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2	FOR PUBLICATION		
3	IN THE SUPERIOR COURT OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS		
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5	COMMONWEALTH OF THE NORTHERN) CRIMINAL CASE NO. 05-0088E	
6	MARIANA ISLANDS,		
7	Plaintiff,)) JUDGMENT OF CONVICTION AND) ORDER	
8	vs.		
9	HUANG, ZHAO JU, d.o.b. 01/28/72)))	
10	Defendant.))	
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12	THIS MATTER came on for a change of plea hearing on Tuesday, October 24, 2005, at		
13	9:20 a.m., in Courtroom 223A. The Commonwealth was represented by Assistant Attorney		
14	General Rebecca Warfield. Defendant appeared with counsel, Assistant Public Defender Samuel		
15	Randall, IV, along with Chinese translator, Abby Leung. The Court was advised that the parties		
16	reached a non-trial disposition on this matter and pursuant to a negotiated plea agreement,		
17 18	Defendant agreed to enter a guilty plea to Illegal Possession of Controlled Substance, in violation		
	of 6 CMC § 2142(a) as charged in Counts I and II of the First Amended Information filed on		
19	October 31, 2005. In exchange, the Government moved to dismiss Counts I and II of the original		
20	Information filed on April 29, 2005.		
21	ADVISEMENT AND WAIVER OF RIGHTS		
22	Defendant was advised of her constitutional rights and the consequences of a guilty plea in		
23	English and translated into Chinese language. The Defendant was further advised of the maximum		
24	possible penalty of said offenses and any minimum penalty required by statute. Defendant waived		
25	her rights and entered a guilty plea to the offense of Illegal Possession of Controlled Substance,		
26	in violation of 6 CMC § 2142 (a) as charged in 0	Counts I and II of the First Amended Information.	
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ACCEPTANCE OF PLEA

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The Court accepted Defendant's guilty plea to **Illegal Possession of Controlled Substance** as charged in Counts I and II of the First Amended Information, after finding that (1) Defendant's decision to plead guilty is freely, knowingly, voluntarily and intelligently made; (2) she had the advice of a competent counsel with whom she said she is satisfied; (3) she understood the consequences of her plea; and, (4) there is a factual basis for the plea. Accordingly,

ADJUDICATION OF GUILT

IT IS HEREBY ADJUDGED AND DECREED that Defendant HUANG, ZHAO JU, is GUILTY of Illegal Possession of Controlled Substance, in violation of 6 CMC § 2142(a) as charged in Counts I and II of the First Amended Information filed on October 31, 2005.

IMPOSITION OF SENTENCE

The sentencing of an individual convicted of a crime is perhaps one of the most important functions in the criminal justice system. It is my responsibility to perform such task. In doing so, I must consider the protection of the public, the rights of victims and the gravity of the crime, and its consequences. The Court must also consider the background and record of the defendant and give serious consideration to the goals of sentencing and assure the ends of justice.

The Court acknowledges the Legislature's mandate that illegal drugs have no place in our society and those who violate CNMI laws regarding controlled substances should be dealt with harshly. Defendant in this case is a foreign national or alien, present in the CNMI by way of a privilege granted to her by employment. The CNMI does not welcome those from foreign countries who are allowed the privilege of entering the CNMI and then violate our laws.

The Court finds that the Defendant was originally charged with two (2) counts of **Trafficking of Controlled Substance**, to wit, crystal methamphetamine, in violation of 6 CMC § 2141(a)(1), made punishable by 6 CMC §§ 2141(b)(1), in the original Information filed on April 29, 2005. Defendant is a 33-year-old female from China and has decided to accept the Government's offer by pleading guilty to two (2) counts of **Possession of a Controlled Substance** as set forth in the First Amended Information filed on October 31, 2005.

After considering the facts of this case, the recommendation of counsel, the agreement between the parties, and statements of counsel, the Court hereby sentences Defendant as follows:

1. Defendant is **REMANDED** to serve five (5) years in jail, on each Count, to run concurrent. Defendant, pursuant to the statute, will not be eligible for parole. Defendant shall immediately be deported upon completion of service of the five (5) 2. years sentence. In view of Defendant's indigency and confinement, and for good cause, the Court 3. will waive the fine in this matter. The bond posted in this case, if any, is hereby exonerated. **SO ORDERED** this 3rd day of November 2005. /s/ DAVID A. WISEMAN, Associate Judge Any inconsistency between this written Order and the oral pronouncement of sentence in open court will be resolved in favor of this written Order. Therefore, Counsel must move the Court for a correction of any discrepancies within fifteen (15) days from the date of the entry of this Order, or it shall be deemed waived.