

SENTENCING ORDER

IN THE CIRCUIT COURT OF ARKANSAS COUNTY, ARKANSAS,

11TH JUDICIAL DISTRICT NORTHERN DIVISION

On 12/1/25 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.

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Arkansas County Circuit Court in Stuttgart District
Sarah Merchant, Circuit Clerk
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01SCR-25-50
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Offender	Defendant [Last, First, MI] UNDERWOOD JR, DONALD,		DOB 02-06-1984	Sex ☒ Male ☐ Female	Total Number of Counts 3
	SID #		Race & Ethnicity ☒ White ☐ Black ☐ Asian ☐ Native American ☐ Pacific Islander ☐ Other ☐ Unknown ☐ Hispanic		
	Supervision Status at Time of Offense				
Court Info	Judge Donna Galloway				File Stamp
	Prosecuting Attorney/Deputy Tim Blair				
	Defendant's Attorney LB ABERNATHY ☐ Private ☒ Public Defender ☐ Pro Se ☐ Appointed				
	Change of Venue ☐ Yes ☒ No If yes, from:				
Legal Statement	☐ Pursuant to A.C.A. ☐ §§16-93-301 et seq., ☐ or §§ 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: ☐ 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 ☒ 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. ☐ Yes ☒ No				
Offense #1	A.C.A. # of Offense/ 5-27-304 - PANDER/POSSESS MATERIAL DEPICTG SEX. EXPLICIT CONDUCT INVOLVG		Case # 01SCR-25-50		
	Name of Offense+ CHILD - I				
	A.C.A. # of Original Charged Offense 5-27-304		ATN 13388	Offense was ☐ Nolle Prossed ☐ Dismissed ☐ Acquitted	
			Appeal from District Court ☐ Yes ☒ No	Probation/SIS Revocation+ ☐ Yes ☒ No	
	Offense Date 12-01-2024 - 02-25-202		Offense is ☒ Felony ☐ Misd. ☐ Viol.	Offense Classification ☐ Y ☐ A ☐ B ☒ C ☐ D ☐ U	
	Number of Counts: 1	Criminal History Score 0	Seriousness Level 4	Defendant ☐ Attempted ☐ Solicited ☐ Conspired to commit the offense	
	Presumptive Sentence ☐ Prison Sentence of _____ to _____ months ☒ Community Corrections Center ☒ Alternative Sanction				
	Defendant Sentence* (see Page 2) Imposed ☒ ADC ☐ Jud. Tran. ☐ County Jail 120 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 ☐ Life ☐ LWOP ☐ Death		Enhancement(s) is to run: ☐ Concurrent ☐ Consecutive Defendant was sentenced as a habitual offender, pursuant to A.C.A. §5-4-501, subsection ☐ (a) ☐ (b) ☐ (c) ☐ (d)			
Victim Info# (See page 2) ☐ N/A ☐ Multiple Victims ☒ Yes ☐ No		Age	Sex ☐ Male ☒ Female	Race & Ethnicity ☒ White ☐ Black ☐ Asian ☐ Native American ☐ Pacific Islander ☐ Other ☐ Unknown ☐ Hispanic	
Defendant voluntarily, intelligently, and knowingly entered a ☒ negotiated plea of ☒ guilty or ☐ nolo contendere. ☐ plea directly to the court of ☐ guilty or ☐ nolo contendere.			Defendant: ☐ was sentenced pursuant to ☐ §§16-93-301 et seq. ☐ or other §§ _____ ☐ entered a plea and was sentenced by a jury. ☐ was found guilty by the court & sentenced by ☐ Court ☐ Jury ☐ was found guilty at a jury trial & sentenced by ☐ Court ☐ Jury ☐ was found guilty of lesser included offense by ☐ Court ☐ Jury		
Sentence is a Departure: ☐ Yes ☒ No		Sentence Departure is: ☐ Durational or ☐ 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: ☐ Consecutive ☐ Concurrent to Offense # _____ or Case # _____		

Defendant's Full Name: DONALD UNDERWOOD JR

Offense #2	A.C.A. # of Offense/ 5-27-304 - PANDER/POSSESS MATERIAL DEPICTG SEX. EXPLICIT CONDUCT INVOLVG		Case # 01SCR-25-50	
	Name of Offense+ CHILD - 1			
	A.C.A. # of Original Charged Offense 5-27-304		ATN	Offense was ☐ Nolle Prossed ☐ Dismissed ☐ Acquitted
			Appeal from District Court ☒ Yes ☒ No	Probation/SIS Revocation+ ☒ Yes ☒ No
	Offense Date 12-01-2024		Offense is ☒ Felony ☐ Misd. ☐ Viol.	Offense Classification ☐ Y ☐ A ☐ B ☒ C ☐ D ☐ U
	Number of Counts: 1	Criminal History Score 0	Seriousness Level 4	Defendant ☐ Attempted ☐ Solicited ☐ Conspired to commit the offense
	Presumptive Sentence ☐ Prison Sentence of _____ to _____ months ☒ Community Corrections Center ☒ Alternative Sanction			
	Defendant Sentence* (see Page 2) Imposed ☒ ADC ☐ Jud. Tran. ☐ County Jail 120 months Probation _____ months SIS _____ months Other ☐ Life ☐ LWOP ☐ 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: ☐ Concurrent ☐ Consecutive Defendant was sentenced as a habitual offender, pursuant to A.C.A. §5-4-501, subsection ☐ (a) ☐ (b) ☐ (c) ☐ (d)	
	Victim Info# (See page 2) ☐ N/A ☐ Multiple Victims ☒ Yes ☐ No		Age	Sex ☐ Male ☒ Female Race & Ethnicity ☒ White ☐ Black ☐ Asian ☐ Native American ☐ Pacific Islander ☐ Other ☐ Unknown ☐ Hispanic
	Defendant voluntarily, intelligently, and knowingly entered a ☒ negotiated plea of ☒ guilty or ☐ nolo contendere. ☐ plea directly to the court of ☐ guilty or ☐ nolo contendere.		Defendant: ☐ was sentenced pursuant to ☐ §§16-93-301 et seq. ☐ or other §§ _____ ☐ entered a plea and was sentenced by a jury. ☐ was found guilty by the court & sentenced by ☐ Court ☐ Jury ☐ was found guilty at a jury trial & sentenced by ☐ Court ☐ Jury ☐ was found guilty of lesser included offense by ☐ Court ☐ Jury	
Sentence is a Departure: ☐ Yes ☒ No		Sentence Departure is: ☐ Durational or ☐ 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: ☐ Consecutive ☐ Concurrent to Offense # _____ or Case # _____		

Offense #3	A.C.A. # of Offense/ 5-27-306(a)(2)&(b)(2) - INTERNET STALKING OF A CHILD, MEETING ACTUALLY		Case # 01SCR-25-50	
	Name of Offense+ OCCURS WITH PERSON HELD OUT TO BE 15 OR YOUNGER (OFFENSE DATE -			
	A.C.A. # of Original Charged Offense 5-27-306(a)(2)&(b)(2)		ATN	Offense was ☐ Nolle Prossed ☐ Dismissed ☐ Acquitted
			Appeal from District Court ☒ Yes ☒ No	Probation/SIS Revocation+ ☒ Yes ☒ No
	Offense Date 03-25-2025		Offense is ☒ Felony ☐ Misd. ☐ Viol.	Offense Classification ☒ Y ☐ A ☐ B ☐ C ☐ D ☐ U
	Number of Counts: 1	Criminal History Score 0	Seriousness Level 8	Defendant ☐ Attempted ☐ Solicited ☐ Conspired to commit the offense
	Presumptive Sentence ☒ Prison Sentence of 96 to 180 months ☐ Community Corrections Center ☐ Alternative Sanction			
	Defendant Sentence* (see Page 2) Imposed ☒ ADC ☐ Jud. Tran. ☐ County Jail 120 months Probation _____ months SIS _____ months Other ☐ Life ☐ LWOP ☐ 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: ☐ Concurrent ☐ Consecutive Defendant was sentenced as a habitual offender, pursuant to A.C.A. §5-4-501, subsection ☐ (a) ☐ (b) ☐ (c) ☐ (d)	
	Victim Info# (See page 2) ☐ N/A ☐ Multiple Victims ☒ Yes ☐ No		Age	Sex ☐ Male ☒ Female Race & Ethnicity ☒ White ☐ Black ☐ Asian ☐ Native American ☐ Pacific Islander ☐ Other ☐ Unknown ☐ Hispanic
	Defendant voluntarily, intelligently, and knowingly entered a ☒ negotiated plea of ☒ guilty or ☐ nolo contendere. ☐ plea directly to the court of ☐ guilty or ☐ nolo contendere.		Defendant: ☐ was sentenced pursuant to ☐ §§16-93-301 et seq. ☐ or other §§ _____ ☐ entered a plea and was sentenced by a jury. ☐ was found guilty by the court & sentenced by ☐ Court ☐ Jury ☐ was found guilty at a jury trial & sentenced by ☐ Court ☐ Jury ☐ was found guilty of lesser included offense by ☐ Court ☐ Jury	
Sentence is a Departure: ☐ Yes ☒ No		Sentence Departure is: ☐ Durational or ☐ 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: ☐ Consecutive ☐ Concurrent to Offense # _____ or Case # _____		

Defendant's Full Name: DONALD UNDERWOOD JR

A.C.A. # of Offense/ 5-27-307(b)&(c)(1) - SEXUALLY GROOMING A CHILD (8/16/2013 AND THEREAFTER) Name of Offense+		Case # 01SCR-25-50	
A.C.A. # of Original Charged Offense 5-27-307(b)&(c)(1)		ATN	Offense was ☒ Nolle Prossed ☐ Dismissed ☐ Acquitted
Appeal from District Court ☒ Yes ☒ No		Probation/SIS Revocation+ ☒ Yes ☒ No	
Offense Date 12-01-2024	Offense is ☒ Felony ☐ Misd. ☐ Viol.	Offense Classification ☐ Y ☐ A ☐ B ☐ C ☒ D ☐ U	
Number of Counts:	Criminal History Score	Seriousness Level	Defendant ☐ Attempted ☐ Solicited ☐ Conspired to commit the offense
Presumptive Sentence ☐ Prison Sentence of _____ to _____ months ☐ Community Corrections Center ☐ Alternative Sanction			
Defendant Sentence* (see Page 2) Imposed ☐ ADC ☐ Jud. Tran. ☐ County Jail _____ months Probation _____ months SIS _____ months Other ☐ Life ☐ LWOP ☐ 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: ☐ Concurrent ☐ Consecutive Defendant was sentenced as a habitual offender, pursuant to A.C.A. §5-4-501, subsection ☐ (a) ☐ (b) ☐ (c) ☐ (d)	
Victim Info# (See page 2) ☐ N/A ☐ Multiple Victims ☐ Yes ☐ No		Age	Sex ☐ Male ☐ Female Race & Ethnicity ☐ White ☐ Black ☐ Asian ☐ Native American ☐ Pacific Islander ☐ Other ☐ Unknown ☐ Hispanic
Defendant voluntarily, intelligently, and knowingly entered a ☐ negotiated plea of ☐ guilty or ☐ nolo contendere. ☐ plea directly to the court of ☐ guilty or ☐ nolo contendere.		Defendant: ☐ was sentenced pursuant to ☐ §§16-93-301 et seq. ☐ or other §§ _____ ☐ entered a plea and was sentenced by a jury. ☐ was found guilty by the court & sentenced by ☐ Court ☐ Jury ☐ was found guilty at a jury trial & sentenced by ☐ Court ☐ Jury ☐ was found guilty of lesser included offense by ☐ Court ☐ Jury	
Sentence is a Departure: ☐ Yes ☐ No		Sentence Departure is: ☐ Durational or ☐ 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: ☐ Consecutive ☐ Concurrent to Offense # _____ or Case # _____	

Offense #4

Defendant's Full Name: DONALD UNDERWOOD JR

Special Conditions	Sex Offenses		Domestic Violence 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 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 has committed an aggravated sex offense as defined in A.C.A. §12-12-903. ☐ Yes ☒ No		Defendant was originally charged with a domestic-violence related offense. ☐ 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		If yes, list prior case numbers: _____		
	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: _____		If yes to either question, identify the relationship of the victim to the Defendant by offense number. _____		
Fined, Fees, Restitution	DNA Sample/Qualifying Offense		Drug Crime		
	Defendant has been adjudicated guilty of a qualifying offense or repeat offense (as defined in A.C.A. §12-12-1103). ☒ Yes ☐ No		Defendant has been convicted of a drug crime, as defined in §12-17-101.		
	Defendant is ordered to have a DNA sample drawn at ☐ A.C.C. facility ☒ the A.D.C. or		☐ Yes ☒ No		
	☐ Other _____				
Sentence Options	Court Costs	\$ 150	Restitution \$ _____ Payable to [If multiple beneficiaries, give names and payment priority] _____ Terms ☐ Due Immediately ☒ Installments of: \$50.00/mo to pay office w/in 120 days of release. ☐ Payments must be made within _____ 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) _____		
	Fines	\$ 500			
	Booking/Admin Fees (\$40)	\$ 40			
	Drug Crime Assessment Fee (\$125)	\$			
	DNA Sample Fee (\$250)	\$ 250			
Signature	Children's Advocacy Center Fund Fee	\$	Extended Juvenile Jurisdiction Applied ☐ Yes ☒ No		
	Public Defender User Fee	\$			
	Public Defender Attorney Fee	\$ 250			
	Other (explain)	\$ 300			
	SHERIFF				
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					
JAIL TIME CREDIT 278	TOTAL TIME TO BE SERVED FOR ALL OFFENSES In months 120 ☐ Life ☐ LWOP		Death Penalty ☐ Yes ☒ No	If Yes, State Execution Date: _____	
DEFENDANT IS ASSIGNED TO: ☒ ADC ☐ ADC, Admin. Transfer ☐ CCC ☐ COUNTY JAIL ☐ PROBATION ☐ SIS NOT Authorized					
Conditions of disposition or probation are attached. ☐ Yes ☒ No					
A copy of the pre-sentence investigation or 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 APPEAL RIGHTS ☐ Yes ☒ No Appeal Bond \$ _____					
The County Sheriff is hereby ordered to: ☐ transport the defendant to county jail ☐ transport to CCC ☒ transport to ADC					
Defendant shall report to ACC probation officer for report date to CCC ☐ Yes ☒ No					
Signature	Prosecuting Attorney/Deputy (Print Name): Tim Blair				
	Signature: _____		Date: 04-22-2026		
	Circuit Judge (Print Name): Donna Galloway				
Signature	Signature: _____		Date: 04-22-2026		
	Additional Info: _____				



Case Title: STATE V DONALD UNDERWOOD

Case Number: 01SCR-25-50

Type: AMENDED SENTENCING ORDER

So Ordered

A handwritten signature in black ink that reads "Donna D. Galloway". The signature is written in a cursive style with a large, looped initial "D".

Donna Galloway, 11E Circuit Division 1, Judge