

# SENTENCING ORDER

IN THE CIRCUIT COURT OF WHITE COUNTY, ARKANSAS,  
17TH JUDICIAL DISTRICT 2ND DIVISION

ELECTRONICALLY FILED

White County Circuit Court  
Sara Brown-Carlton, Circuit Clerk  
2026-Jan-21 15:32:30  
73CR-24-84  
C17D02 : 3 Pages

On January 8, 2026 the Defendant appeared before the Court, was advised of the nature of the charge(s), of Constitutional and legal rights, of the effect of a guilty plea upon those rights, and of the right to make a statement before sentencing.

Offender	Defendant [Last, First, MI] <u>Smith, Franklin Scott</u>		DOB <u>06/18/1987</u>	Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Total Number of Counts <u>3</u>	
	SID # <u>4 2 7 2 0 3 9</u>	Race & Ethnicity <input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Unknown <input type="checkbox"/> Other <input type="checkbox"/> Hispanic				
Supervision Status at Time of Offense <u>N/A</u>						
Court Info	Judge <u>Mark Pate</u>				File Stamp	
	Prosecuting Attorney/Deputy <u>Rebecca Reed McCoy</u>					
	Defendant's Attorney <u>Mike Petty</u> <input checked="" type="checkbox"/> Private <input type="checkbox"/> Public Defender <input type="checkbox"/> Pro Se <input type="checkbox"/> Appointed					
	Change of Venue <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, from:					
Legal Statement	<input type="checkbox"/> Pursuant to A.C.A. §§16-93-301 et seq., or <input type="checkbox"/> §§ this Court, without making a finding of guilt or entering a judgment of guilt and with the consent of the Defendant defers further proceedings and places the Defendant on probation.					
	There being no legal cause shown by the Defendant, as requested, why judgment should not be pronounced, a judgment: <input type="checkbox"/> is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. Defendant was advised of the conditions of the sentence and/or placement on probation and understands the consequences of violating those conditions. The Court retains jurisdiction during the period of probation/suspension and may change or set aside the conditions of probation/suspension for violations or failure to satisfy Arkansas Division of Community Correction (A.C.C.) rules and regulations.					
	<input type="checkbox"/> of conviction is hereby entered against the Defendant on each charge enumerated, fines levied, and court costs assessed. The Defendant is sentenced to the Arkansas Division of Correction (A.D.C.) for the term specified on each offense shown below.					
	Defendant made a voluntary, knowing, and intelligent waiver of the right to counsel. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Offense #1	A.C.A. # of Offense/ Name of Offense+ <u>5-62-104 (a)(1) Aggravated Animal Cruelty</u>				Case # <u>73CR-24-84</u>	
	A.C.A. # of Original Charged Offense <u>Same</u>		ATN <u>WHT005223328</u>	Offense was <input type="checkbox"/> Nolle Prossed <input type="checkbox"/> Dismissed <input checked="" type="checkbox"/> Acquitted		
			Appeal from District Court <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Probation/SIS Revocation+ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	Offense Date <u>11/12/2023</u>		Offense is <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misd. <input type="checkbox"/> Viol.	Offense Classification <input type="checkbox"/> Y <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input checked="" type="checkbox"/> D <input type="checkbox"/> U		
	Number of Counts: <u>1</u>	Criminal History Score <u>0</u>	Seriousness Level <u>3</u>	Defendant <input type="checkbox"/> Attempted <input type="checkbox"/> Solicited <input type="checkbox"/> Conspired to commit the offense		
	Presumptive Sentence <input type="checkbox"/> Prison Sentence of _____ to _____ months <input type="checkbox"/> Community Corrections Center <input type="checkbox"/> Alternative Sanction					
	Defendant Sentence* (see Page 2) Imposed <input type="checkbox"/> ADC <input type="checkbox"/> Jud. Tran. <input type="checkbox"/> County Jail _____ months		If probation or SIS accompanied by period of confinement, state time: _____ days or _____ months.			
	Probation _____ months		Sentence was enhanced _____ months, pursuant to			
	SIS _____ months		A.C.A. §§ _____			
	Other <input type="checkbox"/> Life <input type="checkbox"/> LWOP <input type="checkbox"/> Death		Enhancement(s) is to run: <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive.			
	Victim Info# (See page 2) <input type="checkbox"/> N/A [Multiple Victims <input type="checkbox"/> Yes <input type="checkbox"/> No]		Age _____	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Race & Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Hispanic	
	Defendant voluntarily, intelligently, and knowingly entered a <input type="checkbox"/> negotiated plea of <input type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere. <input type="checkbox"/> plea directly to the court of <input type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere.		Defendant: <input type="checkbox"/> was sentenced pursuant to <input type="checkbox"/> §§16-93-301 et seq., or <input type="checkbox"/> other §§ <input type="checkbox"/> entered a plea and was sentenced by a jury. <input type="checkbox"/> was found guilty by the court & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury. <input type="checkbox"/> was found guilty at a jury trial & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury. <input type="checkbox"/> was found guilty of lesser included offense by <input type="checkbox"/> court <input type="checkbox"/> jury.			
Sentence is a Departure <input type="checkbox"/> Yes <input type="checkbox"/> No		Sentence Departure is <input type="checkbox"/> Durational or <input type="checkbox"/> Dispositional. If durational, state how many months above/below the presumptive sentence:				
Departure Reason (See page 2 for a list of reasons) Aggravating # _____ or Mitigating # _____. For Agg. #17 or Mit. #9, or if departing from guidelines, please explain: _____				Sentence will run: <input type="checkbox"/> Consecutive <input type="checkbox"/> Concurrent to Offense # _____ or Case # _____		

Defendant's Full Name: Smith, Franklin Scott

<b>Offense #:</b>  2	A.C.A. # of Offense/ Name of Offense+ 5-68-205 (2) Public Display of Obscenity				Case # 73CR-24-84	
	A.C.A. # of Original Charged Offense Same		ATN WHT005223328	Offense was <input type="checkbox"/> Nolle Prossed <input checked="" type="checkbox"/> Dismissed <input type="checkbox"/> Acquitted		
			Appeal from District Court <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Probation/SIS Revocation+ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	Offense Date 11/12/2023		Offense is <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misd. <input type="checkbox"/> Viol.	Offense Classification <input type="checkbox"/> Y <input type="checkbox"/> A <input checked="" type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> U		
	Number of Counts: 1		Criminal History Score N/A	Seriousness Level N/A		Defendant <input type="checkbox"/> Attempted <input type="checkbox"/> Solicited <input type="checkbox"/> Conspired to commit the offense
	Presumptive Sentence <input type="checkbox"/> Prison Sentence of ____ to ____ months <input type="checkbox"/> Community Corrections Center <input type="checkbox"/> Alternative Sanction					
	Defendant Sentence* (see Page 2) Imposed <input type="checkbox"/> ADC <input type="checkbox"/> Jud. Tran. <input type="checkbox"/> County Jail ____ months Probation ____ months SIS ____ months Other <input type="checkbox"/> Life <input type="checkbox"/> LWOP <input type="checkbox"/> Death			If probation or SIS accompanied by period of confinement, state time: ____ days or ____ months. Sentence was enhanced ____ months, pursuant to A.C.A. §§ ____ Enhancement(s) is to run: <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive. Defendant was sentenced as a habitual offender, pursuant to A.C.A. §5-4-501, subsection <input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d)		
	Victim Info# (See page 2) <input type="checkbox"/> N/A [Multiple Victims <input type="checkbox"/> Yes <input type="checkbox"/> No]		Age	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Race & Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Hispanic	
	Defendant voluntarily, intelligently, and knowingly entered a <input type="checkbox"/> negotiated plea of <input type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere. <input type="checkbox"/> plea directly to the court of <input type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere.			Defendant: <input type="checkbox"/> was sentenced pursuant to <input type="checkbox"/> §§16-93-301 et seq., or <input type="checkbox"/> other §§ ____ <input type="checkbox"/> entered a plea and was sentenced by a jury. <input type="checkbox"/> was found guilty by the court & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury. <input type="checkbox"/> was found guilty at a jury trial & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury. <input type="checkbox"/> was found guilty of lesser included offense by <input type="checkbox"/> court <input type="checkbox"/> jury.		
	Sentence is a Departure <input type="checkbox"/> Yes <input type="checkbox"/> No		Sentence Departure is <input type="checkbox"/> Durational or <input type="checkbox"/> Dispositional. If durational, state how many months above/below the presumptive sentence:			
Departure Reason (See page 2 for a list of reasons) Aggravating # ____ or Mitigating # ____ For Agg. #17 or Mit. #9, or if departing from guidelines, please explain: _____				Sentence will run: <input type="checkbox"/> Consecutive Concurrent <input type="checkbox"/> to Offense # ____ or Case # ____		

  

<b>Offense #:</b>  3	A.C.A. # of Offense/ Name of Offense+ 5-71-207 (a)(7) Disorderly Conduct				Case # 73CR-24-84	
	A.C.A. # of Original Charged Offense Same		ATN WHT005223328	Offense was <input type="checkbox"/> Nolle Prossed <input type="checkbox"/> Dismissed <input type="checkbox"/> Acquitted		
			Appeal from District Court <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Probation/SIS Revocation+ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	Offense Date 11/12/2023		Offense is <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misd. <input type="checkbox"/> Viol.	Offense Classification <input type="checkbox"/> Y <input type="checkbox"/> A <input type="checkbox"/> B <input checked="" type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> U		
	Number of Counts: 1		Criminal History Score N/A	Seriousness Level N/A		Defendant <input type="checkbox"/> Attempted <input type="checkbox"/> Solicited <input type="checkbox"/> Conspired to commit the offense
	Presumptive Sentence <input type="checkbox"/> Prison Sentence of ____ to ____ months <input type="checkbox"/> Community Corrections Center <input type="checkbox"/> Alternative Sanction					
	Defendant Sentence* (see Page 2) Imposed <input type="checkbox"/> ADC <input type="checkbox"/> Jud. Tran. <input checked="" type="checkbox"/> County Jail <u>30 months</u> <u>days</u> Probation ____ months SIS ____ months Other <input type="checkbox"/> Life <input type="checkbox"/> LWOP <input type="checkbox"/> Death			If probation or SIS accompanied by period of confinement, state time: ____ days or ____ months. Sentence was enhanced ____ months, pursuant to A.C.A. §§ ____ Enhancement(s) is to run: <input type="checkbox"/> Concurrent <input type="checkbox"/> Consecutive. Defendant was sentenced as a habitual offender, pursuant to A.C.A. §5-4-501, subsection <input type="checkbox"/> (a) <input type="checkbox"/> (b) <input type="checkbox"/> (c) <input type="checkbox"/> (d)		
	Victim Info# (See page 2) <input checked="" type="checkbox"/> N/A [Multiple Victims <input type="checkbox"/> Yes <input type="checkbox"/> No]		Age	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female	Race & Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Hispanic	
	Defendant voluntarily, intelligently, and knowingly entered a <input type="checkbox"/> negotiated plea of <input type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere. <input type="checkbox"/> plea directly to the court of <input type="checkbox"/> guilty or <input type="checkbox"/> nolo contendere.			Defendant: <input type="checkbox"/> was sentenced pursuant to <input type="checkbox"/> §§16-93-301 et seq., or <input type="checkbox"/> other §§ ____ <input type="checkbox"/> entered a plea and was sentenced by a jury. <input checked="" type="checkbox"/> was found guilty by the court & sentenced by <input checked="" type="checkbox"/> court <input type="checkbox"/> jury. <input type="checkbox"/> was found guilty at a jury trial & sentenced by <input type="checkbox"/> court <input type="checkbox"/> jury. <input type="checkbox"/> was found guilty of lesser included offense by <input type="checkbox"/> court <input type="checkbox"/> jury.		
	Sentence is a Departure <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Sentence Departure is <input type="checkbox"/> Durational or <input type="checkbox"/> Dispositional. If durational, state how many months above/below the presumptive sentence:			
Departure Reason (See page 2 for a list of reasons) Aggravating # ____ or Mitigating # ____ For Agg. #17 or Mit. #9, or if departing from guidelines, please explain: _____				Sentence will run: <input type="checkbox"/> Consecutive Concurrent <input type="checkbox"/> to Offense # ____ or Case # ____		

Defendant's Full Name: Smith, Franklin Scott

### Sex Offenses

Defendant has been adjudicated guilty of an offense requiring sex offender registration and must complete the Sex Offender Registration Form and pay the Mandatory Sex Offender Fee of \$250. ☐ Yes ☒ No

Defendant has committed an aggravated sex offense as defined in A.C.A. §12-12-903. ☐ Yes ☒ No

Defendant is alleged to be a sexually dangerous person and is ordered to undergo an evaluation at a facility designated by A.D.C. pursuant to A.C.A. §12-12-918. ☐ Yes ☒ No

Defendant, who has been adjudicated guilty of an offense requiring registration, has been adjudicated guilty of a prior sex offense under a separate case number. ☐ Yes ☒ No  
If yes, list prior case numbers: \_\_\_\_\_

### Domestic Violence Offenses

Defendant has been adjudicated guilty of a domestic-violence related offense and **must** pay additional court costs of \$25 pursuant to §16-10-305. Yes ☐ No ☒

Defendant was originally charged with a domestic-violence related offense. ☐ Yes ☒ No  
If yes, state the A.C.A. # of the offense: \_\_\_\_\_

If yes to either question, identify the relationship of the victim to the Defendant by offense number. \_\_\_\_\_

### DNA Sample/Qualifying Offense

Defendant has been adjudicated guilty of a qualifying offense or repeat offense (as defined in A.C.A. §12-12-1103). ☐ Yes ☒ No  
Defendant is ordered to have a DNA sample drawn at ☐ A.C.C. facility ☐ the A.D.C. or ☐ other \_\_\_\_\_

### Drug Crime

Defendant has been convicted of a drug crime, as defined in §12-17-101. ☐ Yes ☒ No

Court Costs	\$ 150.00
Fines	\$ 500.00
Booking/Admin Fees (\$40)	\$ 40.00
Drug Crime Assessment Fee (\$125)	\$
DNA Sample Fee (\$250)	\$
Children's Advocacy Center Fund Fee	\$
Public Defender User Fee	\$
Public Defender Attorney Fee	\$
Other (explain) Warrant Fee	\$ 50.00

Restitution \$ \_\_\_\_\_ Payable to [If multiple beneficiaries, give names and payment priority] \_\_\_\_\_

### Terms

☐ Due Immediately  
☐ Installments of: \_\_\_\_\_ **WCDL**  
☒ Payments must be made within 60 days of release from ~~A.D.C.~~  
☐ Upon release from confinement, Defendant must return to court to establish payment of restitution  
☐ Restitution is joint and several with co-defendant(s) who was found guilty - List name(s) and case number(s) \_\_\_\_\_

Defendant was convicted of a target offense(s) and is sentenced pursuant to provisions of the Community Punishment Act. ☐ Yes ☒ No

The Court hereby orders a judicial transfer to the AR Division of Community Correction. ☐ Yes ☒ No

Pursuant to the Community Punishment Act, the Defendant shall be eligible to have his/her records sealed. ☐ Yes ☒ No

**Extended Juvenile Jurisdiction Applied**  
☐ Yes ☒ No

### JAIL TIME

#### CREDIT

- 0 - days

### TOTAL TIME TO BE SERVED FOR ALL OFFENSES

In months: days 30 ☐ Life ☐ LWOP

### Death Penalty

☐ Yes ☒ No

### If Yes, State Execution Date:

DEFENDANT IS ASSIGNED TO: ☐ ADC ☐ ADC, Admin. Transfer NOT Authorized ☐ CCC ☒ COUNTY JAIL ☐ PROBATION ☐ SIS

Conditions of disposition or probation are attached. ☐ Yes ☒ No

A copy of the pre-sentence investigation on sentencing information is attached ☐ Yes ☒ No

☐ Defendant is subject to delayed release pursuant to A.C.A. § 5-4-405.

A copy of the Prosecutor's Short Report is attached ☐ Yes ☒ No

DEFENDANT WAS INFORMED OF APPELLATE RIGHTS ☒ Yes ☐ No **Appeal Bond \$** \_\_\_\_\_

The County Sheriff is hereby ordered to: ☐ transport the defendant to county jail ☐ take custody for referral to CCC ☐ transport to ADC

Defendant shall report to ACC probation officer for report date to CCC ☐ Yes ☒ No

Prosecuting Attorney/Deputy (Print Name): Rebecca Reed McCoy

Signature: Rebecca Reed McCoy Date: January 8, 2026

Circuit Judge (Print Name): Mark Pate

Signature: [Signature] Date: January 8, 2026

Additional Info: Smith must report within thirty-five (35) days of this date to White County Detention Center