

**MAINE JUDICIAL BRANCH**

UNIFIED CRIMINAL DOCKET

County: AROOSTOOK

Location (Town): Caribou

Docket No.: AROCD-CR-2021-20271

STATE OF MAINE

**JUDGMENT AND COMMITMENT**

V.

ERNEST FYANS

*verdict: 9/20/23*Date (mm/dd/yyyy): 1/8/26 sentencing DOB (mm/dd/yyyy): 02/24/1939

Offense(s) charged:

**GROSS SEXUAL ASSAULT**

Class: A DOV: 01/01/1990 Seq #: 637 Title: 17-A / 253 / 1 / B

Charge:1

Charged by:

 indictment**UNLAWFUL SEXUAL CONTACT**

(OTHER ENHANCEMENT)

Charge:2

 information

Class: B DOV: 01/01/1990 Seq #: 4236 Title: 17-A / 255 / 1 / C

 complaintPlea(s):  Guilty  Nolo  Not Guilty \_\_\_\_\_

Offense(s) convicted:

**GROSS SEXUAL ASSAULT**

Class: A DOV: 01/01/1990 Seq #: 637 Title: 17-A / 253 / 1 / B

Charge:1

Convicted on:

 plea**UNLAWFUL SEXUAL CONTACT**

(OTHER ENHANCEMENT)

Charge:2

 jury verdict

Class: B DOV: 01/01/1990 Seq #: 4236 Title: 17-A / 255 / 1 / C

 court finding

It is adjudged that the defendant is guilty of the offenses as shown above and convicted.

 It is adjudged that the defendant be hereby committed to the sheriff of the within named county or the defendant's authorized representative who shall without needless delay remove the defendant to: The custody of the Commissioner of the Department of Corrections, at a facility designated by the Commissioner, to be punished by imprisonment for a term of 15 years (Ct. 1) A County jail to be punished by imprisonment for a term of \_\_\_\_\_ This sentence to be served  consecutively to  concurrently with \_\_\_\_\_ Alternative Sentence may be served at \_\_\_\_\_ Execution stayed to on or before (mm/dd/yyyy): \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.**PLEASE NOTE:** Your sentence does not include any assurance about the location of the facility where you will be housed during your commitment. It is ordered that all ( but) \_\_\_\_\_ of the sentence  as it relates to confinement  as it relates to the \_\_\_\_\_ be suspended and the defendant be placed on a period of**ADA Notice:** The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation, contact the Court Access Coordinator, [accessability@courts.maine.gov](mailto:accessability@courts.maine.gov), or a court clerk.**Language Services:** For language assistance and interpreters, contact a court clerk or [interpreters@courts.maine.gov](mailto:interpreters@courts.maine.gov).

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probation  supervised release  administrative release for a term of \_\_\_\_\_  years  months upon conditions attached hereto and incorporated by reference herein.  Said probation or supervised release to commence  (mm/dd/yyyy) \_\_\_\_\_  upon completion of the unsuspended term of imprisonment.  Said administrative release to commence immediately.

The defendant shall serve the initial portion of the foregoing sentence at a County jail.

It is ordered that the defendant forfeit and pay the sum of \$ \_\_\_\_\_ *CUF* as a fine to the clerk of the court, plus applicable surcharges and assessments.  All but \$ \_\_\_\_\_ suspended. The total amount due, including surcharges and assessments is \$ \_\_\_\_\_. This amount is payable immediately or in accordance with the Order on Payment of Fines incorporated by reference herein.

It is ordered that the defendant forfeit and pay the sum of \$ \_\_\_\_\_ as restitution for the benefit of

(17-A M.R.S. § 2003).

Restitution is joint and several with \_\_\_\_\_ pursuant to 17-A M.R.S. § 2010.

Restitution is to be paid through the office of the prosecuting attorney, except that during any period of commitment to the Department of Corrections and/or any period of probation imposed by this sentence, restitution is to be paid to the Department of Corrections.

A separate order for income withholding has been entered pursuant to 17-A M.R.S. § 2007 incorporated by reference herein.

Execution/payment stayed to pay in full by (mm/dd/yyyy) \_\_\_\_\_.

Installment payments of \$ \_\_\_\_\_ to be made  weekly  biweekly  monthly or warrant to issue.

Restitution is to be paid to the Department of Corrections on a schedule to be determined by the Department.

It is ordered that the defendant forfeit the money and/or property described below to the State of Maine \_\_\_\_\_

(15 M.R.S. § 5826),

as a result of the conviction or adjudication on count(s) \_\_\_\_\_. Notice to be sent to any third parties in accordance with 15 M.R.S. § 5826(5). The State will submit a final order of disposition of property as set forth in 15 M.R.S. § 5826(6).

It is ordered pursuant to applicable statutes, that the defendant's motor vehicle operator's license or permit to operate, right to operate a motor vehicle and right to apply for and obtain a license and/or the defendant's right to register a motor vehicle is suspended in accordance with notice of suspension incorporated herein, as to count(s) \_\_\_\_\_. 29-A M.R.S. § 2411(5) and 29-A M.R.S. § 2416

If defendant is convicted of a charge under 29-A M.R.S. § 2411(5)(B),(C), or (D), it is hereby ordered pursuant to 29-A M.R.S. § 2411(5)(F), that the defendant shall participate in the alcohol and drug program of the Department of Health and Human Services.

The Court finds that the defendant has completed an alcohol or other drug treatment program subsequent to the date of the offense, and the requirement of participation in the alcohol and drug program of the Department of Health and Human Services is hereby waived. 29-A M.R.S. § 2411(5)(F).

It is ordered that the defendant perform \_\_\_\_\_ hours of court-approved community service work to be completed by (mm/dd/yyyy) \_\_\_\_\_ for the benefit of \_\_\_\_\_.

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If proof of community service is not filed with the court by the above date, defendant MUST appear at (court address) \_\_\_\_\_  
on (mm/dd/yyyy) \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.

It is ordered that the defendant pay \$ \_\_\_\_\_ for each day served in the county jail, to the treasurer of the above named county. (up to \$80/day) (17-A M.R.S. § 1751)

Execution/payment stayed to pay in full by (mm/dd/yyyy) \_\_\_\_\_ or warrant to issue.

It is ordered that the defendant forfeit to the state the firearm used by the defendant during the commission of the offense(s) shown above. (17-A M.R.S. § 1504)

It is ordered that the defendant is prohibited from owning, possessing or having under the defendant's control a firearm. (15 M.R.S. § 393)

Other: \_\_\_\_\_

It is ordered that the defendant be unconditionally discharged. (17-A M.R.S. § 1502, 2051)

If the defendant has been convicted of an applicable offense listed in 25 M.R.S. § 1574, then the defendant shall submit to having a DNA sample drawn at any time following the commencement of any term of imprisonment or at any time following commencement of the probation period as directed by the probation officer.

**PLEASE NOTE: It is a violation of state law, and may be a violation of federal law, for the defendant to own, possess, or have under their control a firearm if that prohibition has been entered as part of this judgment or any other court order or is prohibited by statute.**

It is further ordered that the clerk deliver a certified copy of this judgment and commitment to the sheriff of the above-named county or the defendant's authorized representative and that the copy serve as the commitment of the defendant. Reasons for imposing consecutive sentences are contained in the court record or in attachments hereto.

All pending motions, other than motions relating to payment of restitution, fines, fees, and counsel fees are hereby declared moot (except \_\_\_\_\_).

A TRUE COPY, ATTEST: \_\_\_\_\_  
Clerk

X \_\_\_\_\_  
 Judge  Justice 

I understand the sentence imposed herein and acknowledge receipt of a copy of this Judgment and Commitment.

I hereby acknowledge that the disclosure of my Social Security number on the Social Security Disclosure Form is mandatory under 36 M.R.S. § 185. My Social Security number will be used to facilitate the collection of any fine that has been imposed upon me in this action if that fine remains unpaid as of the time I am due a State of Maine income tax refund. My Social Security number also may be used to facilitate the collection of money I may owe the State of Maine as a result of having had an attorney appointed to represent me. Collection of any fine or reimbursement of money, which I owe to the State of Maine, will be accomplished by offsetting money I owe to the State against my State of Maine income tax refund or against any lottery winnings I may receive under 36 M.R.S. § 185-A.

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**SS Number Disclosure Required on separate form.**

Date (mm/dd/yyyy): 1/8/26

X Grant H. T.  
Signature of Defendant

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Residential Address: \_\_\_\_\_  
\_\_\_\_\_

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