

**2010 KANSAS SENTENCING GUIDELINES  
PRESENTENCE INVESTIGATION REPORT –  
FACE SHEET**

1. **Judicial District:** \_\_\_\_\_

**County and ORI number:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**A/K/A's:** \_\_\_\_\_

**Age:** \_\_\_\_ **K.B.I. No:** \_\_\_\_\_

**Sex:**  Male  Female

**Race:**  W  B  A.I.  A

**Ethnicity:**  Hispanic  Non-Hispanic

**Address:** \_\_\_\_\_

**Citizenship:**  U.S.  Citizen of: \_\_\_\_\_

**Detainer or Other Charges Pending?**  Yes  No

**Subject in Custody Awaiting Sentencing?**  Yes  No

**Begin** \_\_\_\_\_ **End** \_\_\_\_\_ = \_\_\_\_\_ **Days**

**Begin** \_\_\_\_\_ **End** \_\_\_\_\_ = \_\_\_\_\_ **Days**

**Begin** \_\_\_\_\_ **End** \_\_\_\_\_ = \_\_\_\_\_ **Days**

**DNA Sample Taken (K.S.A. 21-2511):**  Yes  No

2. **IF OFFENDER WAS UNDER 18 YEARS OF AGE WHEN CRIME(S) WAS COMMITTED AND WAS TRIED AS AN ADULT, OFFENDER WAS:**

Adjudicated as an Adult Under K.S.A. 2010 Supp. 38-2347.

Automatically Considered Adult Because of a Prior Felony

3. **Names of Co-Defendants, if any:** \_\_\_\_\_

4. **Defense Attorney:** \_\_\_\_\_

**Type of Counsel Prior to Sentencing:**

Retained  Appointed  Self

Waived Orally  Waived in Writing

**Prosecuting Attorney:** \_\_\_\_\_

**Sentencing Judge:** \_\_\_\_\_

**Date of Guilty Plea or Judgment:** \_\_\_\_\_

**Date of Sentencing:** \_\_\_\_\_

5. **Presentence Investigator: (Please Print)** \_\_\_\_\_

**Date Assigned:** \_\_\_\_\_ **Date Submitted:** \_\_\_\_\_

**Presentence Investigators signature:** \_\_\_\_\_

**Court File Stamp**

6. **Primary Offense:** \_\_\_\_\_

**K.S.A. No. (including subsections):** \_\_\_\_\_

**Offense Date:** \_\_\_\_\_

(Check all that apply)

Felony  Misdemeanor  Off-grid  Nongrid

Person  Nonperson  Drug  Nondrug

Attempt (K.S.A. 2010 Supp 21-3301)

Conspiracy (K.S.A. 2010 Supp 21-3302)

Solicitation(K.S.A. 2010 Supp 21-3303)

**Severity Level or Class:** \_\_\_\_ **Criminal History Score:** \_\_\_\_

Maximum Good Time:  15%  20%

**Sentencing Range:**

Aggravated \_\_\_\_ Standard \_\_\_\_ Mitigated \_\_\_\_

Presumptive Prison  Presumptive Prison per Special Rule

Presumptive Probation  Border Box

Special Rule No.# and Description: \_\_\_\_\_

Sentence Enhancement :

Firearm Finding (drug felony only):  6 months  18 months

Ballistic Resistant Material Finding:  30 months

**Drug Treatment:**  Mandatory  With Court Finding

**Not Eligible:**  Criminal History  Residency

3<sup>rd</sup> or Subsequent Conviction Felony Possession

**Postrelease Supervision Duration:**  12 months  24 months

36 months  60 months  No postrelease

Lifetime Postrelease

Parole

Lifetime Parole

**Probation Duration:**  12 months  18 months  24 months

36 months  Other: \_\_\_\_\_

**2010 KANSAS SENTENCING GUIDELINES  
PRESENTENCE INVESTIGATION REPORT - FACE SHEET SUPPLEMENTAL - PAGE  
CASE NO. \_\_\_\_\_**

**7. Additional Offense:** \_\_\_\_\_  
**K.S.A. No. (including subsections):** \_\_\_\_\_  
 (Check all that apply) **Offense Date:** \_\_\_\_\_  
 Felony  Misdemeanor  Off-grid  Nongrid  
 Person  Nonperson  Drug  Nondrug  
 Attempt (K.S.A. 2010 Supp. 21-3301)  Conspiracy (K.S.A. 2010 Supp. 21-3302)  Solicitation (K.S.A. 2010 Supp. 21-3303)  
**Severity Level or Class:** \_\_\_\_\_ **Criminal History Category I:** \_\_\_\_\_  
 Aggravated \_\_\_\_\_ Standard \_\_\_\_\_ Mitigated \_\_\_\_\_  
 Maximum Good Time:  15%  20%  
 Presumptive Prison  Presumptive Prison per Special Rule  
 Presumptive Probation  Border Box  
 Special Rule No. # and Description: \_\_\_\_\_

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Sentence Enhancement:  
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**Drug Treatment:**  Mandatory  With Court Finding  
**Not Eligible:**  Criminal History  Residency  
 3<sup>rd</sup> or Subsequent Conviction Felony Possession  
**Postrelease Supervision Duration:**  12 months  24 months  
 36 months  60 months  No postrelease  Lifetime  
**Probation Duration:**  12 months  18 months  24 months  
 36 months  Other \_\_\_\_\_

**7. Additional Offense:** \_\_\_\_\_  
**K.S.A. No. (including subsections):** \_\_\_\_\_  
 (Check all that apply) **Offense Date:** \_\_\_\_\_  
 Felony  Misdemeanor  Off-grid  Nongrid  
 Person  Nonperson  Drug  Nondrug  
 Attempt (K.S.A. 2010 Supp. 21-3301)  Conspiracy (K.S.A. 2010 Supp. 21-3302)  Solicitation (K.S.A. 2010 Supp. 21-3303)  
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 Aggravated \_\_\_\_\_ Standard \_\_\_\_\_ Mitigated \_\_\_\_\_  
 Maximum Good Time:  15%  20%  
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 Presumptive Probation  Border Box  
 Special Rule No. # and Description: \_\_\_\_\_

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**K.S.A. No. (including subsections):** \_\_\_\_\_  
 (Check all that apply) **Offense Date:** \_\_\_\_\_  
 Felony  Misdemeanor  Off-grid  Nongrid  
 Person  Nonperson  Drug  Nondrug  
 Attempt (K.S.A. 2010 Supp. 21-3301)  Conspiracy (K.S.A. 2010 Supp. 21-3302)  Solicitation (K.S.A. 2010 Supp. 21-3303)  
**Severity Level or Class:** \_\_\_\_\_ **Criminal History Category I:** \_\_\_\_\_  
 Aggravated \_\_\_\_\_ Standard \_\_\_\_\_ Mitigated \_\_\_\_\_  
 Maximum Good Time:  15%  20%  
 Presumptive Prison  Presumptive Prison per Special Rule  
 Presumptive Probation  Border Box  
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**K.S.A. No. (including subsections):** \_\_\_\_\_  
 (Check all that apply) **Offense Date:** \_\_\_\_\_  
 Felony  Misdemeanor  Off-grid  Nongrid  
 Person  Nonperson  Drug  Nondrug  
 Attempt (K.S.A. 2010 Supp. 21-3301)  Conspiracy (K.S.A. 2010 Supp. 21-3302)  Solicitation (K.S.A. 2010 Supp. 21-3303)  
**Severity Level or Class:** \_\_\_\_\_ **Criminal History Category I:** \_\_\_\_\_  
 Aggravated \_\_\_\_\_ Standard \_\_\_\_\_ Mitigated \_\_\_\_\_  
 Maximum Good Time:  15%  20%  
 Presumptive Prison  Presumptive Prison per Special Rule  
 Presumptive Probation  Border Box  
 Special Rule No. # and Description: \_\_\_\_\_

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 3<sup>rd</sup> or Subsequent Conviction Felony Possession  
**Postrelease Supervision Duration:**  12 months  24 months  
 36 months  60 months  No postrelease  Lifetime  
**Probation Duration:**  12 months  18 months  24 months  
 36 months  Other \_\_\_\_\_

\*This option is included in statute, but is unavailable.

2010 KANSAS SENTENCING GUIDELINES - PRESENTENCE INVESTIGATION REPORT

CURRENT OFFENSE INFORMATION

(This page only - NOT PUBLIC RECORD)

CASE NO. \_\_\_\_\_

1. OFFICIAL VERSION:

2. DEFENDANT'S VERSION:            Defendant's Date of Birth:            Defendant's Social Security Number:

3. VICTIM'S INJURY / DAMAGE / STATEMENT(S):

4. RESTITUTION OWED TO:		Total Restitution Owed: \$ _____
Amount	Name and Address	
\$ _____	_____	
\$ _____	_____	
\$ _____	_____	
\$ _____	_____	
\$ _____	_____	
\$ _____	_____	

5. OTHER PENDING INFORMATION:

\*This option is included in statute, but is unavailable.

**6. PLACEMENT OPTIONS:** This is a list of placement options and the presentence investigator's professional assessment of possible conditions should the court place the offender on probation or order some form of community sanction.

- COMMUNITY CORRECTIONS [Indicate the criteria from K.S.A. 2010 Supp. 75-5291(a)(2) that qualifies the defendant for placement in Community Corrections.]
  - (a)(2)(A) Border box on either grid or levels 6H or 6I or 7C through 7I on nondrug grid
  - (a)(2)(B) Downward dispositional departure from presumptive prison sentence
  - (a)(2)(C) Convicted of offense severity level 7 or higher which requires registration
  - (a)(2)(D) Condition violator
  - (a)(2)(G) Drug Treatment (K.S.A. 2010 Supp 21-4729 "SB 123")
  - \* (a)(2)(E) Scored "high risk or needs, or both"
  - \* (a)(2)(F) Follows successful completion of a conservation camp program
- COURT SERVICES
- DEPARTMENT OF CORRECTIONS

**7. OFFICER'S ASSESSMENT OF CONDITIONS OF PROBATION:** K.S.A. 21-4610 and: [Check All That Apply.]

- Alcohol evaluation     Drug evaluation     Mental Health evaluation     ADSAP Evaluation (Follow recommendations)
- In Patient     Out Patient
  - Alcohol treatment     Drug treatment     Mental Health treatment (Follow recommendations of counselor)
- No possession or consumption of alcohol or illegal drugs
- At C.S.O. request and at defendant's own expense, submit to random:     Breath test     Blood test     Urinalysis test
- Community Service Work: \_\_\_\_\_ Hours
- Gain employment     Maintain employment
- Notify the C.S.O. of changes in employment, residence and phone number
- No contact with:     Victim     Co-defendant
- Educational program:     G.E.D.     Vocational     Higher Education
- Register as an offender pursuant to the Kansas Offender Registration Act, K.S.A. 2010 Supp. 22-4901 *et. seq.*
- Attend a presentation by the Victim Impact Panel
- Submit to KBI DNA testing and be responsible for the cost of the test
- Curfew Restriction: \_\_\_\_\_
- Travel Restriction: \_\_\_\_\_
- Other: \_\_\_\_\_

**8. COSTS PROPOSED:**

Total Restitution (Please complete pg. 3 item #4.)	\$ _____	Probation Supervision Fee (Felony \$120; Misd. \$60)	\$ _____
Court Costs (including surcharge)	\$ _____	BIDS Attorney Fee	\$ _____
Total Fines	\$ _____	BIDS Application Fee	\$ _____
DNA Database Fee (K.S.A. 21-2511 & 75-724.)	\$ _____	Court-Appointed Attorney Fee	\$ _____
<b>Extradition Costs</b>	\$ _____	Community Corrections Fee (offenses after 1/4/07)	\$ _____
Domestic Violence Special Program Fee	\$ _____	Booking/Fingerprint Fee	\$ _____
Apprehension Fee (Escape/Agg. Escape)	\$ _____	Reward Reimbursement	\$ _____
Alcohol and/or Drug Evaluation Fee	\$ _____	Children's Advocacy Center Assessment Fee	\$ _____
Witness Fee	\$ _____	Medical Costs/Expenses Reimbursement	\$ _____
KBI Lab Fee	\$ _____	SB 123 Offender Reimbursement (at least \$300)	\$ _____
Other Lab Fee	\$ _____	Other: _____	\$ _____
		<b>TOTAL COSTS</b>	\$ _____

**SPECIAL RULES SUPPLEMENTAL PAGE (IF APPLICABLE, check box of the special rule that applies and include this page with the corresponding count. Additional copies may be made as needed.) PLEASE DO NOT RENUMBER THIS PAGE.) A special rule that changes the presumptive sentence, without constituting a departure, is applicable to this count because:**

**PUBLIC SAFETY OFFENSES/ FIREARMS FINDING APPLY:**

1.  **Person Felony Committed With a Firearm** – presumed prison. K.S.A. 2010 Supp. 21-4704(h)
2.  **Aggravated Battery of a L.E.O.**, if criminal history is 6H or 6I – presumed prison. K.S.A. 2010 Supp. 21-4704(g)
3.  **Aggravated Assault of a L.E.O.**, if criminal history is 6H or 6I – presumed prison. K.S.A. 2010 Supp. 21-4704(g)
34.  **Battery on a L.E.O. K.S.A. 21-3413(a)(2) resulting in bodily harm** – presumed prison and consecutive. K.S.A. 2010 Supp. 21-4704(q)
32.  **Drug Felony While in Possession of a Firearm**- presumed prison, K.S.A. 2010 Supp. 21-4705(g)
33.  **Drug Felony With a Firearm that Discharges**- presumed prison. K.S.A. 2010 Supp. 21-4705(g)
4.  **Crime Committed for Benefit of a Criminal Street Gang** – presumed prison. K.S.A. 2010 Supp. 21-4704(k)
11.  **Extended Jurisdiction Juvenile Imposed** – both juvenile and adult sentences imposed, adult sentence stayed conditioned on successful completion of juvenile sentence. K.S.A. 2010 Supp. 38-2347 and 38-2364
35.  **Aggravated Endangering of Child** – consecutive sentence required K.S.A. 2010 Supp. 21-3608a(b) [Effective April 29, 2010]
36.  **Ballistic Resistant Material worn/used in commission/attempt/flight from felony** – presumed prison and consecutive K.S.A. 2010 Supp. 21-4704(r) [Effective April 29, 2010]

**HABITUAL OR REPEAT OFFENSES APPLY:**

5.  **Persistent Sex Offender**, if current conviction is presumed prison – double the maximum duration. K.S.A. 2010 Supp. 21-4704(j)
12.  **Second or Subsequent Manufacture of a Controlled Substance Conviction** – presumed prison, twice the maximum duration. K.S.A. 2010 Supp. 21-4705(e)
26.  **Third or Subsequent Felony Drug Possession occurring on or after July 1, 2008** - presumed prison. K.S.A. 2010 Supp. 21-4705(f)
13.  **Residential Burglary with a Prior Residential, Nonresidential or Aggravated Burglary Conviction** – presumed prison. K.S.A. 2010 Supp. 21- 4704(l)
27.  **Burglary With Two or More Prior Convictions for a Violation of Theft, Burglary, or Aggravated Burglary** – presumed prison. K.S.A. 2010 Supp. 21-4704(p). [Effective July 1, 2008]
29.  **Felony Theft With Three or More Prior Convictions for a Felony Violation of Theft, Burglary, or Aggravated Burglary** – presumed prison. K.S.A. 2010 Supp. 21-4704(p). [Effective July 1, 2008]
30. \*  **For #27 or #29, Substance Abuse Underlying Factor, Treatment More Effective to Reduce Reoffense Risk and Community Safety Served** – KDOC Intensive Substance Abuse Treatment Program, Return to Court Upon Successful Completion. K.S.A. 2010 Supp. 21-4704(p).
31.  **Third or Sub. Criminal Deprivation of a Motor Vehicle** – presumptive prison. K.S.A. 2010 Supp. 21-4704(n).
16.  **Second Forgery**, criminal history I – C, sentenced pursuant to sentencing requirements of K.S.A. 21-3710(b)(3), term of imprisonment not in KDOC. Criminal history A or B, - sentenced for severity level 8, NPF. K.S.A. 2010 Supp. 21-4704(i)
17.  **Third or Sub. Forgery**, criminal history I – C, sentenced pursuant to sentencing requirements of K.S.A. 21-3710(b)(4), term of imprisonment not in KDOC. Criminal history A or B, - sentenced for severity level 8, NPF. K.S.A. 2010 Supp. 21-4704(i)
9.  **Crime Committed While Incarcerated and Serving a Felony Sentence, or While on Probation, Parole, Conditional Release, or Postrelease Supervision for a Felony** – new sentence shall be imposed pursuant to consecutive sentencing provisions in K.S.A. 2010 Supp. 21-4608 and the court may impose prison even if presumption is nonprison. K.S.A. 2010 Supp. 21-4603d(f). See also K.S.A. 2010 Supp. 21-4608(e)(2)(serving indeterminate sentence)
28.  **Crime Committed While Incarcerated in a Juvenile Correctional Facility for an Offense That Would be a Felony if Committed by an Adult** – presumed prison. K.S.A. 2010 Supp. 21-4603d(f)(2)
10.  **Crime Committed While on Felony Bond** – Under K.S.A. 2010 Supp. 21-4603d(f) new sentence “may” be imposed pursuant to consecutive sentencing provisions in K.S.A. 2010 Supp. 21-4608 and the court may impose prison even if presumption is nonprison. However, under K.S.A. 2010 Supp. 21-4608(d) new sentence “shall” be consecutive.

**NONGRID OFFENSES APPLY:**

6.  **Felony D.U.I.** (third, fourth or subsequent) – nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2010 Supp. 8-1567, term of imprisonment not to be served in KDOC. K.S.A. 2010 Supp. 21-4704(i)
8.  **Felony Domestic Battery** - nongrid, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 2010 Supp. 21-3412a(b)(3), term of imprisonment not to be served in KDOC. K.S.A. 2010 Supp. 21-4704(i)
21.  **Animal Cruelty** K.S.A. 2010 Supp. 21-4310(a)(1), K.S.A. 2010 Supp. 21-4310(a)(2-5); Second or subsequent conviction; or **Working/ Assistance dog** – K.S.A. 21-4318(c) - nongrid felony, sentenced pursuant to specific mandatory sentencing requirements of K.S.A. 21-4318(d), term of imprisonment not to be served in KDOC. K.S.A. 2010 Supp. 21-4704(i)

**FINANCE OFFENSES APPLY:**

25.  **Fraudulent Insurance Act**, any combination of acts occurring within 6 consecutive months involving \$25,000 or more - presumed prison. K.S.A. 2010 Supp. 40-2,118.
15.  **Kansas Securities Act**, violation resulting in loss of \$25,000 or more – presumed prison. K.S.A. 2010 Supp. 17-12a508(a)(5)
19.  **Mortgage Business Act**, Second or Subsequent Conviction – presumed prison. K.S.A. 2010 Supp. 9-2203(c)
20.  **Loan Brokers Act**, violation resulting in loss of \$25,000 or more – presumed prison. K.S.A. 50-1013(a)

1. KBI #	2. CASE #	6. KANSAS CRIMINAL HISTORY WORKSHEET  NEW _____  PRIOR RECORD _____	7. OFFENDER NAME (Last, First, Middle)	
3. DISTRICT #	4. COURT/ORI #		8. DATE OF OFFENSE	9. DATE OF CONVICTION
5. PSI INVESTIGATOR NAME (Last, First, Middle)			10. DATE OF WORKSHEET	11. DATE OF SENTENCING

12. WAS THE OFFENDER UNDER SUPERVISION AT THE TIME HE/SHE COMMITTED THE CURRENT OFFENSE?  NO  YES  
 IF YES, INDICATE WHAT TYPE OF SUPERVISION (Check all that apply.)

<input type="checkbox"/> Probation/Community	Jurisdiction:	Case No.:	Date Sentenced:
<input type="checkbox"/> Parole	Jurisdiction:	Case No.:	Date Sentenced:
<input type="checkbox"/> Postrelease Supervision	Jurisdiction:	Case No.:	Date Sentenced:
<input type="checkbox"/> Conditional Release	Jurisdiction:	Case No.:	Date Sentenced:
<input type="checkbox"/> Other	Jurisdiction:	Case No.:	Date Sentenced:

Comments:

13. CURRENT CRIME(S) OF CONVICTION					14. CRIMINAL HISTORY CONVICTIONS AND/OR ADJUDICATIONS PRIOR TO SENTENCING			
K.S.A. Number	Description	M/F	P/N	Level	Juvenile	Adult	Total	Type
								Person or Off-grid Felonies
								Nonperson Felonies
								Person Misdemeanors
								Nonperson Misdemeanors
					15. Amended Criminal History Convictions and/or Adjudications			
					Juvenile	Adult	Total	Type
								Person or Off-grid Felonies
								Nonperson Felonies
								Person Misdemeanors
								Nonperson Misdemeanors

16. CRIMINAL HISTORY CATEGORY A B C D E F G H I

Amended?  Yes  No A B C D E F G H I

18. PRIOR CONVICTION USED TO ENHANCE / ELEVATE OR IS AN ELEMENT OF THE CURRENT CRIME OF CONVICTION?  Yes  No

17. Number of Person Misdemeanors converted:  
 3  6  9  12  (Check One)

Amended?  Yes  No  3  6  9  12  (Check One)

19. Number of Decayed Juvenile Adjudications:  
 Felony \_\_\_\_\_ Misdemeanors \_\_\_\_\_

Amended?  Yes  No Felony \_\_\_\_\_ Misdemeanors \_\_\_\_\_

**Supplemental Criminal History Worksheet - Prior Convictions**

Offender's Name (L, F, M) \_\_\_\_\_ Judicial District \_\_\_\_\_ County \_\_\_\_\_ Case # \_\_\_\_\_

Statute/Ordinance #	Description	Juris. Code	State	County	City	Conviction Date	Case #	Conviction Code	Amended Code	Source of Information
1.										
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										

**CODES:**

JURISDICTION: F Federal S State  
L Military M Municipal

SOURCE OF INFORMATION: KBI III  
NCIC CR - Court Records  
Other jurisdiction - identify  
Other - explain

STATE: Use 2-letter abbreviation

**CONVICTION AND AMENDED CODES:**

**ADULT:**

AOG Adult Off-Grid Felony AMS Adult Class B Select Misdemeanor  
AFN Adult Felony Nonperson AMU Adult Misdemeanor Unscored  
AFP Adult Felony Person AME Adult Misdemeanor  
AFE Adult Felony Enhancement/Element/Elevation  
Enhancement/Element/Elevation AMP Adult Misdemeanor Person  
AMC Adult Misdemeanor Conversion AMN Adult Misdemeanor Nonperson

**JUVENILE:**

JOG Juvenile Off-Grid Felony JMD Juvenile Misdemeanor Decayed  
JFD Juvenile Felony Decayed JMU Juvenile Misdemeanor Unscored  
JFE Juvenile Felony Enhancement/Element/Elevation JMN Juvenile Misdemeanor Nonperson  
JFP Juvenile Felony Person JMC Juvenile Misdemeanor Conversion  
JFN Juvenile Felony Nonperson JMP Juvenile Misdemeanor Person  
JMS Juvenile Misdemeanor Select

NIH Not Included in Criminal History, by order of the Court, reasons state in Journal Entry.

**Note:** Unscored convictions/adjudications and decayed adjudications are not counted on page 1 of the worksheet.

Supplemental Criminal History Worksheet - Prior Convictions/Adjudications

Offender's Name (L, F, M) \_\_\_\_\_ Judicial District \_\_\_\_\_ County \_\_\_\_\_ Case # \_\_\_\_\_

Statute/Ordinance #	Description	Juris. Code	State	County	City	Conviction Date	Case #	Conviction Code	Amended Code	Source of Information
11.										
12.										
13.										
14.										
15.										
16.										
17.										
18.										
19.										
20.										
21.										
22.										
23.										
24.										
25.										
26.										
27.										
28.										
29.										
30.										