

1988

Layton City v. Alex Lopez : Brief of Appellant

Utah Court of Appeals

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Steve Garside; Layton City Attorney; Attorney for Respondent.

Steven C. Vanderlinden; Vanderlinden and Colton; Attorney for Appellant.

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BRIEF

UTAH
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DOCKET NO. 88-0653

UTAH COURT OF APPEALS

STATE OF UTAH

LAYTON CITY,	:	BRIEF OF APPELLANT
	:	
Plaintiff - Respondent,	:	
	:	
vs.	:	COURT APPEALS NO. 880303 CA
	:	
ALEX LOPEZ,	:	PRIORITY NO. 2
	:	
Defendant - Appellant.	:	88-0653 CA

BRIEF OF APPELLANT

Appeal from the decision of the Honorable Roger K. Bean denying Defendant's Motion to Dismiss for Lack of Speedy Trial on May 19, 1988, in the Second Circuit Court, Davis County, Layton Department, State of Utah.

Steven C. Vanderlinden
VANDERLINDEN AND COLTON
360 South State, Suite 3
Clearfield, Utah 84015

Attorney for Appellant

Steve Garside
Layton City Attorney
437 Wasatch Blvd.
Layton, Utah 84041

Attorney for Respondent

DEPOSITED BY THE
STATE OF UTAH
AUG 17 1990

AUG 21 1990

CLERK OF COURT

UTAH COURT OF APPEALS

STATE OF UTAH

LAYTON CITY,	:	BRIEF OF APPELLANT
	:	
Plaintiff - Respondent,	:	
	:	
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ALEX LOPEZ,	:	PRIORITY NO. 2
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Attorney for Appellant

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Layton, Utah 84041

Attorney for Respondent

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BRIEF OF APPELLANT

JURISDICTION

This Appeal is taken pursuant to Sec. 78-2a-3, Utah Code (2d) Utah Code Annotated 1953 (as amended). The Defendant - Appellant was found guilty of a final judgment of a conviction of Driving Under the Influence and Obstructing of Justice. Said Judgment was entered on the 27th day of October, 1988 in the Circuit Court, Davis County, Layton Department, State of Utah. Defendant - Appellant appealed his case on the 8th day of November, 1988.

ISSUE

1. Whether or not the Defendant - Appellant was denied his constitutional right to a speedy trial.

DETERMINATIVE, CONSTITUTIONAL PROVISIONS, STATUTES, ORDINANCES AND RULINGS.

Sec. 78-2a-3 (2d) Utah Code Annotated (1953 as amended)
"The Court of Appeals has appellate jurisdiction, including jurisdiction of interlocutory appeals, over:....(d) appeals from the circuit courts, except those from the small claims department of a circuit court;...."

Sec. 77-1-6 [1(f)] Utah Code Annotated 1953 (as amended)
it states:"in criminal prosecutions the criminal is entitled:....(f) to a speedy public trial and an impartial jury of the County or District where the offense is alleged to have been committed...."

Utah State Constitution Article 1, Sec. 12 "in criminal prosecutions the criminal is entitled:....(f) to a speedy public trial and an impartial jury of the County or District where the offense is alleged to have been committed...."

United States Constitution 6th Amendment "the accused shall enjoy the right to a speedy trial".

STATEMENT SHOWING NATURE OF PROCEEDINGS

This appeal is taken from a judgment of guilty, entered by a jury, and a denial of a Motion to Dismiss for Lack of Speedy Trial made by a Circuit Judge for the charge of Driving Under the Influence of Alcohol and Obstruction of Justice, both charges are Class B Misdemeanors.

STATEMENT OF FACTS

On August 16, 1986, the Defendant - Appellant was involved in a minor traffic accident which was investigated by the Layton City Police Department on the same night. Defendant - Appellant was present at the investigation.

On January 26, 1987, a Complaint and Summons were issued charging Defendant - Appellant with Driving Under the Influence of Alcohol and Obstruction of Justice. Pre-Trial was held March 31, 1987. A Motion to Dismiss for Lack of Speedy Trial was filed by the Defendant - Appellant on January 21, 1988 and heard March 11, 1988. The matter was taken under advisement by the Honorable Roger K. Bean, and denied April 11, 1988. The Defendant - Appellant renewed his Motion to Dismiss for Lack of Speedy Trial at the beginning of the Trial. The Trial was held and the jury came back and found the Defendant guilty of Driving Under the Influence and Obstructing Justice.

SUMMARY OF ARGUMENTS

The Defendant - Appellant was denied his constitutional right to a speedy trial. The trial held on May 4, 1988, was approximately 21 months after the Defendant - Appellant was involved in a minor traffic accident and was held in violation of his constitutional rights.

Defendant - Appellant's affidavit filed on May 4, 1988 makes it very clear that there was prejudice to the Defendant - Appellant. The Defendant - Appellant was prejudiced in the fact that the three people that were with him the night of the accident could not remember the particulars about what happened. The reason the other three people couldn't remember what happened is because it had been over 21 months since the incident occurred. The fact that the Court took over 21 months to have the trial held with no intervening factors including any motions to dismiss by either party coupled with the prejudice that was shown to the Defendant - Appellant indicates the Court of Appeals should dismiss the action against the Defendant - Appellant because his constitutional rights to a speedy trial were violated.

ARGUMENT

POINT I

WHETHER OR NOT THE DEFENDANT WAS DENIED HIS CONSTITUTIONAL RIGHTS TO A SPEEDY TRIAL.

It is a well established principal of constitutional law that a person accused of a crime has a right to a speedy trial. United States Constitution, 6th Amendment specifically states that "the accused shall enjoy the right to a speedy trial".

In the Utah Constitution, Article 1, Section 12 specifically upholds the same basic principal, "in criminal prosecutions the criminal is entitled:....

(f) to a speedy public trial and an impartial jury of the County or District where the offense is alleged to have been committed...."

Not only did our fore fathers feel it important to incorporate that principal in both the Utah and the United States Constitution but the Legislature of the State of Utah felt that a person's right to speedy trial was so important that it was incorporated as law in the State of Utah.

In Section 77-1-6 [1(f)] Utah Code Annotated 1953 (as amended it states:

"in criminal prosecutions the criminal is entitled:....
(f) to a speedy public trial and an impartial jury of the County or District where the offense is alleged to have been committed...."

The Defendant in the case before the Court clearly was denied his constitutional right to a speedy trial. On August 16, 1986 the Defendant - Appellant was involved in a minor traffic accident in which three of his friends in the car. The police came and investigated the accident and talked to the Defendant - Appellant. Five months later on January 26, 1987, a Complaint and Summons. There was no reason to wait 5 months to issue a Complaint and Summons. It is a simple task for a police officer to obtain a Complaint and Summons, step in front of a judge, have it sworn to under oath by the judge and this issued.

The five months prior to the issuance of the Complaint and Summons is only a small portion of the delay. A Pre-Trial was held on March 31, 1987 and all of the issues concerning the Trial were discussed and handled on that date. No further action was taken on the case until January 13, 1988. January 13, 1988 was 18 months after the traffic accident.

At the second Pre-Trial, counsel for the Defendant - Appellant indicated that he would file a Motion to Dismiss for a Lack of Speedy Trial. A Motion to Dismiss for Lack of Speedy Trial was in fact filed January 28, 1988, and heard March 11, 1988. The matter was argued by both sides and taken under advisement by the court, The Honorable Roger K. Bean. The Court denied Defendant - Appellant's Motion to Dismiss for Lack of Speedy Trail on April 11, 1988. The trial was set for May 4, 1988. Defendant - Appellant then proceeded to get ready for trial.

On May 4, 1988 at the beginning of the trial the Defendant - Appellant renewed his Motion for Lack of Speedy Trial filing an affidavit with the Court pointing out the problems that he encountered in bringing his three witnesses to Court. The Court then denied the Motion to Dismiss for Lack of Speedy Trial. A total of 21 months elapsed between the time of the minor traffic accident and the trial. There is no reason for such a lengthy delay. This is not a felon case, this is not a case of unusual facts, unusual witnesses or one that would take such an extensive period of time. This is a simple Driving Under the Influence and Obstructing Justice charge, a class B misdemeanor. The whole trial took less than 1 day. It is clear that the Defendant - Appellant's constitutional and statutory rights were violated and that the length was far beyond what should be expected in proceeding on a case such as the one before the Court.

There have been numbers federal and state cases that have talked about the criteria for dismissal for lack of speedy trial. The leading case in the area is Barker v. Wingo 407 U.S. 514 (1972). The Utah Supreme Court subsequently endorsed the Barker v. Wingo case and held that there are four factors to be considered in determining if a Defendant's right to a speedy trial has been denied. The four are: the length of delay, the reason for delay, the Defendant's assertion of his rights, and the prejudice to the Defendant. (seer State v.

Kanil 656 Pacific 2d 1026 Utah, 1982). The application of the State v. Kanil case and present fact situation makes it very clear that the Defendant - Appellant was denied the right to a speedy trial.

The Defendant - Appellant has already addressed the length of the delay, that being 21 months and the fact that there is no justifiable reason for the delay.

The next factor is the reason for the delay. The record is void of any motions of the Defendant - Appellant or the City to continue the matter. Further every time the Court noticed the matter up for an appearance the Defendant - Appellant or his attorney or both were always there and available. Thus you combine the length of the delay, 21 months, with the reason for the delay, which could only be negligence by the Court, and it supports Defendant - Appellant's violation of his constitutional rights. The Defendant - Appellant submits that he didn't positively assert his right to a speedy trial but respectfully calls the Court's attention that there was absolutely no waiver of his right to a speedy trial. On the contrary he was relying on Utah law and his constitutional rights. Which specifically stated that he has the right to a speedy trial. Is it necessary to assert a statutory right? Or in other words are all laws of the state of Utah waived unless a person positively asserts that law of right.

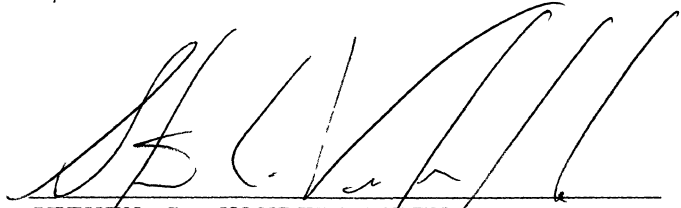
The last factor that was considered in the State v. Kanil doctrines was the prejudice of the Defendant. In our fact situation at hand, there is no question as to whether the Defendant - Appellant was prejudiced in his delay of trial. It is interesting to note that the Defendant - Appellant is not disputing the denial of the Motion to Dismiss entered on March 11, 1988. The only reason that he is appealing now is because of the denial of the Motion entered on May 4, 1988. In the May 4, 1988, Motion, the Defendant - Appellant. The Defendant - Appellant upon getting ready for trial according to his affidavit chose not to call the three people that were with him the night of the accident. He states in his affidavit that because such a long period of time elapsed between the incident itself and the time of the trial it was hard for the people to remember exactly what happened. He stated in his affidavit that he was concerned that if the witnesses got on the stand the jury could easily interpret the lack of detail and possible contradiction on details as dishonesty rather than lack of memory. This is clearly prejudice. You have a minor traffic accident that really doesn't stick in anybody's mind and then you have a trial 21 months later. People are not expected to remember. On the contrary people are expected to forget and the Defendant - Appellant would be judged by the statements of he and his witnesses. That is clear prejudice and hurt him substantially at the trial.

Alex Lopez is a victim of the system. The system is a good system it is not perfect. And in Alex Lopez's case the Court simply made a mistake. The Court for reasons unexplainable to anyone took 21 months to bring Alex Lopez to trial. Twenty - one months is an unreasonable delay with no viable explanation. Because Alex Lopez was prejudiced by the twenty - one month delay the case against Alex Lopez should be dismissed for lack of speedy trial.

CONCLUSION

The Defendant - Appellant respectfully requests of the Court that they dismiss the charges against Defendant - Appellant for lack of speedy trial.

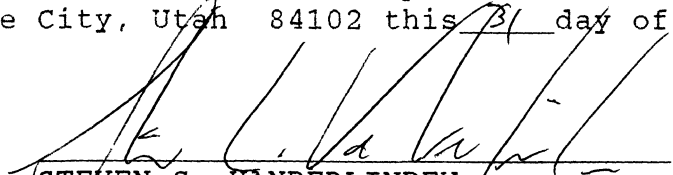
DATED this 31 day of March, 1989.



STEVEN C. VANDERLINDEN
Attorney for Defendant-Appellant

CERTIFICATE OF SERVICE

I hereby certify that I mailed a true and correct copy of the foregoing document to Paul Van Damn, State Capitol Building, Room 236, Salt Lake City, Utah 84102 this 31 day of March, 1989.



STEVEN C. VANDERLINDEN
Attorney for Defendant-Appellant

STEVEN C. VANDERLINDEN #3314
VANDERLINDEN & COLTON
Attorneys for Defendant
360 South State, Suite 3
Clearfield, Utah 84015

IN THE CIRCUIT COURT IN AND FOR DAVIS COUNTY

STATE OF UTAH, LAYTON DEPARTMENT

LAYTON CITY,	:	
Plaintiff,	:	AFFIDAVIT IN SUPPORT OF
	:	MOTION TO DISMISS FOR
	:	LACK OF SPEEDY TRIAL
vs.	:	
ALEX LOPEZ,	:	Criminal No. 87-20004-01 TC
Defendant.	:	

COUNTY OF DAVIS }
 : ss
STATE OF UTAH }

ALEX LOPEZ, being duly sworn under oath, deposes and states
the following:

1. That I am the defendant in the above entitled matter.
2. That on August 16, 1986, the I was involved in a minor
car accident in Layton, Utah.
3. That approximately 6 months after accident, a summons was
issued requesting my appearance in Circuit Court for an
arraignment on the above matter.
4. That my attorney, Steven C. Vanderlinden, appeared on my
behalf and entered a plea of not guilty, February 17, 1987.
5. That on March 31, 1987, approximately 8 months after the
accident, a pre-trial was held, all parties were present.

Affidavit
Layton City vs. Alex Lopez
Page 2

6. That on April 12, 1988, 21 months after the accident, a jury trial was held, wherein I was found guilty of D.U.I..

7. That I have been a resident of Davis County for several years and lived in Davis County during the whole pendency of this action, always available for trial.

8. That because of the long period of time involved until a summons was issued (6 months) and a trial was held (21 months), my memory of the incident was severely curtailed.

9. That my right to testify and defend myself was severely limited in that I couldn't remember the details of what happened the night of the accident.

10. That 3 other people were with me on the night of the accident, but I chose not to call them as witnesses because of the long period of time between the accident and the trial, all 3 people having acknowledged to me that it was hard to remember details of an incident that happened almost 2 years ago.

11. That I was concerned that if I and my witnesses got on the stand, the jury could easily interpret our lack of detail and possible contradictions on details as dishonesty rather than lack of memory.

12. That to my knowledge, neither the City nor my attorney ever requested a continuance of trial in the above matter.

Affidavit
Layton City vs. Alex Lopez
Page 3

DATED this 2 day of May, 1988.

Alex Lopez
ALEX LOPEZ

SUBSCRIBED AND SWORN TO before me this 3rd day of May, 1988.

Adam A. Lopez
NOTARY PUBLIC

Residing at: Ray, Utah

My Commission Expires: 4-1-91



Defendant

LOPEZ, ALEX
54 SO 450 E
CLEARFIELD

CITATION:

UT 84015

LPD Case: 872000401 TC
Traffic Court Case
Judge: K. ROGER BEAN

NO CDR # FOR THIS CASEChargesBail

Violation Date: 08/16/86

1. DRIVING UNDER THE INFLUENCE OF ALCO/DRUG	C41-6-44	600.00
2. DELAYING AND OBSTRUCTING AN OFFICER	9.52.030	300.00
3. FAILURE TO REPORT ACCIDENT W/UNATTEN VEH	C41-6-32	150.00
4. CONTEMPT OF COURT	CONTEMPT	85.00

Plea:

Finding/Judgment: Guilty - Bench

Proceedings

1/26/87	Case filed on 01/26/87.	JDW
1/27/87	ARR scheduled for 2/ 9/87 at 9:00 A in room 1 with KRB SUMMONS TO LPD RET ON 2-9-87 9AM	JDW JDW
2/10/87	D CALLED ON 2-9-87 STEVE VANDERLINDEN IS SUPPOSED TO CALL IN AN APPEARANCE ON HIS MATTER*** CONT TO 2-17-87	JDW JDW
2/27/87	PTC scheduled for 3/31/87 at 8:30 A in room 1 with KRB	GLG
3/31/87	KRB/MAH T4488 D170 THIS IS TIME SET FOR PRE TRIAL. PL REP BY STEVE GARSIDE. D NOT PRESENT BUT REPRESENTED BY ATTY VANDERLINDEN. CONSIDERING NEGOTIATION/REQUEST ADDITIONAL SEVEN DAYS TO WORK OUT PROPOSAL - BY APRIL 7, 1987 AT 4:30 PM.	MAH MAH MAH MAH MAH
2/30/87	PTC RESCHEDULED FOR 1-13-88 AT 3:00 P.M. PTC scheduled for 1/13/88 at 3:00 P in room 1 with KRB CITY PROSECUTOR AND DEF COUNSEL, STEVE VANDERLINDEN ADVISED VERBALLY OF THE DATE	GLG GLG GLG GLG
1/13/88	KRB/MAH T4961 C2852 PTC ATTY GARSIDE PRES FOR CITY D PRESENT WITH ATTY VANDERLINDEN PRESENT TO REP HIM. ATTY VANDERLINDEN WILL FILE MOTION WITH COURT THAT D'S RIGHTS TO A SPEEDY TRIAL HAVE BEEN VIOLATED WITHIN 10 DAYS.	MAH MAH MAH MAH
1/28/88	FILED MOTION TO DISMISS FOR LACK OF SPEEDY TRIAL	JSK
2/25/88	NOTIFIED ATTNV STEVEN VANDERLINDEN'S OFFICE OF HRG DATE BY PHONE SENT NOTICE TO CITY ATTNV'S OFFICE AND MR. VANDERLINDEN'S OFFICE HRG scheduled for 3/11/88 at 2:00 P in room 1 with KRB	JSK JSK JSK
3/11/88	T # 5089 C # 2827 TIME SET FOR HRG. P IS REP BY STEVE GRSIDE DEF IS NOT PRES, BUT IS REP BY PAUL COLTON, APPEARING FOR STEVE VANDERLINDEN. DEF COUNSEL MOVES THE MATTER BE DISMISSED FOR LACK OF SPEEDY TRIAL C # 2980 O RESPONDS COURT SETS MONDAY APRIL 11, 1988 AT 8:30 A.M. ALL DAY, SINGLE SET JURY	GLG GLG GLG GLG GLG GLG
3/18/88	TRJ scheduled for 4/11/88 at 8:30 A in room 1 with KRB COPY OF THE DOCKET WITH TRL DATE MAILED TO ATTY VANDERLINDEN AND SENT TO THE CITY ATTY	GLG GLG GLG
3/21/88	COUNTY ATY RECEIVED NOTICE CITY SHOULD HAVE RECEIVED - THEY WILL RETURN THEM.	MAG MAG
3/29/88	COPY OF DOCKET SENT TO LAYTON PROSECUTOR ADVISING OF TRIAL DATE.	MAG MAG
3/31/88	BEAN/GLG T # 5136 C # 2700 TIME SET FOR JURY TRL. P IS REP BY STEVE GARSIDE. DEF IS PRES WITH ATTY STEVEN VANDERLINDEN.	GLG GLG

OPPEZ, ALEX

CITATION:

LPD Case: 872000401 TC
Traffic Court Case

/88 ALL PROSPECTIVE JURORS ARE PRES. EXCEPT THOSE EXCUSED BY THE
 COURT ARE PRES.
 NEW TAPE, # 5136
 JUROR KAREN MEYERS PRES---LATE
 JURORS ARE SWORN AND QUESTIONED.
 THE FOLLOWING ARE CHOSEN TO SIT ON THE JURY:
 WINNIE R KILLPACK
 LAWSEN JOE MAHI
 KAREN MEYERS
 ERIC LAWRENCE
 C #700 RECESS TEMP
 C # 7001 COURT IS BACK IN SESSION
 ALL PARTIES AND THE JURY ARE BACK IN COURT
 JURORS ARE SWORN
 C # 896 INFORMATIONS ARE READ TO THE JURORS
 C #900 CITY GIVES OPENING STATEMENT
 C # 1134 JURY EXCUSED TEMP. WHILE COUNSEL PRESENT ARGUMENTS
 C# 1150 EXCLUSIONARY RULE IS ENVOCKED
 ON MOTION OF THE PLAINTIFF DEF
 DEF MOVES FOR DISMISSAL BASED ON THE LACK OF SPEEDY TRIAL AND
 OBJECTS TO ANY TESTIMONY PRESENTED AT A PREVIOUS TRIAL.
 C # 1588 COURT DENIES THE MOTION FOR DISMISSAL AND RULES THE TESTI-
 MONY THAT THE DEFENDANT PROPOSES ON ANOTHER TRIAL. IS ADMISSABLE,
 EXCEPT FOR THE VERDICT
 C # 1638, JURY IS BACK IN THE JURY BOX.
 1717 DEF GIVES OPENING STATEMENT .
 C# 1902 P W I # 1 VICKIE L.L. SUMMERVILLE
 C# 2370 XEX
 C # 2597 P W I #2 STEVEN BROWN, LPD
 C # 3272 OBJ. BY DEF, OVERRULED
 NEW TAPE # 5137
 C # 212 XEX C # 600 RDEX
 C # 688 RDEX C # 688 CITY RESTS
 C # 740 DEF MOVES THE COURT DISMISS THE CHARGES OF FAILURE TO
 REMAIN AT THE SCENE OF ACCIDENT AND RESISTING AN OFFICER
 C # 884 COURT DENIES MOTION
 C # 944 RECESS TEMP
 C # 370 P W I # 3 DAVID PATTERSON, LPD
 C # 600 XEX
 C # 900 DEF W I # 1 ALEX LOPEX C # 1350 XEX
 C # 1771 DEF RESTS C X 1776 CITY RECALLS OFFICER BRN
 C # 1855 BOTH SIDES REST C # 1865 COURT READS INSTRUCTIONS
 TO THE JURY/
 C # 2600 P GIVES SUMATION
 C # 2925 DEF GIVES SUMATION
 NEW TAPE 5138
 C # 55 CITY FINAL SUMATION
 C # 306 JURY RETIRES 12:30 P.M.
 C # 486 JURORS ARE BACK FOR A QUESTION
 C # 500 JURY IS BACK AND FINDS THE DEF GUILTY OF DUI. AND
 OBSTRUCTING AND DELAY. NOT GUILTY TO FAILURE TO REMAIN AT THE
 SCENE OF ACCIDENT SENT SET MAY 4, 1988 AT 9:00 A.M.

Defendant
LOPEZ, ALEX

CITATION:

LPD Case: 872000401 TC
Traffic Court Case

04/11/88 SNT scheduled for 5/ 4/88 at 9:00 A in room 1 with KRB GLG
05/04/88 T # 5178 C # 2000 DEF IS PRES. WITH STEVE VANDERLINDEN. DEF. GLG
COUNSEL SUBMITS MOTION FOR DISMISSAL, BASED ON LACK OF SPEEDY GLG
TRIAL, IF THE COURT DOES NOT GRANT THE MOTION, DEF WILL APPEAL GLG
THE MATTER. GLG
COURT DENIES THE MOTION. GLG
COURT FINDS THE DEF IN CONTEMPT OF COURT FOR FAILING TO APPEAR GLG
AT AP&P. SNT: \$75. FINE AND 15 DA JAIL GLG
SNT: DUI \$1000.00 FINE, \$250 ASSESS, \$250 IN. \$100 VR. GLG
COURT STAYS EXECUTION ON MOTION OF THE DEF. PENDING APPEAL GLG
P IS REP BY STEVE GARSIDE. GLG
FILED NOTICE OF APPEAL JSK
FILED APPLICATION FOR CERTIFICATE OF PROBABLE CAUSE JSK
FILED AFFIDAVIT IN SUPPORT OF MOTION TO DISMISS FOR LACK OF JSK
5/10/88 SPEEDY TRIAL JSK
CERTIFIED COPY OF NOTICE OF APPEAL SENT TO UTAH COURT OF APPEALS JSK
5/17/88 RECEIVED NOTICE FROM UTAH COURT OF APPEALS TO ATTNV STEVEN C. JSK
VANDERLINDEN NOTIFYING HIM OF HIS NEXT STEP. - CASE NUMBER IN JSK
COURT OF APPEALS OFFICE IN NOW #880303-CA JSK
5/24/88 FILED CERTIFICATE OF SERVICE JSK
5/25/88 FILED NON-REQUEST OF TRANSCRIPT JSK
FILED CERTIFICATION OF NON-REQUEST OF TRANSCRIPT PURSUANT TO JSK
RULE 75 (A) (1) OF UTAH RULES OF CIVIL PROCEDURE JSK
6/09/88 COURT OF APPEALS CALLED AND REQUESTED ORIGINALS BE SENT TO THEM JSK
FILED SENT TO COURT OF APPEALS THIS DAY (CERTIFIED) JSK
6/28/88 RECEIVED DESIGNATION OF ADDITIONAL PORTIONS OF THE RECORD BE IN- JSK
CLUDED JSK
7/20/88 - KRB

AMENDMENT TO THE DOCKET

AFTER THE JURY HAD RETURNED ITS VERDICT AND BEEN EXCUSED, AND KRB
THE COURT WAS INSTRUCTING DEFENDANT ABOUT HIS PRE-SENTENCE RE- KRB
PORT, THE COURT ENTERED A CONVICTION IN ESSENTIALLY THESE WORDS: KRB
"INCIDENTALLY, FOR THE RECORD, THE COURT NOW ENTERS A CONVICTION KRB
ON THE CHARGES OF DRIVING UNDER THE INFLUENCE OF ALCOHOL AND KRB
DELAYING AND OBSTRUCTING AN OFFICER."- KRB
THE DOCKET IS NOW ORDERED AMENDED TO REFLECT THE SAME.- KRB

K. ROGER BEAN-
JUDGE

Counting Summary
Citation Amount:

1135.00

D C I R C U I T C O U R T - L A Y T O N

D O C K E T

Page 4
THURSDAY JULY 21, 1988

9:15 AM

dant
OPEZ, ALEX

CITATION:

LPD Case: 872000401 TC
Traffic Court Case

ional Case Data

ine Summary

Fine: \$75.00
Jail: 15 DA

Suspended:
Suspended: 15 DA

ersonal Description

Sex: M DOB:
Dr. Lic. No.: UNKNOWN

State: UT Expires:

SCHEDULED HEARING SUMMARY

ARRAIGNMENT	on 02/09/87	0900 A in room 1 with KRB
PRE-TRIAL CONFERENCE	on 03/31/87	0830 A in room 1 with KRB
PRE-TRIAL CONFERENCE	on 01/13/88	0300 P in room 1 with KRB
HEARING	on 03/11/88	0200 P in room 1 with KRB
JURY TRIAL	on 04/11/88	0830 A in room 1 with KRB
SENTENCING	on 05/04/88	0900 A in room 1 with KRB

End of the docket report for this case.

STATE OF UTAH }
COUNTY OF DAVIS } ss

I, THE UNDERSIGNED, CLERK OF THE CIRCUIT COURT, LAYTON DEPARTMENT, DAVIS COUNTY, STATE OF UTAH, DO HEREBY CERTIFY THAT THE ANNEALED AND FOREGOING IS A TRUE AND FULL COPY OF AN ORIGINAL DOCUMENT ON FILE IN MY OFFICE AS SUCH CLERK.

WITNESS MY HAND SEAL OF SAID OFFICE
THIS 22 DAY OF July 1988
SHIRLEY W. PARK CLERK

BY James L. Brown DEPUTY