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CLERK OF THE LYON COUNTY DISTRICT COURT
CASE NUMBER: 2021-JV-000039



Court: Lyon County District Court
Case Number: 2021-JV-000039
Case Title: In the Matter of Jovan Pecina
Type: JE [2021 09 21] Hearing on Motion to Authorize Prosecution as an Adult

SO ORDERED.

A handwritten signature in black ink that reads "Jeffrey J. Larson".

/s/ Honorable Jeffrey J. Larson, District Court Judge

**IN THE DISTRICT COURT OF LYON COUNTY, KANSAS
JUVENILE DIVISION**

IN THE MATTER OF

JOVAN PECINA, Juvenile

CASE NO. 2021-JV-000039

**DATE OF BIRTH: xx/xx/2001
A MALE UNDER THE AGE OF 18 YEARS**

**JOURNAL ENTRY OF HEARING ON
MOTION TO AUTHORIZE PROSECUTION AS AN ADULT**

Pursuant to K.S.A. 38-2347

Now, on this 21st day of September, 2021, the Court considers the Motion Requesting Authorization to Prosecute as an Adult, Judge Jeffrey J. Larson presiding.

The Court finds jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by law.

All parties appear via Zoom. The Court inquires and the juvenile advises he consents to appear via Zoom.

The State appears by Amy L. Aranda, First Assistant Lyon County Attorney, and Laura Miser, Assistant Lyon County Attorney.

The juvenile appears **in person and** **not in person, but** by the juvenile's attorney, Jason Belveal.

The mother **is present** **is not present.**

The father **is present** **is not present.**

The CSO is present through _____.

The Secretary of Corrections is present through _____.

_____.

Also present is/are: _____.

_____.

The Court informs the juvenile of the nature of the charge(s) in the complaint, the right to be presumed innocent of each charge, the right to trial without unnecessary delay, the right to confront and cross-examine witnesses appearing in support of the allegations of the complaint, the right to subpoena witnesses, the right to testify or to decline to testify, and the sentencing alternatives the Court may select should the motion be granted.

The juvenile advises the Court that he wishes to stipulate to prosecution as an adult. The Court inquires of the juvenile and finds the juvenile's stipulation is knowing, voluntary and intelligent and accepts the same.

The Court, having reviewed the file, received the evidence, heard statements of counsel, and made the considerations required by K.S.A. 38-2347(d), makes the following findings, and enters the following orders:

The charges of Conspiracy to Commit First Degree Murder, First Degree Murder, Premeditated, First Degree Murder, Felony Murder, Conspiracy to Commit Aggravated Robbery, Aggravated Robbery, Theft, Arson, and Interference with a Law Enforcement Officer are serious person offenses and demand prosecution as an adult. The Court further finds, the facts alleged in the Affidavit support a finding that the offenses were committed in an aggressive, violent and premeditated or willful manner resulting in the death of the victim. The Court further finds that the juvenile has indicated his willingness to stipulate to prosecution as an adult. The Court further finds that there are no juvenile facilities available to deal with this type of offense and continued prosecution as a juvenile would not likely be successful in rehabilitating the juvenile due to the juvenile's history of adjudications and the juvenile's current age. The Court further finds that the interest of the community would be better served by prosecution of the juvenile as an adult. There is a preponderance of evidence that the alleged juvenile offender should be prosecuted as an adult for the offenses charged. The present matter shall be dismissed and prosecution initiated under the applicable criminal statute.

or

The evidence is insufficient and the motion to prosecute the juvenile as an adult is denied.

or

The motion should be denied, but there is a preponderance of evidence that the proceedings should be designated as an extended jurisdiction juvenile prosecution, and they are so designated.

SUBMITTED & APPROVED:

/s/ Amy L. Aranda

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