapai County, Arizona, accuse **JOE CERVANTES**, charging that in Prescott Precinct, Yavapai County, State of Arizona:

COUNT I

On or between January 1, 2004 and April 2005, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Kourtney Tilley to wit; masturbatory contact involving Joe Cervantes fingers rubbing victim's vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT II

On or between January 1, 2004 and April 2005, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Kourtney Tilley to wit; masturbatory contact involving Joe Cervantes fingers rubbing victim's vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT III

On or between January 1, 2004 and April 2005, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Kourtney Tilley to wit; Joe Cervantes placing and holding victim's hand on his penis while he masturbates, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

CONTINUED ON NEXT PAGE**APPENDIX A**

COUNT IV

On or between January 1, 2004 and April 2005, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Kourtney Tilley to wit; masturbatory contact involving Joe Cervantes left hand rubbing victim's vagina with pink underwear visible, who was under the age of 12 years, in violation of A.R.S. §§ 13-1405 and 13-604.01, a class 2 felony.

COUNT V

On or between January 1, 2004 and April 2005, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Kourtney Tilley to wit; Joe Cervantes penile penetration of victim's anus on the couch while the movie "Robots" was playing, who was under the age of 12 years, in violation of A.R.S. §§ 13-1405 and 13-604.01, a class 2 felony.

COUNT VI

On or about January 1, 2004 and April 2005, **JOE CERVANTES**, knowingly recorded, filmed, photographed, developed or duplicated a visual depiction in which Kourtney Tilley, a minor an actual human being under 15 years of age, was engaged in exploitive exhibition or other sexual conduct, in violation of A.R.S. § 13-3553 and § 13-604.01, a class 2 felony.

COUNT VII

On or between January 1, 2004 and April, 2005, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Kourtney Tilley, a person under the age of 12, without consent of such person, in violation of A.R.S. §§ 13-1406 and 13-604.01, a class 2 felony.

COUNT VIII

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: oral sexual contact involving Joe Cervantes penis penetrating victim's mouth, who was under the age of 12 years, in violation of A.R.S. §§ 13-1405 and 13-604.01, a class 2 felony.

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COUNT IX

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: oral sexual contact involving Joe Cervantes penis penetrating victim's mouth, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT X

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: oral sexual contact involving Joe Cervantes penis penetrating victim's mouth, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT XI

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: oral sexual contact involving Joe Cervantes penis penetrating victim's mouth, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT XII

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: masturbatory contact involving Joe Cervantes fingers rubbing victim's vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT XIII

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: masturbatory contact involving Joe Cervantes fingers rubbing victim's vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT XIV

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: masturbatory contact involving Joe Cervantes fingers rubbing victim's vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

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COUNT XV

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: masturbatory contact involving Joe Cervantes fingers rubbing victim's vagina and penetration into her labia, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT XVI

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: sexual intercourse involving Joe Cervantes penis rubbing victim's vagina and penetration into her vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT XVII

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: sexual intercourse involving Joe Cervantes penis rubbing victim's vagina and penetration into vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT XVIII

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: masturbatory contact involving Joe Cervantes fingers rubbing victim's vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT XIX

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: oral sexual contact involving Joe Cervantes licking victim's vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

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COUNT XX

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: sexual intercourse involving Joe Cervantes penis rubbing victim's vagina and penetration into vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony

COUNT XXI

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: masturbatory contact involving Joe Cervantes fingers rubbing victim's vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony.

COUNT XXII

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: sexual intercourse involving Joe Cervantes penis rubbing victim's vagina and penetration into vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony

COUNT XXIII

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, to-wit: sexual intercourse involving Joe Cervantes penis rubbing victim's vagina and penetration into vagina, who was under the age of 12 years, in violation of A.R.S. §§13-1405 and 13-604.01, a class 2 felony

COUNT XXIV

On or about January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly recorded, filmed, photographed, developed or duplicated a visual depiction in which Mayas Phares Rendon, a minor an actual human being under 15 years of age, was engaged in exploitive exhibition or other sexual conduct, in violation of A.R.S. §13-3553 and §13-604.01, a class 2 felony.

COUNT XXV

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, a person under the age of 12, without consent of such person, in violation of A.R.S. §§13-1406 and 13-604.01, a class 2 felony.

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COUNT XXVI

On or between January 15, 2004 and July 31, 2006, **JOE CERVANTES**, knowingly engaged in sexual intercourse or oral sexual contact with Mayas Phares Rendon, a person under the age of 12, without consent of such person, in violation of A.R.S. §§13-1406 and 13-604.01, a class 2 felony.

COUNT XXVII

On or about November 14, 2008, **JOE CERVANTES**, knowingly recorded, filmed, photographed, developed or duplicated a visual depiction of a naked girl a minor an actual human being under 15 years of age, who was astride a naked adult male and was engaged in exploitive exhibition or other sexual conduct, in violation of A.R.S. §13-3553 and §13-604.01, a class 2 felony.

7/10/2009

SHEILA SULLIVAN POLK
Yavapai County Attorney

By CyA True Bill

(Foreman writes "A True Bill")

Johan Brooks

Foreman of the Grand Jury

SEP 29 2010

SUPERIOR COURT OF ARIZONA
YAVAPAI COUNTY
JUDGMENT OF GUILT AND SENTENCE
[Judgment][Judgment and Sentence]

FILED
DATE: Sept. 20, 2010
4:02 O'Clock P.M.
JEANNE HICKS, CLERK
BY: Jennifer Kuns
Deputy

5 September 20, 2010
Div: Date

WILLIAM T. KIGER
Judge

JENNIFER KUNS
Deputy Clerk

P1300CR20081426

STATE OF ARIZONA

VS

Yavapai County Attorney
by: JEFF PAUPORE/DANA OWENS

JOE CERVANTES, JR.
AKA [D-1]
DOB 04-20-1958
Victim Case YES

DAVID SHAPIRO
Defense Counsel
HEIDI ANDERSON
Court Reporter

START TIME: 4:02 p.m.

END TIME: 4:36 p.m.

[X] The victims are present. Vita Marie Phares addresses the Court. Julie Petty, appearing telephonically, addresses the Court.

IT IS THE JUDGMENT of the Court that the Defendant is guilty of crimes in **P1300CR20081426**.

The basis of the finding of guilt was by:

[X] Trial to a jury

IT IS ORDERED: Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

OFFENSE: COUNT I: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE
(KOURTNEY TILLEY)

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 1, 2004 and April 2005

SENTENCE: 20 YEARS IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

[X] PRESUMPTIVE

[X] DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE

[X] NONREPETITIVE

This sentence is to date from September 20, 2010. The Defendant is to be given credit for 675 days served prior to sentencing.

X) County Atty (e) (X) Def Atty. David Shapiro (e)
X) VS (e) () PD (e) () Other _____
X) APD (e) (X) DOC (packet) () Other _____
X) YCSO (e) + (cert) () Homeland Security (packet) _____
X) Financial Services (e) () Div _____
X) Iso Screen Complete () TOTAL 7

APPENDIX B

P1300CR20081426

STATE V JOE CERVANTES, JR.

SENTENCING

DATE: September 20, 2010

OFFENSE: **COUNT II: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (KOURTNEY TILLEY)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 1, 2004 and April 2005

SENTENCE: 20 YEARS IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ PRESUMPTIVE

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE

☒ NONREPETITIVE

This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count I.**

OFFENSE: **COUNT III: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (KOURTNEY TILLEY)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 1, 2004 and April 2005

SENTENCE: 20 YEARS IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ PRESUMPTIVE

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE

☒ NONREPETITIVE

This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count II.**

OFFENSE: **COUNT IV: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (KOURTNEY TILLEY)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 1, 2004 and April 2005

SENTENCE: 20 YEARS IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ PRESUMPTIVE

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE

☒ NONREPETITIVE

This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count III.**

OFFENSE: **COUNT V: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (KOURTNEY TILLEY)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 1, 2004 and April 2005

SENTENCE: LIFE IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE

☒ NONREPETITIVE

P1300CR20081426

STATE V JOE CERVANTES, JR.

SENTENCING

DATE: September 20, 2010

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count IV**.

OFFENSE: **COUNT VI: SEXUAL EXPLOITATION OF A MINOR LESS THAN 15 YEARS OF AGE (KOURTNEY TILLEY)**

FELONY CLASS: 2

A.R.S. §§: 13-3553, 13-3551, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 1, 2004 and April 2005

SENTENCE: 17 YEARS IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ PRESUMPTIVE

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE

☒ NONREPETITIVE

This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count V**.

OFFENSE: **COUNT VIII: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 1, 2004 and April 2005

SENTENCE: LIFE IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE ☒ NONREPETITIVE

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count VI**.

OFFENSE: **COUNT IX: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: LIFE IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE ☒ NONREPETITIVE

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count VIII**.

OFFENSE: **COUNT X: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 1, 2004 and July 31, 2006

SENTENCE: LIFE IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE ☒ NONREPETITIVE

P1300CR20081426

STATE V JOE CERVANTES, JR.

SENTENCING

DATE: September 20, 2010

☒ PRESUMPTIVE

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE

☒ NONREPETITIVE

This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XIII**.

OFFENSE: **COUNT XV: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: **20 YEARS IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.**

☒ PRESUMPTIVE

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE

☒ NONREPETITIVE

This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XIV**.

OFFENSE: **COUNT XVI: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: **LIFE IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.**

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE ☒ NONREPETITIVE

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XV**.

OFFENSE: **COUNT XVII: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: **LIFE IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.**

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE ☒ NONREPETITIVE

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XVI**.

OFFENSE: **COUNT XVIII: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

STATE V JOE CERVANTES, JR.

SENTENCING

DATE: September 20, 2010

SENTENCE: **20 YEARS** IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.
[X] PRESUMPTIVE [X] DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE
[X] NONREPETITIVE

This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XVII.**

OFFENSE: **COUNT XIX: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: **LIFE** IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

[X] DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE [X] NONREPETITIVE

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XVIII.**

OFFENSE: **COUNT XX: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: **LIFE** IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

[X] DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE [X] NONREPETITIVE

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XIX.**

OFFENSE: **COUNT XXI: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: **20 YEARS** IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

[X] PRESUMPTIVE [X] DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE
[X] NONREPETITIVE

This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XX.**

OFFENSE: **COUNT XXII: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

P1300CR20081426

STATE V JOE CERVANTES, JR.

SENTENCING

DATE: September 20, 2010

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: LIFE IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE ☒ NONREPETITIVE

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XXI**.

OFFENSE: **COUNT XXIII: SEXUAL CONDUCT WITH A MINOR LESS THAN 12 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1405, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: LIFE IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE ☒ NONREPETITIVE

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XXII**.

OFFENSE: **COUNT XXIV: SEXUAL EXPLOITATION OF A MINOR LESS THAN 15 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-3553, 13-3551, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: 17 YEARS IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ PRESUMPTIVE ☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE
☒ NONREPETITIVE

This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XXIII**.

OFFENSE: **COUNT XXV: SEXUAL ASSAULT OF A MINOR LESS THAN 15 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1406, 13-1401, 13-604.01, 13-701, 13-702, 13-801

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: LIFE IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.

☒ DANGEROUS AGAINST CHILDREN IN THE 1ST DEGREE ☒ NONREPETITIVE

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XXIV**.

OFFENSE: **COUNT XXVI: SEXUAL ASSAULT OF A MINOR LESS THAN 15 YEARS OF AGE (MAYA PHARES RENDON)**

FELONY CLASS: 2

A.R.S. §§: 13-1406, 13-1401, 13-604.01, 13-701, 13-702, 13-801

P1300CR20081426

STATE V JOE CERVANTES, JR.

SENTENCING

DATE: September 20, 2010

DATE OF OFFENSE: between January 15, 2004 and July 31, 2006

SENTENCE: **LIFE IMPRISONMENT IN THE ARIZONA DEPARTMENT OF CORRECTIONS.**

[X] ~~DANGEROUS~~ AGAINST CHILDREN IN THE 1ST DEGREE [X] ~~NONREPETITIVE~~

There is no possibility of release until the Defendant has served 35 years. This term of imprisonment shall run **consecutive** to the term of imprisonment imposed for **Count XXV**.

The Jury found as to each offense each of the victims was less than 12 years of age.

COMMUNITY SUPERVISION: Pursuant to A.R.S. § 13-603(I), Defendant shall serve a term of community supervision for the sentence imposed. The term of community supervision shall be served consecutively to the actual period of imprisonment.

Defendant shall pay the following financial obligations through the Clerk of the Superior Court in Yavapai County this date or as follows:

[X] **Restitution** to Kourtney Tilley in the total amount of \$4,832.00. Pursuant to A.R.S. § 31-230, a percent of monies available in a prisoner's spendable account may be withdrawn to apply towards court ordered restitution until paid in full or defendant is released.

[X] **Restitution** to Victims Compensation in the total amount of \$2,248.00. Pursuant to A.R.S. § 31-230, a percent of monies available in a prisoner's spendable account may be withdrawn to apply towards court ordered restitution until paid in full or defendant is released.

[X] **Public Defender assessment fee** [Indigent Assessment Fee] of \$25.

[X] **If applicable, pursuant to A.R.S. § 12-116(A), a Time Payment fee of \$20 shall be assessed in addition to any Court Ordered Drug fines and fees, DUI fines and fees or Restitution if not paid in full this date.**

Financial Obligations - Any balance of financial obligations upon release from custody shall be reduced to a Civil Judgment.

[X] Notice of Right to Appeal.

[X] The Defendant is remanded to the custody of the Sheriff.

The Sheriff of Yavapai County is authorized to deliver Defendant to the custody of the Arizona Department of Corrections which is authorized to carry out the term of imprisonment set forth herein.

The Clerk of the Court shall remit a copy of this Order together with all presentence reports, probation violation reports, and medical and mental health reports if any, relating to Defendant to the Arizona Department of Corrections.

P1300CR20081426

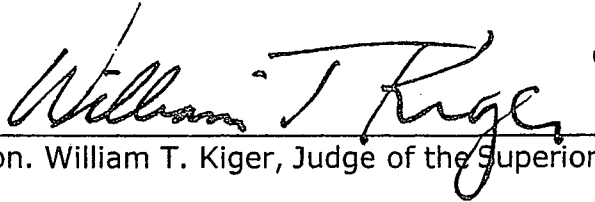
STATE vs. JOE CERVANTES, JR.

SENTENCING

September 20, 2010

[☒] Any Bond not previously forfeited or pending forfeiture proceedings is exonerated.

Defendant's fingerprint is permanently affixed to this Sentencing Order in open Court.



Hon. William T. Kiger, Judge of the Superior Court

Right Index Finger
[]



[]
Fingerprint

Revised 9-27-05