

COMMONWEALTH OF KENTUCKY
BRECKINRIDGE CIRCUIT COURT
46th JUDICIAL DISTRICT
DIVISION II
CASE NO. 22-CR-00051

COMMONWEALTH OF KENTUCKY

PLAINTIFF

V.

AGREED ORDER OF DISMISSAL

██████████

DEFENDANT

Comes the Court, upon agreement of the parties, and after being sufficiently advised, **IT IS HEREBY FOUND, ORDERED AND ADJUDGED AS FOLLOWS:**

1. That the Defendant was indicted on May 9, 2022, on the charges of (1) Possession of a Controlled Substance in the First Degree, First Offense-Methamphetamine, (2) Operating a Motor Vehicle under the Influence of Alcohol or Controlled Substance-First Offense and (3) Failure of Non-Owner Operator to Maintain Required Insurance-First Offense.

2. That counsel for the Defendant subsequently filed a motion to suppress evidence seized in this case.

3. That on November 20, 2023, this Court entered an order suppressing all evidence reasonably related to the stop, the search, the collection of evidence, and the arrest due to the subpoenaed witness for the Commonwealth's failure to appear and testify.

4. That the Defendant ██████████ does stipulate that there was sufficient probable cause to effectuate his arrest on or about January 20, 2022.

5. That pursuant to RCr 9.64, the attorney for the Commonwealth, with permission of the Court, may dismiss an indictment prior to the swearing of a jury.

6. That based upon the foregoing and agreement of all parties herein, all criminal charges in indictment 22-CR-00051 against Defendant ██████████ being (1) Possession of a Controlled Substance in the First Degree, First Offense-Methamphetamine, (2) Operating a Motor Vehicle under the Influence of

Alcohol or Controlled Substance-First Offence and (3) Failure of Non-Owner Operator to Maintain Required Insurance-First Offense **BE AND HEREBY ARE DISMISSED WITHOUT PREJUDICE.**

7. There being no just cause for delay, this order is entered and is final and appealable.



Kenneth H. Goff II
 /s/ HON. KENNETH H. GOFF II
 electronically signed
 12/12/2023 11:53:54 AMCT

JUDGE, BRECKINRIDGE CIRCUIT COURT
DIVISION II

HAVE SEEN AND AGREE:

/s/ Clay Ratley
 CLAY RATLEY
 ATTORNEY FOR DEFENDANT

/s/ Rick Hardin w permission
 RICK HARDIN
 COMMONWEALTH'S ATTORNEY



DEFENDANT

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