

1 There is no need to rehabilitate this Defendant. Sequester.
2 That is, keep the Defendant away from the rest of us because
3 he is a threat to the community. I don't think it's for a
4 threat to the community because there were circumstances in this
5 case that caused all this to happen. To deter another person.
6 And I think, you know, certainly there is a deterrent purpose
7 to any sentence to a certain extent, depending on how many
8 people hear about it and how much it is circulated through the
9 community. But in this case there is just one reason for the
10 sentence, and that's punishment, to punish this Defendant for
11 what he did and make the punishment commensurate with the crime
12 and the level of the crime. I don't want to leave a decision as
13 to whether or not this Defendant gets out of prison to someone
14 on an anonymous board 14 years from now who is looking at a cold
15 record, black and white words on paper. I'm here now. I know
16 what happened based upon what I heard here. The people are all
17 alive and breathing and until now they know about the case and can
18 make a decision now. And that is, this Defendant should not,
19 should not, should not walk the streets again.

20 It's the judgment of the Court, on Count I, the
21 Defendant be sentenced to life imprisonment with no possibility
22 of release for 25 years, with credit for 3,691 days of presentence
23 incarceration.

24 I think that was the number. Is that correct?

25 Yes, 3,691.

1 Count II, again, life imprisonment without the
2 possibility of any release for 25 years, consecutively, for the
3 reasons I just indicated.

4 There has been a specific waiver of restitution,
5 correct? By Mr. Lessler and the victims, correct?

6 MR. LESSLER: Yes, Your Honor.

7 THE COURT: That's in the presentence report. There
8 is no -- under the old statute, there is no community supervision.
9 In light of the sentence, it would be unnecessary, anyway.

10 Mr. Willoughby, you do have the right to file a notice
11 of appeal. You need to do that within 20 days from today's date.
12 If you fail to file a notice of appeal in that period of time,
13 you will lose that right. You will be provided your appeal rights
14 in writing. Go over them with counsel. When you are finished,
15 sign the original and return it to the Court.

16 I don't have a problem with putting in the minute
17 entry Mr. Willoughby's good conduct over numerous court appearances
18 and during the trial with respect to his good behavior. However,
19 I guess it's up to the Department of Corrections to consider whether
20 or not to consider your behavior over those 12 years. Your life
21 is in their hands. What that means is it's up to them to decide
22 that. And I will put in there that the Maricopa County Jail
23 classification personnel have told this Court that Mr. Willoughby
24 has been a model inmate since December 2nd, 1999. I will put
25 that in the minute entry.