

7-13-2011

State v. Grant Clerk's Record v. 1 Dckt. 38325

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Vol 1 of 3

SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO

AW CLERK

Plaintiff-Respondent

vs.

WOODROW JOHN GRANT

Defendant-Appellant

Hon. Robert C. Naftz District Judge

Appealed from the District Court of the Sixth
Judicial District of the State of Idaho, in and for
Bannock County.

Molly Huskey

State Appellate Public Defender

Attorney X For Appellant X

Lawrence G. Wasden

Idaho Attorney General

Attorney X For Respondent X

FILED - COPY

Filed this _____ day of _____

2008

JUL 13 2011

Clerk _____

Deputy _____

Supreme Court Clerk of Court _____

Entered on A's by _____

38325
38326 38327

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,)
)
 Plaintiff-Respondent,)
)
)
)
 vs.) Supreme Court No. 38325-2010
)
 WOODROW JOHN GRANT,)
)
 Defendant-Appellant,)
)
)
)
 _____)

Volume I

CLERK'S RECORD

Appeal from the District Court of the Sixth Judicial District of the State of
Idaho, in and for the County of Bannock.

Before **HONORABLE Robert C. Naftz** District Judge.

For Appellant:

Molly Huskey
State Appellate Public Defender
P.O. Box 83720
Boise, Idaho 83720-0005

For Respondent:

Lawrence G. Wasden
Idaho Attorney General
Post Office Box 83720
Boise, Idaho 83720-0010

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VOLUME I

VOLUME II

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|-----------|------|--------|--|------------------------------|
| 6/20/2005 | LOCT | BRANDY | cr | Magistrate Court Clerk |
| | NCRF | BRANDY | New Case Filed-Felony | Magistrate Court Clerk |
| | PROS | BRANDY | Prosecutor Assigned Vic A Pearson | Magistrate Court Clerk |
| | CRCO | BRANDY | Criminal Complaint | Magistrate Court Clerk |
| | AFPC | BRANDY | Affidavit Of Probable Cause; PPD incident report #05-P10793; request for warrant; request for \$20,000 bond | Magistrate Court Clerk |
| | ORDR | BRANDY | Minute entry and order; probable cause determined; warrant issued; bond set \$20,000; J Naftz | Magistrate Court Clerk |
| | WARI | BRANDY | Warrant Issued - Arrest Bond amount: 20000.00 Defendant: Grant, Woodrow John | Magistrate Court Clerk |
| | CSTS | BRANDY | Case Status Changed: : Inactive | Magistrate Court Clerk |
| 7/8/2005 | WART | BRANDY | Warrant Returned Defendant: Grant, Woodrow John; ORIGINAL WARRANT RETURNED SERVED BY BCSO 7-8-05; TO ARRN | Magistrate Court Clerk |
| | CSTS | BRANDY | Case Status Changed: : Activate (previously inactive) | Magistrate Court Clerk |
| | HRSC | KIM | Hearing Scheduled (Arraignment 07/08/2005 02:00 PM) | Magistrate Court Clerk |
| | ARRN | KIM | Hearing result for Arraignment held on 07/08/2005 02:00 PM: Arraignment / First Appearance | Robert C. Naftz (Magistrate) |
| | ORPD | KIM | Defendant: Grant, Woodrow John Order Appointing Public Defender Public defender Randall D Schulthies | Robert C. Naftz (Magistrate) |
| | BOND | KIM | Bond Set at 5000.00 | Robert C. Naftz (Magistrate) |
| | ORDR | KIM | NO CONTACT ORDER | Robert C. Naftz (Magistrate) |
| | HRSC | KIM | Hearing Scheduled (Preliminary Hearing 07/19/2005 09:30 AM) | Ronald M. Hart |
| | ORDG | WENDY | No Contact Order: Order Granted | Peter D. McDermott |
| 7/11/2005 | BNDS | CATHY | Bond Posted - Surety (Amount 5000.00) AGGRAVATED BATTERY | Ronald M. Hart |
| 7/15/2005 | | BRANDY | Request for discovery and inspection; Douglas Dykmant aty for ddft | Ronald M. Hart |
| 7/18/2005 | ORPD | BRANDY | Defendant: Grant, Woodrow John Order Appointing Public Defender Public defender Douglas K Dykman; Conflict aty | Ronald M. Hart |
| 7/19/2005 | CONT | KIM | Hearing result for Preliminary Hearing held on 07/19/2005 09:30 AM: Continued | Ronald M. Hart |
| | HRSC | KIM | Hearing Scheduled (Preliminary Hearing 08/02/2005 09:30 AM) | Ronald M. Hart |
| | | KIM | Notice Of Hearing | Ronald M. Hart |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|-----------|------|---------|---|--------------------|
| 7/22/2005 | STIP | CHRISTY | Stipulation For Substitution of Counsel; Gregory May for Douglas Dykman | Ronald M. Hart |
| | ATTR | CHRISTY | Defendant: Grant, Woodrow John Attorney Retained Gregory C May | Ronald M. Hart |
| 7/25/2005 | MOTN | CHRISTY | Motion to Continue (state); | Ronald M. Hart |
| 7/27/2005 | WAIV | KIM | Waiver Of Speedy Trial | Ronald M. Hart |
| 8/1/2005 | ORDR | KIM | Order TO CONTINUE GRANTED | David L. Evans |
| | CONT | KIM | Hearing result for Preliminary Hearing held on 08/02/2005 09:30 AM: Continued | Ronald M. Hart |
| | HRSC | KIM | Hearing Scheduled (Preliminary Hearing 08/16/2005 09:30 AM) | Ronald M. Hart |
| | | KIM | Notice Of Hearing | Ronald M. Hart |
| 8/16/2005 | PHHD | KIM | Hearing result for Preliminary Hearing held on 08/16/2005 09:30 AM: Preliminary Hearing Held | Ronald M. Hart |
| | BOUN | KIM | Bound Over (after Prelim) | Ronald M. Hart |
| 8/18/2005 | INFO | CHRISTY | Pros Atty Info (3) charged-"Aggravated Battery, IC 18-903 and 18-907(1)(a) and/or (b)" | Ronald M. Hart |
| | BOND | CHRISTY | \$5,000.00 Surety Bond Posted NO CONTACT ORDER | Ronald M. Hart |
| | HRSC | CHRISTY | Hearing Scheduled (Arraignment 08/22/2005 08:30 AM) | Peter D. McDermott |
| 8/22/2005 | ARRN | PAULA | Hearing result for Arraignment held on 08/22/2005 08:30 AM: Arraignment / First Appearance | Peter D. McDermott |
| | APNG | PAULA | Hearing result for Arraignment held on 08/22/2005 08:30 AM: Appear & Plead Not Guilty - Min Ent & Order /s J. McDermott (Transcript of prelim hrng ordered; Def to pay w/in 30 dys of receipt; bond cont'd; No Contact Order cont'd); | Peter D. McDermott |
| | HRSC | PAULA | Hearing Scheduled (Further Proceedings 12/05/2005 08:30 AM) | Peter D. McDermott |
| | HRSC | PAULA | Hearing Scheduled (Jury Trial 12/06/2005 09:00 AM) | Peter D. McDermott |
| 8/25/2005 | REDS | CHRISTY | Request For Discovery (state); | Peter D. McDermott |
| 8/26/2005 | REDS | CHRISTY | Request For Discovery; atty for Def Bron Rammell | Peter D. McDermott |
| | NOTC | CHRISTY | Notice of Service (Request for Discovery); atty for Def | Peter D. McDermott |
| 9/1/2005 | RESP | CHRISTY | Response to Request for Discovery (state); | Peter D. McDermott |
| 9/2/2005 | MOTN | CHRISTY | Motion for Leave to Withdraw; atty for Def Bron Rammell | Peter D. McDermott |
| | AFFD | CHRISTY | Affidavit of Brian J. Cheney; atty for Def Bron Rammell | Peter D. McDermott |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|------------|------|----------|--|--------------------|
| 9/7/2005 | NOTC | PAULA | Notic of Hrng on Motn for Leave to Withdraw (Bron Rammell, for Def); | Peter D. McDermott |
| 9/12/2005 | INHD | PAULA | Min Ent & Order /s J. McDermott (Cnsl Bron Rammell's Motn W/draw - GRANTED; P/Def office appt'd to represent Def; Doug Dykman to represent Def in all further proc; Prelim hrng trnsctpt remains ordered, however, trnspt shall be at public expense; matter remains set on Court's trial calendar as prev ordered); | Peter D. McDermott |
| | ORPD | PAULA | Order Appointing Public Defender | Peter D. McDermott |
| 9/14/2005 | RESP | CHRISTY | Supplemental Response to Request for Discovery (state); | Peter D. McDermott |
| 9/15/2005 | RESP | CHRISTY | Amended Supplemental Response to Request for Discovery (state); | Peter D. McDermott |
| 11/10/2005 | MOTN | BRANDY | Motion for turnover of transcript; Doug Dykman aty for dfdt | Peter D. McDermott |
| | MOTN | BRANDY | Motion to revoke release; Vic Pearson aty for state | Peter D. McDermott |
| 11/16/2005 | ORDR | BRANDY | Minute entry and order; transcript ordered by 11-30-05; motion to revoke bond is DENIED; bond continued; No contact order still in place; J McDermott 11-14-05 | Peter D. McDermott |
| 11/23/2005 | TRAN | SHERRILL | Transcript Filed of prelom held 8/16/05 | Peter D. McDermott |
| 12/5/2005 | HRHD | BRANDY | Hearing result for Further Proceedings held on 12/05/2005 08:30 AM: Hearing Held; Minute entry and order; dfdts surety bond release is REVOKED; state to prepare bench warrant; bonding co has 90 days to deliver dfdt; J MCDermott 12-5-05 | Peter D. McDermott |
| | HRVC | BRANDY | Hearing result for Jury Trial held on 12/06/2005 09:00 AM: Hearing Vacated | Peter D. McDermott |
| 12/9/2005 | WARB | NICHOLE | Warrant Issued - Bench Bond amount: .00 Failed to Appear for a Further Proceeding on 12-5-05 at 8:30 a.m. Defendant: Grant, Woodrow John | Peter D. McDermott |
| | CSTS | NICHOLE | Case Status Changed: : Inactive | Peter D. McDermott |
| 12/13/2005 | WART | BRANDY | Warrant Returned Failed to Appear for a Further Proceeding on 12-5-05 at 8:30 a.m. Defendant: Grant, Woodrow John; ORIGINAL WARRANT RETURNED SERVED BY BCSO 12-9-05; TO KATHY | Peter D. McDermott |
| | CSTS | BRANDY | Case Status Changed: : Activate (previously inactive) | Peter D. McDermott |
| | ORDR | BRANDY | Order; dfdt to appear 12-19-05 for further proceedings; J McDermott 12-13-05 | Peter D. McDermott |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|------------|------|---------|---|--------------------|
| 12/20/2005 | ORDR | BRANDY | Minute entry and order; matter is reset for jury trial; bond is set at \$5000.00 and court services; No Contact Order remains; J McDermott 12-19-05 | Peter D. McDermott |
| 12/23/2005 | ORDR | BRANDY | Order; bench warrant is dismissed; J McDermott 12-23-05 | Peter D. McDermott |
| 12/28/2005 | BNDS | AMANDA | Bond Posted - Surety (Amount 5000.00) FTA warrant | Peter D. McDermott |
| | HRSC | BRANDY | 'Hearing Scheduled (Jury Trial 02/14/2006 09:00 AM) | Peter D. McDermott |
| | HRSC | BRANDY | Hearing Scheduled (Further Proceedings 02/13/2006 08:30 AM) | Peter D. McDermott |
| 1/9/2006 | GLTY | BRANDY | Guilty Plea Or Admission Of Guilt | Peter D. McDermott |
| 1/10/2006 | ORDR | BRANDY | Minute entry and order; dfdt changed plea; PSI ordered; sentencing set; trial vacated; J McDermott 1-9-06 | Peter D. McDermott |
| | HRVC | BRANDY | Hearing result for Jury Trial held on 02/14/2006 09:00 AM: Hearing Vacated | Peter D. McDermott |
| | HRVC | BRANDY | Hearing result for Further Proceedings held on 02/13/2006 08:30 AM: Hearing Vacated | Peter D. McDermott |
| 1/13/2006 | HRSC | BRANDY | Hearing Scheduled (Sentencing 03/06/2006 09:00 AM) | Peter D. McDermott |
| 3/6/2006 | HRHD | BRANDY | Hearing result for Sentencing held on 03/06/2006 09:00 AM: Hearing Held; Minute entry and order; additional time requested due to dfdt auto accident injuries; reset for sentencing; J McDermott 3-6-06 | Peter D. McDermott |
| 3/9/2006 | HRSC | BRANDY | Hearing Scheduled (Sentencing 04/17/2006 09:30 AM) | Peter D. McDermott |
| 4/17/2006 | INHD | BRANDY | Hearing result for Sentencing held on 04/17/2006 09:30 AM: Interim Hearing Held; Minute entry and order; matter is reset for sentencing due to dfdts injuries; J McDermott 4-17-06 | Peter D. McDermott |
| 4/18/2006 | HRSC | BRANDY | Hearing Scheduled (Sentencing 06/19/2006 09:30 AM) | Peter D. McDermott |
| 6/14/2006 | ORDR | BRANDY | Order to transport; for sentencing hearing on 6-19-06; J McDermott 6-13-06 | Peter D. McDermott |
| 6/19/2006 | MISC | JOYLYNN | COURT SERVICES FILE CLOSED COMPLIANT - NCO ACTIVE THRU JAIL/PROB TERM. | Peter D. McDermott |
| | HRHD | BRANDY | Hearing result for Sentencing held on 06/19/2006 09:30 AM: Hearing Held; Minute entry and order and commitment order; dfdt is sentenced to serve 4 yrs fixed, 6 yrs indeter, total 10 years; retained jurisdiction 180 days; bond exonerated; order to transport; J MCDermott 6-19-06 | Peter D. McDermott |
| | CPGT | BRANDY | Change Plea To Guilty Before H/t (I18-907 Battery-aggravated) | Peter D. McDermott |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|------------|------|--------|---|--------------------|
| 6/19/2006 | CSTS | BRANDY | Case Status Changed: closed pending clerk action | Peter D. McDermott |
| | SNIC | BRANDY | Sentenced To Incarceration (I18-907 Battery-aggravated) Confinement terms: Other: 6 months. Penitentiary determinate: 4 years. Penitentiary indeterminate: 6 years. ; retained jurisdiction | Peter D. McDermott |
| | BNDE | BRANDY | Surety Bond Exonerated (Amount 5,000.00) | Peter D. McDermott |
| | BNDE | BRANDY | Surety Bond Exonerated (Amount 5,000.00) | Peter D. McDermott |
| 10/20/2006 | PROB | SHAREE | Probation Ordered (I18-907 Battery-aggravated) Probation term: 4 years. (Supervised) | Peter D. McDermott |
| | SNMD | SHAREE | Sentenced Modified Sentence modified on 10/20/2006. (I18-907 Battery-aggravated) | Peter D. McDermott |
| | SNIC | SHAREE | Sentenced To Incarceration Penitentiary suspended. | Peter D. McDermott |
| | SNPF | SHAREE | Sentenced To Pay Fine 88.50 charge: I18-907 Battery-aggravated | Peter D. McDermott |
| 10/25/2006 | MEOR | SHAREE | Minute Entry and Order - PREVIOUS SENTENCE (4 Fixed/6 Indeterminate) SUSPENDED - PROBATION 4 YEARS - SENTENCED TO PAY THE FOLLOWING MONIES IN ADDITION TO STATUTORY COSTS: | Peter D. McDermott |
| | | | ~REST. ID Crime Victims \$2717.18 | |
| | | | ~PPD Narcotics Enforce. \$ 875.00 | |
| | | | ~Forensic Services \$ 200.00 | |
| | | | ~PPD Officer Training \$ 350.00 | |
| | | | ~DCF 4 Maintenance of Courts \$ 850.00 | |
| | | | ~Public Defender Reimburse \$ 850.00 | |
| | | | ~P&P Officer Training \$ 100.00 | |
| | | | **PAY \$40/MO Beginning 3/20/07 | |
| | RESO | SHAREE | Restitution Ordered 850.00 victim # 5 :: District Court Fund for Maintenance of the Courts | Peter D. McDermott |
| | RESO | SHAREE | Restitution Ordered 350.00 victim # 4 :: Pocatello Police Officer Training | Peter D. McDermott |
| | RESO | SHAREE | Restitution Ordered 200.00 victim # 3 :: Forensic Services | Peter D. McDermott |
| | RESO | SHAREE | Restitution Ordered 875.00 victim # 2 :: Pocatello Police Dept. Narcotics Enforcement | Peter D. McDermott |
| | RESO | SHAREE | Restitution Ordered 2717.18 victim # 1 :: Idaho Crime Victim's Compensation | Peter D. McDermott |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | Judge |
|------------|------|-------|--|
| 4/26/2007 | | DIXIE | Peter D. McDermott |
| | | | Affidavit and Notice of Failure to Pay - Overdue - Step 1, Failure to Pay Fines and Fees - Charge # 1, Battery-aggravated, Step 1, Failure to Pay Victim Restitution - Victim # 1, Step 1, Failure to Pay Victim Restitution - Victim # 2, Step 1, Failure to Pay Victim Restitution - Victim # 3, Step 1, Failure to Pay Victim Restitution - Victim # 4, Step 1, Failure to Pay Victim Restitution - Victim # 5 Appearance date: 5/10/2007 |
| 12/27/2007 | | DIXIE | Peter D. McDermott |
| | | | Affidavit and Notice of Failure to Pay- Victim - Step 1, Failure to Pay Victim Restitution - Victim # 1, Step 1, Failure to Pay Victim Restitution - Victim # 2, Step 1, Failure to Pay Victim Restitution - Victim # 3, Step 1, Failure to Pay Victim Restitution - Victim # 4, Step 1, Failure to Pay Victim Restitution - Victim # 5 Appearance date: 1/10/2008 |
| 3/27/2008 | MISC | WENDY | Peter D. McDermott |
| | | | NCO active through 10/19/2010 |
| 5/22/2008 | | DIXIE | Peter D. McDermott |
| | | | Affidavit and Notice of Failure to Pay - Overdue - Step 1, Failure to Pay Fines and Fees - Charge # 1, Battery-aggravated, Step 1, Failure to Pay Victim Restitution - Victim # 1, Step 1, Failure to Pay Victim Restitution - Victim # 2, Step 1, Failure to Pay Victim Restitution - Victim # 3, Step 1, Failure to Pay Victim Restitution - Victim # 4, Step 1, Failure to Pay Victim Restitution - Victim # 5 Appearance date: 06/05/2008 |
| 10/9/2008 | | DIXIE | Peter D. McDermott |
| | | | Affidavit and Notice of Failure to Pay - Overdue - Step 1, Failure to Pay Fines and Fees - Charge # 1, Battery-aggravated, Step 1, Failure to Pay Victim Restitution - Victim # 1, Step 1, Failure to Pay Victim Restitution - Victim # 2, Step 1, Failure to Pay Victim Restitution - Victim # 3, Step 1, Failure to Pay Victim Restitution - Victim # 4, Step 1, Failure to Pay Victim Restitution - Victim # 5 Appearance date: 10/23/2008 |
| 11/13/2008 | | DIXIE | Peter D. McDermott |
| | | | Affidavit and Notice of Failure to Pay - Overdue - Step 1, Failure to Pay Fines and Fees - Charge # 1, Battery-aggravated, Step 1, Failure to Pay Victim Restitution - Victim # 1, Step 1, Failure to Pay Victim Restitution - Victim # 2, Step 1, Failure to Pay Victim Restitution - Victim # 3, Step 1, Failure to Pay Victim Restitution - Victim # 4, Step 1, Failure to Pay Victim Restitution - Victim # 5 Appearance date: 11/28/2008 |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | Judge |
|------------|------|--------|--|
| 9/17/2009 | | DIXIE | Peter D. McDermott |
| | | | *****REPORTED TO COLLECTION AGENCY***** - Step 2, Failure to Pay Fines and Fees - Charge # 1, Battery-aggravated, Step 2, Failure to Pay Victim Restitution - Victim # 1, Step 2, Failure to Pay Victim Restitution - Victim # 2, Step 2, Failure to Pay Victim Restitution - Victim # 3, Step 2, Failure to Pay Victim Restitution - Victim # 4, Step 2, Failure to Pay Victim Restitution - Victim # 5 Appearance date: 09/17/2009 |
| 11/3/2009 | HRSC | KIM | David Kress |
| | ARRN | KIM | David Kress |
| | BOND | KIM | David Kress |
| | HRSC | KIM | Robert C Naftz |
| | | KIM | Robert C Naftz |
| 11/6/2009 | MISC | NICOLE | Robert C Naftz |
| 11/12/2009 | DCHH | NICOLE | Robert C Naftz |
| | | | Hearing result for Probation Violation - Admit/Deny held on 11/09/2009 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages |
| | HRSC | NICOLE | Robert C Naftz |
| | MEOR | NICOLE | Robert C Naftz |
| | | | Minute Entry and Order s/ J. Naftz 11-12-09; Def. present for admit/deny hearing and denied allegations; set for evidentiary 1-11-10 at 9:00 am; remanded back to BCJ on No-Bond hold |
| 1/13/2010 | CONT | NICOLE | Robert C Naftz |
| | | | Continued (Probation Violation - Evidentiary 02/01/2010 09:00 AM) |
| 1/14/2010 | ORDR | NICOLE | Robert C Naftz |
| | | | Order Continuing Evidentiary; Def. appeared for Evidentiary 1-11-10; counsel requested continuance due to pending negotiations on Defendant's other case; Evidentiary hearing reset to 2-1-10 9:00 am; Def. remanded back to BCJ on no-bond hold; s/ J. Naftz 1-14-10 |
| 1/28/2010 | HRVC | NICOLE | Robert C Naftz |
| | | | Hearing result for Probation Violation - Evidentiary held on 02/01/2010 09:00 AM: Hearing Vacated until Defendant's other cases resolved |
| 2/23/2010 | HRSC | NICOLE | Robert C Naftz |
| | | | Hearing Scheduled (Probation Violation - Evidentiary 03/01/2010 09:00 AM) |
| 2/24/2010 | ORDR | NICOLE | Robert C Naftz |
| | | | Order Setting Evidentiary Hearing s/ J. Naftz 2-23-10; set to 3-1-10 9:00 am |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | Judge |
|-----------|-------|---------|--|
| 3/2/2010 | HRVC | NICOLE | Hearing result for Probation Violation - Evidentiary held on 03/01/2010 09:00 AM: Hearing Vacated until other matters resolved Robert C Naftz |
| 5/7/2010 | HRSC | NICOLE | Hearing Scheduled (Probation Violation - Evidentiary 06/28/2010 09:00 AM) Robert C Naftz |
| 5/10/2010 | ORDR | NICOLE | Second Order Setting Evidentiary Hearing; Evidentiary Hearing set 6-28-10 9:00 am; s/ J. Naftz 5-10-10 Robert C Naftz |
| 6/30/2010 | CONT | NICOLE | Continued (Probation Violation - Evidentiary 07/08/2010 10:00 AM) Robert C Naftz |
| 7/1/2010 | ORDR | NICOLE | Order Continuing Evidentiary and Sentencing Hearings; Def. appeared 6-28-10 for Evidentiary and Sentencing; counsel requested additional time; hearings along with Defendant's motions reset for 7-8-10 10:00 am; Def. remanded back to custody of BCJ; s/ J. Naftz 6-30-10 Robert C Naftz |
| 7/8/2010 | SNMD | NICOLE | Sentenced Modified Sentence modified on 07/08/2010. (118-907 Battery-aggravated) Robert C Naftz |
| | SNIC | NICOLE | Sentenced To Incarceration Penitentiary suspended removed. Robert C Naftz |
| | FINDG | NICOLE | Court Finding: Guilty- (120-222 Probation Violation) Robert C Naftz |
| | CSTS | NICOLE | Case Status Changed: closed pending clerk action Robert C Naftz |
| | DCHH | NICOLE | Hearing result for Probation Violation - Evidentiary held on 07/08/2010 10:00 AM: District Court Hearing Held Robert C Naftz Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: more than 100 pages |
| | MOTN | CINDYBF | Rule 35 Motion- by DA Dykman. Robert C Naftz |
| | HRSC | CINDYBF | Notice of Hearing on Rule 35 Motion- Hearing Scheduled (Motion to Reconsider 09/27/2010 09:00 AM) Rule 35 Motion- by DA Dykman. Robert C Naftz |
| 7/12/2010 | MEOR | NICOLE | Minute Entry and Order; Def appeared 7-8-10 for Evidentiary hearing; Def. waived right to hearing and admitted to violations; probation revoked; sentence reinstated of 4 years fixed and 6 years indeterminate with credit for time served to run consecutive to any other sentences; Def. remanded to BCJ to deliver to IDOC; s/ J. Naftz 7-12-10 Robert C Naftz |
| 9/29/2010 | DCHH | NICOLE | Hearing result for Motion to Reconsider held on 09/27/2010 09:00 AM: District Court Hearing Held Robert C Naftz Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|------------|------|--------|---|----------------|
| 9/30/2010 | MEOR | NICOLE | Minute Entry and Order; Def. not present for hearing on Defendant's Rule 35 Motion; the court heard argument from counsel and objection from the state and finding that no new evidence was presented, Defendant's Rule 35 Motion is denied; Defendant will continue to serve his sentence as imposed by the Court on July 8, 2010; s/ J. Naftz 9-30-10 | Robert C Naftz |
| 11/12/2010 | APSC | DCANO | Appealed To The Supreme Court | Robert C Naftz |
| | NOTC | DCANO | NOTICE OF APPEAL; Woodrow Grant, pro se | Robert C Naftz |
| | MOTN | DCANO | MOTION AND AFFIDAVIT IN SUPPORT FOR APPOINTMENT OF COUNSEL | Robert C Naftz |
| | MOTN | DCANO | MOTION AND AFFIDAVIT FOR PERMISSION TO PROCEED ON PARTIAL PAYMENT OF COURT FEES (Prisoner) | Robert C Naftz |
| 12/1/2010 | MISC | DCANO | CLERK'S CERTIFICATE OF APPEAL; Signed and Mailed to SC on 12-1-10. | Robert C Naftz |
| 12/3/2010 | ORDR | NICOLE | Order Regarding Partial Payment of Court Fees (Prisoner); Def. found to have no assets and need not pay any fee at this time; s/ J. Naftz 12-2-10 | Robert C Naftz |
| | ORDR | NICOLE | Order Granting Motion for Appointment of Counsel s/ J. naftz 12-2-10; State Appellate P.D. to represent Def. on appeal | Robert C Naftz |
| 12/15/2010 | | DCANO | IDAHO SUPREME COURT; Clerk's Record and Reporter's Transcript Suspended: Reason for Suspension: Suspended to 1-3-11 for Response to Conditional Dismissal. | Robert C Naftz |
| | | DCANO | IDAHO SUPREME COURT; Order Conditionally Dismissing Appeal: It appears that the Notice of Appeal was not filed within 42 days from the date of Entry of MEO. Appellant has 21 days to response. | Robert C Naftz |
| | MISC | DCANO | IDAHO SUPREME COURT; Clerk's Certificate of Appeal received on 12-3-10. Title in the Cert. must appear on all documents filed with SC. | Robert C Naftz |
| 1/5/2011 | MISC | DCANO | IDAHO SUPREME COURT; Documents filed on behalf of Appellant: Motion to Consolidate. | Robert C Naftz |
| 1/6/2011 | MISC | DCANO | IDAHO SUPREME COURT; Document filed with SC on behalf of Appellant. Response to Conditional Dismissal. | Robert C Naftz |
| 1/21/2011 | MISC | DCANO | IDAHO SUPREME COURT; Clerk's Record and Reporter's Transcript Due Date Set; Clerk's Record and Reporter's Transcript must be filed in SC by 5-4-11. (3-30-11 due to counsel, 5 weeks prior) | Robert C Naftz |
| | MISC | DCANO | Order to Withdraw Conditional Dismissal (Granted) and Order to Consolidate Appeal (Granted). Cases to be consolidate under #38325-2010, CR-2005-10538-FE. | Robert C Naftz |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | Judge |
|-----------|------|-------|--|
| 5/13/2011 | | DCANO | NOTICE OF TRANSCRIPT LODGED with Court Records on 5-4-11 from Stephanie Davis. Robert C Naftz |
| | | DCANO | REPORTER'S TRANSCRIPTS RECEIVED FROM Stephanie Davis for the following transcripts: Arraignment held 8-22-05, Dfdt Counsel Motn. to W/D held 9-12-05, State's Motion to Revoke Bond held 11-14-05, FP held 12-5-05, FP held 12-19-05, FP; Plea held 1-9-06, Sentencing 3-6-06, PF RE: Sentencing 4-17-06, FP RE: Sentencing held 6-19-06, Probation Violation held 11-9-09, Arraignment held 11-30-09, Arraignment/ Dfdts. Motion for Release/Share Program heldc 12-9-09, Dfdts. Motn. to Hire Investigation held 1-4-10, Evidentiary Hearing held 1-11-10, Dfdts. Motion held 1-19-10, Change of Plea,FP,FP, held 3-1-10, F.P. RE: Change of Plea 5-3-10, Sentencing, Disposition held 6-28-10, Dfdts. Motion to Strike held 7-8-10, and Dfdts. Rule 35 Motion held 9-27-10. Robert C Naftz |
| 5/19/2011 | MISC | DCANO | CLERK'S RECORD RECEIVED IN court records on 5-19-11. Robert C Naftz |
| | MISC | DCANO | Provided a copy of Clerk's Record to Bannock County Prosecuting Attorney's Office Jeanne Hobson on 5-19-11. Robert C Naftz |
| | MISC | DCANO | CLERK'S RECORD AND REPORTER'S TRANSCRIPTS MAILED TO COUNSEL: Molly Huskey and Lawrence Wasden on 5-19-11. Due in SC on 6-17-11. (Faxed and Mailed Notice to Klondy on 5-19-11) Robert C Naftz |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|------------|------|---------|---|------------------------|
| 11/3/2009 | LOCT | CINDYBF | cr | Magistrate Court Clerk |
| | NCRF | CINDYBF | New Case Filed-Felony | Magistrate Court Clerk |
| | PROS | CINDYBF | Prosecutor Assigned Cleve Colson | Magistrate Court Clerk |
| | CRCO | CINDYBF | Criminal Complaint- Possession of a Controlled Substance, Methamphetamine, IC 37-2732(c)(1). | Magistrate Court Clerk |
| | AFPC | CINDYBF | Affidavit Of Probable Cause/PPD Incident Report/\$10,000.00 Request for Bond. | Magistrate Court Clerk |
| | ORDR | CINDYBF | Probable Cause Minute Entry & Order- Probable Cause determined by Judge Kress, bond be determined at arraignments. s/Kress 11-3-09. | Magistrate Court Clerk |
| | HRSC | CINDYBF | Hearing Scheduled (Arraignment 11/03/2009 01:15 PM) | David Kress |
| | ARRN | KIM | Hearing result for Arraignment held on 11/03/2009 02:01 PM: Arraignment / First Appearance | David Kress |
| | ORPD | KIM | Defendant: Grant, Woodrow John Order Appointing Public Defender Public defender Randall D Schulthies | David Kress |
| | BOND | KIM | Bond Set at 10000.00 | David Kress |
| | HRSC | KIM | Hearing Scheduled (Preliminary Hearing 11/16/2009 01:30 PM) | Thomas W Clark |
| 11/9/2009 | MOTN | AMANDA | Motion to Withdraw Due to Conflict of Interest; Randall Schulthies | Thomas W Clark |
| 11/12/2009 | ORDR | AMANDA | Order on Motion to Withdraw; /s/ J Laggis 11-12-09 -- GRANTED | Thomas W Clark |
| 11/13/2009 | MOTN | AMANDA | Motion to Disqualify; DA Dykman (Judge Brower) | Thomas W Clark |
| | | AMANDA | Request for Criminal Discovery and Inspection; DA Dykman | Thomas W Clark |
| 11/16/2009 | HRVC | AMANDA | Hearing result for Preliminary Hearing held on 11/16/2009 01:30 PM: Hearing Vacated | Thomas W Clark |
| | ORDR | AMANDA | Order of Disqualification; /s/ J Brower 11-16-09 | Thomas W Clark |
| 11/17/2009 | ORPD | BRANDY | Defendant: Grant, Woodrow John Order Appointing Public Defender Public defender Douglas K Dykman; conflict aty | Thomas W Clark |
| | ORDR | BRANDY | Order of assignment; case assigned to Judge Carnaroli by TCA | Rick Carnaroli |
| 11/19/2009 | HRSC | NICHOLE | Hearing Scheduled (Preliminary Hearing 11/25/2009 01:30 PM) | Rick Carnaroli |
| | | NICHOLE | Notice Of Hearing | Rick Carnaroli |
| 11/25/2009 | PHWV | NICHOLE | Hearing result for Preliminary Hearing held on 11/25/2009 01:30 PM: Preliminary Hearing Waived (bound Over) | Rick Carnaroli |
| | | NICHOLE | Questionnaire in File | Rick Carnaroli |
| | MEOR | NICHOLE | Minute Entry and Order Waiving Preliminary Hearing /s/ J Carnaroli 11-25-09 | Rick Carnaroli |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|------------|------|---------|--|----------------|
| 11/25/2009 | HRSC | BRANDY | Hearing Scheduled (Arraignment 11/30/2009 09:00 AM) | Robert C Naftz |
| | INFO | BRANDY | Prosecuting Attorney Information; "Possession of a Controlled Substance, Methamphetamine, IC 37-2732(c)(1);" | Robert C Naftz |
| | RESP | CINDYBF | Response to Request for Criminal Discovery and Inspection- by PA Colson. | Robert C Naftz |
| 11/30/2009 | ARRN | NICOLE | Hearing result for Arraignment held on 11/30/2009 09:00 AM: Arraignment / First Appearance | Robert C Naftz |
| | PLEA | NICOLE | Plea is entered for charge: - NG (I37-2732(C)(1) Controlled Substance-Possession of) | Robert C Naftz |
| | HRSC | NICOLE | Hearing Scheduled (Pretrial Conference 01/25/2010 04:00 PM) | Robert C Naftz |
| | HRSC | NICOLE | Hearing Scheduled (Jury Trial 02/09/2010 09:00 AM) | Robert C Naftz |
| 12/1/2009 | MEOR | NICOLE | Minute Entry and Order s/ J. Naftz 11-30-09; Def. appeared for Arraignment; Def. entered not guilty plea to Possession of a Controlled Substance, Methamphetamine, IC 37-2732(c)(1); Pretrial Conference set for 1-25-10 4:00 pm; Jury Trial set 2-9-10 9:00am; Further Proceedings set 12-7-09 9:00 am upon request of counsel; Def. remanded back to BCJ on bond set at \$10,000 | Robert C Naftz |
| 12/2/2009 | DISC | BRANDY | Request for Discovery; Cleve Colson aty for State | Robert C Naftz |
| 12/3/2009 | HRSC | NICOLE | Hearing Scheduled (Further Proceedings 12/07/2009 09:00 AM) | Robert C Naftz |
| 12/4/2009 | MOTN | CINDYBF | Motion for Temporary Jail Release- by DA Dykman. | Robert C Naftz |
| | MOTN | CINDYBF | Motion to Allow Defendant Do SHARE Program- by DA Dykman. | Robert C Naftz |
| | HRSC | CINDYBF | Notice of Hearing on Motion for Jail Release and Motion to do SHARE Program- Hearing Scheduled (Motion 12/09/2009 09:00 AM) - by DA Dykman. | Robert C Naftz |
| 12/11/2009 | DCHH | NICOLE | Hearing result for Motion held on 12/09/2009 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages Motion for Jail Release Motion to do SHARE Program | Robert C Naftz |
| | DCHH | NICOLE | Hearing result for Further Proceedings held on 12/07/2009 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages | Robert C Naftz |

State of Idaho vs. Woodrow John Grant

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|------------|------|----------|--|
| 12/11/2009 | MEOR | NICOLE | Minute Entry and Order s/ J. Naftz 12-11-09; Def. appeared in court for Further Proceedings on Motion for Temporary Release and Motion for SHARE; Motion for Temporary Release denied but Def. can renew at any time; Motion for SHARE granted; Def. remanded back to BCJ on \$10,000 bond |
| 12/29/2009 | | JENNEFER | Miscellaneous Payment: S.H.A.R.E Paid by: Grant, Woodrow John Receipt number: 0046584 Dated: 12/29/2009 Amount: \$25.00 (Check) |
| 1/25/2010 | CONT | NICOLE | Continued (Jury Trial 03/09/2010 09:00 AM) |
| | CONT | NICOLE | Continued (Pretrial Conference 02/22/2010 04:00 PM) |
| 1/26/2010 | MEOR | NICOLE | Minute Entry and Order; Def. not present for pretrial conference 1-25-10; pretrial continued to 2-22-10 4:00 pm and Jury Trial continued to 3-9-10 9:00 am; s/J. Naftz 1-26-10 |
| 2/23/2010 | HRVC | NICOLE | Hearing result for Jury Trial held on 03/09/2010 09:00 AM: Hearing Vacated |
| | HRHD | NICOLE | Hearing result for Pretrial Conference held on 02/22/2010 04:00 PM: Hearing Held |
| | HRSC | NICOLE | Hearing Scheduled (Further Proceedings 03/01/2010 09:00 AM) Change of Plea |
| 3/1/2010 | NOTC | NICOLE | Notice of Hearing on Motion to Withdraw |
| | MOTN | NICOLE | Motion to Withdraw filed by dougas Dykman |
| 3/2/2010 | DCHH | NICOLE | Hearing result for Further Proceedings held on 03/01/2010 09:00 AM: District Court Hearing Held Court Reporter: stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages |
| | HRSC | NICOLE | Hearing Scheduled (Jury Trial 04/27/2010 09:00 AM) 1st Setting |
| 3/3/2010 | MEOR | NICOLE | Minute Entry and Order; Def. appeared for Further Proceedings and hearing on Def's Motion to Withdraw 3-1-10; Def's Motion to Withdraw is denied; Douglas Dykman will continue to represent the Defendant; Jury Trial set 4-27-10 9:00 am; Def. remanded back to BCJ on \$10,000 bond; s/J. Naftz 3-3-10 |
| 4/14/2010 | ORDR | NICOLE | Pre-Trial Order; this case set for Jury Trial 4-27-10 9:00 am as first setting; any jury instructions and/or pretrial motions to be filed one week prior to trial; s/ J. Naftz 4-13-10 |
| | MISC | NICOLE | Plaintiff's Requested Jury Instructions filed by Cleve Colson |
| | MISC | NICOLE | State's Witness List filed by Cleve Colson |
| | MISC | NICOLE | State's Exhibit List filed by Cleve Colson |

Defendant: Grant, Woodrow John

State of Idaho vs. Woodrow John Grant

| Date | Code | User | Judge |
|-----------|-------|---------|---|
| 4/14/2010 | | CINDYBF | Miscellaneous Payment: S.H.A.R.E Paid by: Grant, Woodrow John/BCS Receipt number: 0013789 Dated: 04/14/2010 Amount: \$25.00 (Check) |
| | RESP | BRANDY | Supplemental Response to request for criminal discovery and inspection; Cleve Colson aty for State |
| 4/22/2010 | HRVC | NICOLE | Hearing result for Jury Trial held on 04/27/2010 09:00 AM: Hearing Vacated 1st Setting upon request of defense counsel |
| | HRSC | NICOLE | Hearing Scheduled (Further Proceedings 04/26/2010 09:00 AM) Change of Plea |
| 4/26/2010 | CONT | NICOLE | Continued (Further Proceedings 05/03/2010 09:00 AM) Change of Plea |
| 5/3/2010 | DCHH | NICOLE | Hearing result for Further Proceedings held on 05/03/2010 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages Change of Plea |
| | HRSC | NICOLE | Hearing Scheduled (Sentencing 06/28/2010 09:00 AM) |
| | GQIF | NICOLE | Guilty questionnaire in file |
| | PLEA | NICOLE | Plea is entered for charge: - GT (I37-2732(C))(1) Controlled Substance-Possession of) |
| 5/5/2010 | MEOR | NICOLE | Minute Entry and Order; Def. appeared 5-3-10 for Further Proceedings; Def. withdrew not guilty plea and entered guilty plea to Possession of Controlled Substance, Methamphetamine, IC 37-2732(c)(1); sentencing set 6-28-10 9:00 am; Def. to participate in mental health examination and substance abuse assessment pursuant to IC 19-2524 to be completed by 6-21-10; Def. remanded back to BCJ on \$10,000 bond; s/ J. Naftz 5-3-10 |
| | PSMH1 | NICOLE | Order for Pre-Sentence Investigation Report and Mental Health Assessment and Substance Abuse Assessment |
| 6/30/2010 | CONT | NICOLE | Continued (Sentencing 07/08/2010 10:00 AM) |
| 7/1/2010 | ORDR | NICOLE | ng Evidentiary and Sentencing Hearings; Def. appeared 6-28-10 for Evidentiary and Sentencing; counsel requested additional time; hearings along with Defendant's motions reset for 7-8-10 10:00 am; Def. remanded back to custody of BCJ; s/ J. Naftz 6-30-10 |
| 7/8/2010 | FINDG | NICOLE | Court Finding: Guilty- (I37-2732(C))(1) Controlled Substance-Possession of) |
| | CSTS | NICOLE | Case Status Changed: closed pending clerk action |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|------------|------|---------|--|----------------|
| 7/8/2010 | SNIC | NICOLE | Sentenced To Incarceration (I37-2732(C)(1) Controlled Substance-Possession of) Confinement terms: Penitentiary determinate: 2 years. Penitentiary indeterminate: 3 years. | Robert C Naftz |
| | RESO | NICOLE | Restitution Ordered 275.00 victim # 2 | Robert C Naftz |
| | RESO | NICOLE | Restitution Ordered 100.00 victim # 1 | Robert C Naftz |
| | MOTN | CINDYBF | Rule 35 Motion- by DA Dykman. | Robert C Naftz |
| | HRSC | CINDYBF | Notice of Hearing on Rule 35 Motion- Hearing Scheduled (Motion to Reconsider 09/27/2010 09:00 AM) Rule 35 Motion- by DA Dykman. | Robert C Naftz |
| | DCHH | NICOLE | Hearing result for Sentencing held on 07/08/2010 10:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: more than 100 pages | Robert C Naftz |
| 7/12/2010 | MEOR | NICOLE | Minute Entry and Order; Def. appeared 7-8-10 for Sentencing on charge of Possession of Controlled Substance; sentenced to 2 years fixed and 3 years indeterminate to run concurrently with CR-2009-19451-FE and consecutive to CR-2005-10538-FE with credit for time served; Def. remanded to BCJ to deliver to IDOC; Def. to pay restitution in amount of \$100.00 to Forensic Service and \$275.00 to Sixth District Narcotic Enforcement Units; s/ J. Naftz | Robert C Naftz |
| 9/29/2010 | DCHH | NICOLE | Hearing result for Motion held on 09/27/2010 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages Rule 35 Motion | Robert C Naftz |
| 9/30/2010 | MEOR | NICOLE | Minute Entry and Order; Def. not present for hearing on Defendant's Rule 35 Motion; the court heard argument from counsel and objection from the state and finding that no new evidence was presented, Defendant's Rule 35 Motion is denied; Defendant will continue to serve his sentence as imposed by the Court on July 8, 2010; s/ J. Naftz 9-30-10 | Robert C Naftz |
| 11/12/2010 | APSC | DCANO | Appealed To The Supreme Court | Robert C Naftz |
| | NOTC | DCANO | NOTICE OF APPEAL; Woodrow Grant, pro se | Robert C Naftz |
| | MOTN | DCANO | MOTION AND AFFIDAVIT IN SUPPORT FOR APPOINTMENT OF COUNSEL | Robert C Naftz |
| | MOTN | DCANO | MOTION AND AFFIDAVIT FOR PERMISSION TO PROCEED ON PARTIAL PAYMENT OF COURT FEES. | Robert C Naftz |
| 2/1/2010 | MISC | DCANO | CLERK'S CERTIFICATE OF APPEAL; Signed and Mailed to SC on 12-1-10. | Robert C Naftz |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | Judge |
|------------|------|--------|---|
| 12/3/2010 | ORDR | NICOLE | Order Regarding Partial Payment of Court Fees (Prisoner); Def. found to have no assets and need not pay any fee at this time; s/ J. Naftz 12-2-10 |
| | ORDR | NICOLE | Order Granting Motion for Appointment of Counsel s/ J. naftz 12-2-10; State Appellate P.D. to represent Def. on appeal |
| 12/15/2010 | MISC | DCANO | IDAHO SUPREME COURT; Clerk's Record and Reporter's Transcript Suspended: Reason for Suspension: Suspended to 1-3-11 for Response to Conditional Dismissal. |
| | MISC | DCANO | IDAHO SUPREME COURT; Order Conditionally Dismissing Appeal: It appears that the Notice of Appeal was not filed within 42 days from the date of Entry of MEO. Appellant has 21 days to response. |
| | MISC | DCANO | IDAHO SUPREME COURT; Clerk's Certificate of Appeal received on 12-3-10. Title in the Cert. must appear on all documents filed with SC. |
| 1/5/2011 | MISC | DCANO | IDAHO SUPREME COURT; Document filed with SC on behalf of Appellant. Response to Conditional Dismissal. |
| 1/6/2011 | | DIXIE | Affidavit and Notice of Failure to Pay- Victim - Step 1, Failure to Pay Victim Restitution - Victim # 1, Step 1, Failure to Pay Victim Restitution - Victim # 2 Appearance date: 1/20/2011 |
| 2/3/2011 | MISC | DCANO | IDAHO SUPREME COURT; Clerk's Record and Reporter's Transcript Due Date Set; Clerk's Record and Reporter's Transcript must be filed in SC by 5-4-11. (3-30-11 due to counsel, 5 weeks prior) |
| | | DCANO | Order to Withdraw Conditional Dimissal (Granted) and Order to Consolidate Appeal (Granted). Cases to be consolidate under #38325-2010, CR-2005-10538-FE. |
| 5/4/2011 | MISC | DCANO | NOTICE OF TRANSCRIPT LODGED with Court Records on 5-4-11 from Stephanie Davis. |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|-----------|------|-------|---|----------------|
| 5/13/2011 | MISC | DCANO | REPORTER'S TRANSCRIPTS RECEIVED FROM Stephanie Davis for the following transcripts: Arraignment held 8-22-05, Dfdt Counsel Motn. to W/D held 9-12-05, State's Motion to Revoke Bond held 11-14-05, FP held 12-5-05, FP held 12-19-05, FP; Plea held 1-9-06, Sentencing 3-6-06, PF RE: Sentencing 4-17-06, FP RE: Sentencing held 6-19-06, Probation Violation held 11-9-09, Arraignment held 11-30-09, Arraignment/ Dfdts. Motion for Release/Share Program heldc 12-9-09, Dfdts. Motn. to Hire Investigation held 1-4-10, Evidentiary Hearing held 1-11-10, Dfdts. Motion held 1-19-10, Change of Plea,FP,FP, held 3-1-10, F.P. RE: Change of Plea 5-3-10, Sentencing, Disposition held 6-28-10, Dfdts. Motion to Strike held 7-8-10, and Dfdts. Rule 35 Motion held 9-27-10. | Robert C Naftz |
| 5/19/2011 | MISC | DCANO | CLERK'S RECORD RECEIVED IN court records on 5-19-11. | Robert C Naftz |
| | MISC | DCANO | Provided a copy of Clerk's Record to Bannock County Prosecuting Attorney's Office Jeann Hobson on 5-19-11. | Robert C Naftz |
| | MISC | DCANO | CLERK'S RECORD AND REPORTER'S TRANSCRIPTS MAILED TO COUNSEL: Molly Huskey and Lawrence Wasden on 5-19-11. Due in SC on 6-17-11 (Faxed and Mailed Notice to Klondy on 5-19-11) | Robert C Naftz |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|------------|------|---------|--|------------------------|
| 11/3/2009 | LOCT | CINDYBF | cr | Magistrate Court Clerk |
| | NCRF | CINDYBF | New Case Filed-Felony | Magistrate Court Clerk |
| | PROS | CINDYBF | Prosecutor Assigned JaNiece Price | Magistrate Court Clerk |
| | CRCO | CINDYBF | Criminal Complaint- I Count Domestic Battery, IC 18-918(2)(a), I Count Aggravated Assault, IC 18-901(a) and/or (b) & 18-905(a) and/or (b), and I Count Unlawful Possession of a Firearm, IC 18-3316. | Magistrate Court Clerk |
| | AFPC | CINDYBF | Affidavit Of Probable Cause/PPD Incident Report/\$100,000.00 Request for Bond. | Magistrate Court Clerk |
| | ORDR | CINDYBF | Probable Cause Minute Entry & Order- Probable Cause determined by Judge Kress, bond to be determined at arraignment. s/Kress 11-3-09. | Magistrate Court Clerk |
| | HRSC | CINDYBF | Hearing Scheduled (Arraignment 11/03/2009 01:15 PM) | David Kress |
| | ARRN | KIM | Hearing result for Arraignment held on 11/03/2009 02:01 PM: Arraignment / First Appearance | David Kress |
| | ORPD | KIM | Defendant: Grant, Woodrow John Order Appointing Public Defender Public defender Randall D Schulthies | David Kress |
| | NCCO | KIM | No Contact Order Issued | David Kress |
| | BOND | KIM | Bond Set at 100000.00 | David Kress |
| | HRSC | KIM | Hearing Scheduled (Preliminary Hearing 11/16/2009 01:30 PM) | Thomas W Clark |
| | ORDR | WENDY | No Contact Order: Order Comment: have no contact with victim Expiration Days: 365 Expiration Date: 11/3/2010 | Thomas W Clark |
| 11/9/2009 | MOTN | AMANDA | Motion to Withdraw Due to Conflict of Interest; Randall Schulthies | Thomas W Clark |
| 11/12/2009 | ORDR | AMANDA | Order on Motion to Withdraw; /s/ J Laggis 11-12-09 -- GRANTED | Thomas W Clark |
| 11/13/2009 | MOTN | AMANDA | Motion to Disqualify; DA Dykman (Judge Brower) | Thomas W Clark |
| | | AMANDA | Request for Criminal Discovery and Inspection; DA Dykman | Thomas W Clark |
| 11/16/2009 | HRVC | AMANDA | Hearing result for Preliminary Hearing held on 11/16/2009 01:30 PM: Hearing Vacated | Thomas W Clark |
| | ORDR | AMANDA | Order of Disqualification; /s/ J Brower 11-16-09 | Thomas W Clark |
| 11/17/2009 | ORPD | BRANDY | Defendant: Grant, Woodrow John Order Appointing Public Defender Public defender Douglas K Dykman; conflict aty | Thomas W Clark |
| | ORDR | BRANDY | Order of assignment; case assigned to Judge Carnaroli by TCA | Rick Carnaroli |
| 11/19/2009 | HRSC | NICHOLE | Hearing Scheduled (Preliminary Hearing 11/25/2009 01:30 PM) | Rick Carnaroli |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | Judge | |
|------------|------|---------|---|----------------|
| 11/19/2009 | | NICHOLE | Notice Of Hearing | Rick Carnaroli |
| 11/23/2009 | STIP | CINDYBF | Stipulation to Continue- by DA Dykman & PA Price- to continue prelim hearing set for 11-25-09. | Rick Carnaroli |
| 11/25/2009 | CONT | NICHOLE | Continued (Preliminary Hearing 12/02/2009 01:30 PM) | Rick Carnaroli |
| | | NICHOLE | Notice Of Hearing | Rick Carnaroli |
| | STIP | NICHOLE | Stipulation to COnTinue /s/ JaNiece Price and Doug Dykman | Rick Carnaroli |
| 12/2/2009 | PHWV | NICHOLE | Hearing result for Preliminary Hearing held on 12/02/2009 01:30 PM: Preliminary Hearing Waived (bound Over) | Rick Carnaroli |
| | | NICHOLE | Questionnaire in File | Rick Carnaroli |
| | MEOR | NICHOLE | Minute Entry and Order Waiving Preliminary Hearing /s/ J Carnaroli 12-02-09 | Rick Carnaroli |
| 12/3/2009 | HRSC | BRANDY | Hearing Scheduled (Arraignment 12/07/2009 09:00 AM) | Robert C Naftz |
| | INFO | BRANDY | Prosecuting Attorney's Information; Charge "1 Count Domestic Battery, IC 18-918(2)(a) and 1 Count Aggravated Assault, IC 18-901(a) and or (b) and 18-905(a) and or (b) and 1 Count Unlawful Possession of a Firearm, IC 18-3316; and Part II Having used a "firearm" as defined in IC 19-2520;" | Robert C Naftz |
| 12/4/2009 | MOTN | CINDYBF | Motion for Temporary Jail Release- by DA Dykman. | Robert C Naftz |
| | MOTN | CINDYBF | Motion to Allow Defendant Do SHARE Program- by DA Dykman. | Robert C Naftz |
| | HRSC | CINDYBF | Notice of Hearing on Motion for Jail Release and Motion to do SHARE Program- Hearing Scheduled (Motion 12/09/2009 09:00 AM) - by DA Dykman | Robert C Naftz |
| 12/9/2009 | PLEA | NICOLE | Plea is entered for charge: - NG (I18-918(2)(A) Battery-Domestic Violence Inflicting Traumatic Injury) | Robert C Naftz |
| | PLEA | NICOLE | Plea is entered for charge: - NG (I18-905(A) Assault-Aggravated (With Deadly Weapon or Instrument)) | Robert C Naftz |
| | PLEA | NICOLE | Plea is entered for charge: - NG (I18-3316 Weapon-Unlawful Possession by Convicted Felon) | Robert C Naftz |
| 12/11/2009 | ARRN | NICOLE | Hearing result for Arraignment held on 12/07/2009 09:00 AM: Arraignment / First Appearance | Robert C Naftz |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|------------|------|--------|--|----------------|
| 12/11/2009 | DCHH | NICOLE | Hearing result for Motion held on 12/09/2009 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages Motion for Jail Release Motion to do SHARE Program | Robert C Naftz |
| | HRSC | NICOLE | Hearing Scheduled (Pretrial Conference 01/25/2010 04:00 PM) | Robert C Naftz |
| | HRSC | NICOLE | Hearing Scheduled (Jury Trial 02/09/2010 09:00 AM) | Robert C Naftz |
| | MEOR | NICOLE | Minute Entry and Order s/ J. Naftz 12-11-09; Def. appeared for Arraignment and for Def. Motion for Temporary Release and Motion for SHARE; entered plea of not guilty to Domestic Battery, IC18-918(2)(a), Aggravated Assault, IC 18-901(a) and/or (b) and 18-905(a) and/or (b), and Unlawful Possession of a Firearm, IC 18-3316; Pretrial conference set 1-25-10 4:00 pm; Jury Trial set 2-9-10 9:00 am; Motion for Temporary Release denied but Def. can renew at any time; Motion for SHARE granted; Def. remanded back to BCJ on \$100,000 bond | Robert C Naftz |
| 12/21/2009 | MOTN | BRANDY | Motion to employ private investigator; Doug Dykman aty for dfdt | Robert C Naftz |
| 12/23/2009 | HRSC | NICOLE | Hearing Scheduled (Motion 01/04/2010 09:00 AM) Motion to Hire Private Investigator | Robert C Naftz |
| 12/28/2009 | NOTC | BRANDY | Notice of hearing on Motion to Employ Private Investigator; Doug Dykman aty for dfdt | Robert C Naftz |
| 1/5/2010 | DCHH | NICOLE | Hearing result for Motion held on 01/04/2010 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages Motion to Employ Private Investigator | Robert C Naftz |
| | HRSC | NICOLE | Hearing Scheduled (Motion 01/19/2010 09:00 AM) | Robert C Naftz |
| | MEOR | NICOLE | Minute Entry and Order; Def. appeared 1-4-10 for hearing on Def. motion to Employ Private Investigator; motion granted by Court; District Court Fund to pay for cost (not to exceed \$500) to employ private investigator to locate and interview witness; Defendant allowed to work as trustee at BCJ if meets criteria and doesn't interfere with SHARE; Further Proceedings set 1-19-10 9:00 am to hear Defendant's renewed Motion for Temporary Release; s/ J. Naftz 1-5-10 | Robert C Naftz |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|-----------|------|---------|--|----------------|
| 1/20/2010 | DCHH | NICOLE | Hearing result for Motion held on 01/19/2010 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages Motion for Temporary Release | Robert C Naftz |
| | MEOR | NICOLE | Minute Entry and Order; Def. appeared 1-19-10 for hearing on Defendant's renewed Motion for Temporary Release; Court granted motion; Def. to be temporary released from BCJ on 1-21-10 at 12:45 pm only to parents to attend medical appointment with doctor in American Falls; Def. to return back to jail immediately after completion of appointment or warrant will be issued; s/ J. Naftz 1-20-10 | Robert C Naftz |
| 1/25/2010 | CONT | NICOLE | Continued (Jury Trial 03/09/2010 09:00 AM) | Robert C Naftz |
| | CONT | NICOLE | Continued (Pretrial Conference 02/22/2010 04:00 PM) | Robert C Naftz |
| 1/26/2010 | MEOR | NICOLE | Minute Entry and Order; Def. not present for pretrial conference on 1-25-10; Pretrial continued to 2-22-10 4:00 pm and Jury Trial continued to 3-9-10 9:00 am; s/J. Naftz 1-26-10 | Robert C Naftz |
| 1/27/2010 | SFTY | CASSIA | Victim Attended 3 Groups of Safety Planning at Family Service Alliance. | Robert C Naftz |
| 2/9/2010 | RESP | CINDYBF | Response to Request for Discovery- by PA Price. | Robert C Naftz |
| 2/23/2010 | HRVC | NICOLE | Hearing result for Jury Trial held on 03/09/2010 09:00 AM: Hearing Vacated | Robert C Naftz |
| | HRHD | NICOLE | Hearing result for Pretrial Conference held on 02/22/2010 04:00 PM: Hearing Held | Robert C Naftz |
| | HRSC | NICOLE | Hearing Scheduled (Further Proceedings 03/01/2010 09:00 AM) Change of Plea | Robert C Naftz |
| 3/1/2010 | MOTN | NICOLE | Motion to Withdraw filed by Douglas Dykman | Robert C Naftz |
| | NOTC | NICOLE | Notice of Hearing filed by Douglas Dykman | Robert C Naftz |
| 3/2/2010 | DCHH | NICOLE | Hearing result for Further Proceedings held on 03/01/2010 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages | Robert C Naftz |
| | HRSC | NICOLE | Hearing Scheduled (Jury Trial 05/18/2010 09:00 AM) | Robert C Naftz |
| 3/3/2010 | MEOR | NICOLE | Minute Entry and Order; Def. appeared for Further Proceedings and hearing on Def's Motion to Withdraw 3-1-10; Def's Motion to Withdraw is denied; Douglas Dykman will continue to represent the Defendant; Jury Trial set 5-18-10 9:00 am; Def. remanded back to BCJ on \$100,000 bond; s/J. Naftz 3-3-10 | Robert C Naftz |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | Judge |
|-----------|------|--------|---|
| 4/22/2010 | HRSC | NICOLE | Hearing Scheduled (Further Proceedings 04/26/2010 09:00 AM) Change of Plea |
| 4/26/2010 | CONT | NICOLE | Continued (Further Proceedings 05/03/2010 09:00 AM) Change of Plea |
| 4/30/2010 | HRVC | NICOLE | Hearing result for Jury Trial held on 05/18/2010 09:00 AM: Hearing Vacated 1st Setting |
| 5/3/2010 | DCHH | NICOLE | Hearing result for Further Proceedings held on 05/03/2010 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages Change of Plea |
| | HRSC | NICOLE | Hearing Scheduled (Sentencing 06/28/2010 09:00 AM) |
| | GQIF | NICOLE | Guilty questionnaire in file |
| | DMOP | NICOLE | Dismissed by Motion of the Prosecutor (I18-905(A) Assault-Aggravated (With Deadly Weapon or Instrument)) |
| | DMOP | NICOLE | Dismissed by Motion of the Prosecutor (I18-3316 Weapon-Unlawful Possession by Convicted Felon) |
| | PLEA | NICOLE | Plea is entered for charge: - GT (I18-918(2)(A) Battery-Domestic Violence Inflicting Traumatic Injury) |
| 5/5/2010 | MEOR | NICOLE | Minute Entry and Order; Def. appeared 5-3-10 for Further Proceedings; State moved to dismiss One Count Aggravated Assault, IC 18-901(a) and/or (b) and 18-905(a) and/or (b), One Count Unlawful Possession of a Firearm, IC 18-3316 and Part II of the Information accusing Defendant of using "firearm" in commission of offense; Def. withdrew not guilty plea and entered guilty plea to One Count Domestic Battery, IC 18-918(2)(a); Court dismissed One Count Aggravated Assault, One Count Unlawful Possession of a Firearm and Part II of Information charging Def. with using firearm in commission of an offense; Sentencing set 6-28-10 9:00 am; Def. to participate in mental health examination and substance abuse assessment per IC 19-2524 completed by 6-21-10; Def. remanded to BCJ on \$100,000 bond; s/J. Naftz 5-3-10 |
| 3/24/2010 | MOTN | BRANDY | Motion to strike-seal victim impact statements from family members and friends; Doug Dykman aty for dfdt |
| | NOTC | BRANDY | Notice of hearing on Motion to Strike-Seal; Dykman aty for dfdt |
| | HRSC | NICOLE | Hearing Scheduled (Motion 06/28/2010 09:00 AM) Motion to Strike/Seal Victim Impact Statements from Family Members and Friends |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | | Judge |
|-----------|-------|---------|---|----------------|
| 6/29/2010 | MOTN | CINDYBF | Motion to Strike-Seal Victim Impact Statements from Family Members and Friends- by DA Dykman. | Robert C Naftz |
| | MOTN | CINDYBF | Motion to Strike- Seal Victim Impact Statement from Complaining Victim- by DA Dykman. | Robert C Naftz |
| | CONT | CINDYBF | Hearing result for Motion held on 06/28/2010 09:00 AM: Continued Motion to Strike/Seal Victim Impact Statements from Family Members and Friends | Robert C Naftz |
| | HRSC | CINDYBF | Amended Notice of Hearing on Motion Strike-Seal- Hearing Scheduled (Motion 07/08/2010 10:00 AM) Motions to Strike-Seal Victim Impact Statements- by DA Dykman. | Robert C Naftz |
| 6/30/2010 | CONT | NICOLE | Continued (Sentencing 07/08/2010 10:00 AM) | Robert C Naftz |
| 7/1/2010 | ORDR | NICOLE | ng Evidentiary and Sentencing Hearings; Def. appeared 6-28-10 for Evidentiary and Sentencing; counsel requested additional time; hearings along with Defendant's motions reset for 7-8-10 10:00 am; Def. remanded back to custody of BCJ; s/ J. Naftz 6-30-10 | Robert C Naftz |
| 7/8/2010 | FINDG | NICOLE | Court Finding: Guilty- (I18-918(2)(A) Battery-Domestic Violence Inflicting Traumatic Injury) | Robert C Naftz |
| | CSTS | NICOLE | Case Status Changed: closed pending clerk action | Robert C Naftz |
| | SNIC | NICOLE | Sentenced To Incarceration (I18-918(2)(A) Battery-Domestic Violence Inflicting Traumatic Injury) Confinement terms: Penitentiary determinate: 5 years. Penitentiary indeterminate: 5 years. | Robert C Naftz |
| | MOTN | CINDYBF | Rule 35 Motion- by DA Dykman. | Robert C Naftz |
| | HRSC | CINDYBF | Notice of Hearing On Rule 35 Motion- Hearing Scheduled (Motion to Reconsider 09/27/2010 09:00 AM) Rule 35 Motion- by DA Dykman. | Robert C Naftz |
| 7/9/2010 | DCHH | NICOLE | Hearing result for Sentencing held on 07/08/2010 10:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: more than 100 pages | Robert C Naftz |
| | DCHH | NICOLE | Hearing result for Motion held on 07/08/2010 10:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: more than 100 pages Motions to Strike-Seal Victim Impact Statements | Robert C Naftz |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | Judge | |
|------------|------|--------|--|----------------|
| 7/12/2010 | MEOR | NICOLE | Minute Entry and Order; Def. appeared 7-8-10 for hearing on Defendant's motions to Strike-Seal Victim Impact Statement(s) and Sentencing; Court granted Defendant's motions in part; letters from Sierra Ramos and Janelle (not legible); portions of letters from mother and stepfather are not considered by the court; motion in regard to victim's statement denied; Def. sentenced to 5 years fixed and 5 years indeterminate concurrently with CR-2009-19445-FE and consecutive with CR-2005-10538-FE; credit for all time served; State to submit restitution; NCO to remain in full force and effect until 7-8-25; s/ J. Naftz 7-12-10 | Robert C Naftz |
| 9/29/2010 | DCHH | NICOLE | Hearing result for Motion to Reconsider held on 09/27/2010 09:00 AM: District Court Hearing Held Court Reporter: Stephanie Davis Number of Transcript Pages for this hearing estimated: less than 100 pages Rule 35 Motion | Robert C Naftz |
| 9/30/2010 | MEOR | NICOLE | Minute Entry and Order; Def. not present for hearing on Defendant's Rule 35 Motion; the court heard argument from counsel and objection from the state and finding that no new evidence was presented, Defendant's Rule 35 Motion is denied; Defendant will continue to serve his sentence as imposed by the Court on July 8, 2010; s/ J. Naftz 9-30-10 | Robert C Naftz |
| 11/12/2010 | APSC | DCANO | Appealed To The Supreme Court | Robert C Naftz |
| | NOTC | DCANO | NOTICE OF APPEAL; Woodrow Grant, pro se | Robert C Naftz |
| | MOTN | DCANO | MOTION AND AFFIDAVIT IN SUPPORT FOR APPOINTMENT OF COUNSEL | Robert C Naftz |
| | MOTN | DCANO | MOTION AND AFFIDAVIT FOR PERMISSION TO PROCEED ON PARTIAL PAYMENT OF COURT FEES (Prisoner) | Robert C Naftz |
| 12/1/2010 | MISC | DCANO | CLERK'S CERTIFICATE ORF APPEAL; Signed and Mailed to Supreme Court on 12-1-10. | Robert C Naftz |
| 12/3/2010 | ORDR | NICOLE | Order Regarding Partial Payment of Court Fees (Prisoner); Def. found to have no assets and need not pay any fee at this time; s/ J. Naftz 12-2-10 | Robert C Naftz |
| | ORDR | NICOLE | Order Granting Motion for Appointment of Counsel s/ J. naftz 12-2-10; State Appellate P.D. to represent Def. on appeal | Robert C Naftz |
| 12/15/2010 | MISC | DCANO | IDAHO SUPREME COURT; Clerk's Record and Reporter's Transcript Suspended: Reason for Suspension: Suspended to 1-3-11 for Response to Conditional Dismissal. | Robert C Naftz |

State of Idaho vs. Woodrow John Grant

| Date | Code | User | Judge |
|------------|------|-------|---|
| 12/15/2010 | | DCANO | IDAHO SUPREME COURT; Order Conditionally Dismissing Appeal: It appears that the Notice of Appeal was not filed within 42 days from the date of Entry of MEO. Appellant has 21 days to response. |
| | MISC | DCANO | IDAHO SUPREME COURT; Clerk's Certificate of Appeal received on 12-3-10. Title in the Cert. must appear on all documents filed with SC.ellaneous |
| 1/6/2011 | MISC | DCANO | IDAHO SUPREME COURT; Document filed with SC on behalf of Appellant. Response to Conditional Dismissal. |
| 1/21/2011 | MISC | DCANO | IDAHO SUPREME COURT; Clerk's Record and Reporter's Transcript Due Date Set; Clerk's Record and Reporter's Transcript must be filed in SC by 5-4-11. (3-30-11 due to counsel, 5 weeks prior) |
| 2/3/2011 | | DCANO | Order to Withdraw Conditional Dimissal (Granted) and Order to Consolidate Appeal (Granted). Cases to be consolidate under #38325-2010, CR-2005-10538-FE. |
| 5/13/2011 | | DCANO | NOTICE OF TRANSCRIPT LODGED with Court Records on 5-4-11 from Stephanie Davis. |
| | | DCANO | REPORTER'S TRANSCRIPTS RECEIVED FROM Stephanie Davis for the following transcripts: Arraignment held 8-22-05, Dfdt Counsel Motn. to W/D held 9-12-05, State's Motion to Revoke Bond held 11-14-05, FP held 12-5-05, FP held 12-19-05, FP; Plea held 1-9-06, Sentencing 3-6-06, PF RE: Sentencing 4-17-06, FP RE: Sentencing held 6-19-06, Probation Violation held 11-9-09, Arraignment held 11-30-09, Arraignment/ Dfdts. Motion for Release/Share Program heldc 12-9-09, Dfdts. Motn. to Hire Investigation held 1-4-10, Evidentiary Hearing held 1-11-10, Dfdts. Motion held 1-19-10, Change of Plea,FP,FP, held 3-1-10, F.P. RE: Change of Plea 5-3-10, Sentencing, Disposition held 6-28-10, Dfdts. Motion to Strike held 7-8-10, and Dfdts. Rule 35 Motion held 9-27-10. |
| 5/19/2011 | MISC | DCANO | CLERK'S RECORD RECEIVED IN court records on 5-19-11. |
| | MISC | DCANO | Provided a copy of Clerk's Record to Bannock County Prosecuting Attorney's Office Jeanne Hobson oon 5-19-11. |
| | MISC | DCANO | CLERK'S RECORD AND REPORTER'S TRANSCRIPTS MAILED TO COUNSEL; Molly Huskey and Lawrence Wasden on 5-19-11. Due in SC on 6-17-11(Faxed and Mailed Notice to Klondy on 5-19-11) |

In the Supreme Court of the State of Idaho

| | | |
|-----------------------|---|-------------------------------------|
| STATE OF IDAHO, |) | ORDER TO WITHDRAW |
| |) | CONDITIONAL DISMISSAL ORDERS; |
| Plaintiff-Respondent, |) | ORDER TO CONSOLIDATE APPEALS |
| |) | |
| v. |) | Supreme Court Docket No. 38325-2010 |
| |) | Bannock County District Court No. |
| WOODROW JOHN GRANT, |) | 2005-10538 |
| |) | |
| Defendant-Appellant. |) | Ref. No. 11-7 |
| <hr/> | | |
| STATE OF IDAHO, |) | |
| |) | |
| Plaintiff-Respondent, |) | Supreme Court Docket No. 38326-2010 |
| |) | Bannock County District Court No. |
| v. |) | 2009-19445 |
| |) | |
| WOODROW JOHN GRANT, |) | Ref. No. 11-6 |
| |) | |
| Defendant-Appellant. |) | |
| <hr/> | | |
| STATE OF IDAHO, |) | |
| |) | |
| Plaintiff-Respondent, |) | Supreme Court Docket No. 38327-2010 |
| |) | Bannock County District Court No. |
| v. |) | 2009-19451 |
| |) | |
| WOODROW JOHN GRANT, |) | Ref. No. 11-5 |
| |) | |
| Defendant-Appellant. |) | |

1. An ORDER CONDITIONALLY DISMISSING APPEAL was issued by this Court in each of the appeals listed above on December 10, 2010, as it appeared the Notices of Appeal were not filed within forty-two (42) days from the date of entry of the Minute Entry & Orders entered by District Judge Robert C. Naftz in each of these district court cases on September 30, 2010; however, Appellant was allowed time to file a Response with this Court showing good cause why these appeals should not be dismissed. Furthermore, if the Response asserted the Notices of Appeal were timely placed in the prison mail system, Appellant was instructed to include copies of the prison mail, log showing the date of tender.

2. A MOTION TO CONSOLIDATE was filed in each of the above entitled appeals by —counsel for Appellant on December 27, 2010, requesting this Court for an order consolidating these appeals for all purposes.

3. A RESPONSE TO CONDITIONAL DISMISSAL with the Idaho Correctional Center mail log attached, was filed in each of the above entitled appeals by counsel for Appellant on December 30, 2010.

Therefore, good cause appearing,

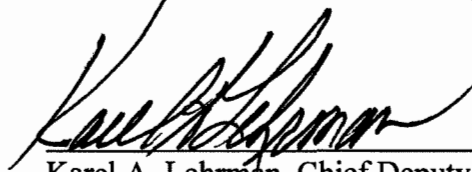
IT HEREBY IS ORDERED that this Court's 11-18-10 ORDER CONDITIONALLY DISMISSING APPEAL in each of the above entitled appeals be, and hereby are, WITHDRAWN.

IT FURTHER IS ORDERED that Appellant's MOTION TO CONSOLIDATE be, and hereby is, GRANTED and appeal Nos. 38325-2010, 38326-2010, and 38327-2010 shall be CONSOLIDATED FOR ALL PURPOSES under Docket No. 38325-2010; however, all documents filed after the date of this Order shall bear all three docket numbers.

IT FURTHER IS ORDERED that the due date for the filing of the Clerk's Record and Reporter's Transcript in these consolidated appeals shall be set.

DATED this 26th day of January 2011.

By Order of the Supreme Court



Karel A. Lehrman, Chief Deputy Clerk for
Stephen W. Kenyon, Clerk

CR-3005-10538
FE

cc: Counsel of Record
District Court Clerk
Court Reporter Stephanie Davis

ORIGINAL

MARK L. HIEDEMAN
BANNOCK COUNTY PROSECUTOR
P.O. BOX P
POCATELLO, ID 83205-0050
(208) 236-7280



VIC A. PEARSON, ISB #6429
Assistant Chief Deputy Prosecuting Attorney

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,)
)
 Plaintiff,)
)
 vs.)
)
 WOODROW JOHN GRANT,)
 518-13-0042)
 02-17-85)
)
 Defendant.)
 _____)

CR-2005-10538 FE

COMPLAINT - CRIMINAL

NOTICE IS HEREBY GIVEN that, in addition to the offense charged herein, the State of Idaho will seek the enhancement penalty, pursuant to Idaho Code §19-2520, for the use of a deadly weapon in the commission of a crime.

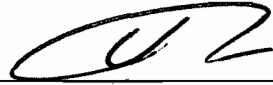
Personally appeared before me this 17 day of June, 2005, VIC A.

PEARSON in the County of Bannock, who, first being duly sworn, complains of WOODROW JOHN GRANT and charges the defendant with the public offense of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b), committed as follows, to-wit:

That the said WOODROW JOHN GRANT, in the County of Bannock, State of Idaho, on or about the 21st of May, 2005, did willfully and unlawfully use force or violence upon the person of another, TYLER SOLOMON, by either the use of a deadly weapon or instrument and/or causing great bodily harm or permanent disability or permanent disfigurement by shooting TYLER SOLOMON with a gun.

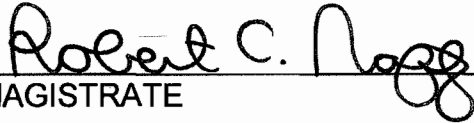
All of which is contrary to the form of the statute in said State made and provided and against the peace and dignity of the State of Idaho.

Said complainant prays that a Warrant be issued for the arrest of the said WOODROW JOHN GRANT that the defendant may be dealt with according to law.



VIC A. PEARSON

SUBSCRIBED AND SWORN to before me this 17 day of June, 2005.



MAGISTRATE

06/17/05
10:38

Page: 649
1

STATE LINK MESSAGES:

| Terminal I | Arrival Date/Time | Message Subject | R |
|------------|---------------------|-----------------|---|
| bpro03 | 10:38:31 06/17/2005 | ?? | 1 |

Message received from: NCIC

7L01*LCHB14 QH
ID0030210

THIS NCIC INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR INQUIRY ON NAM/GRANT, WOODROW JOHN SEX/M RAC/W DOB/ [REDACTED] SOC/ [REDACTED] PUR/C

| NAME | FBI NO. | INQUIRY DATE |
|--------------|-----------|--------------|
| GRANT, WOODY | 457930DC4 | 2005/06/17 |

| SEX | RACE | BIRTH DATE | HEIGHT | WEIGHT | EYES | HAIR | BIRTH PLACE | PHOTO |
|-----|------|------------|--------|--------|------|------|-------------|-------|
| M | W | [REDACTED] | 508 | 160 | BLU | BLN | IDAHO | N |

| FINGERPRINT CLASS | PATTERN CLASS |
|-------------------|-------------------------------|
| | RS RS RS WU RS LS LS LS LS LS |
| | WU AU WU WU WU |

ALIAS NAMES
GRANT, WOODROW JOHN

SCARS-MARKS-TATTOOS SOCIAL SECURITY
SC L KNEE [REDACTED]
SC R HIP
SC R LEG
TAT R ARM

IDENTIFICATION DATA UPDATED 2005/06/15

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE FOLLOWING:

IDAHO - STATE ID/ID00293764

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END

MRI 2861366 IN: NCIC 3986 AT 10:34 17JUN05
OUT: PPOC 220 AT 10:34 17JUN05

=====

06/17/05
10:39

Page: 649
1

STATE LINK MESSAGES:

| Terminal | I | Arrival Date/Time | Message Subject | R |
|----------|---|---------------------|-----------------|---|
| bpro03 | | 10:39:07 06/17/2005 | ?? | 1 |

Message received from: CCH

FR.IDSIR0000.ID0030210.*LCHB14 .PUR/C.ATN/J HOBSON CHG INV
SID/ID00293764

- IDAHO CRIMINAL HISTORY -

| NAME | SOC | STATE ID | FBI NO | | | | |
|-------------|------------|------------|-----------|--------|------|------|------|
| GRANT,WOODY | [REDACTED] | 00293764 | 457930DC4 | | | | |
| RACE | SEX | DOB | HEIGHT | WEIGHT | EYES | HAIR | SKIN |
| W | M | [REDACTED] | 508 | 160 | BLU | BLN | |
| COB | POB | III | MULTI-ST | | | | |
| US | ID | Y | N | | | | |

EXTENDED INFORMATION

| IXDT TYPE | NUMBER | TAT | R | ARM | SC | R | LEG | SC | R | THGH | SC | L | LEG |
|-----------|--------|-----|---|-----|----|---|-----|----|---|------|----|---|-----|
| SMT | | | | | | | | | | | | | |

ARRESTS AND DISPOSITIONS

ARREST DATE: 04-14-2005 ORI: ID0390100 AGENCY: AMERICAN FALLS PD
CASE: 4324
CHARGE: (M) BATTERY COUNTS: 1

ARREST DATE: 11-17-2003 ORI: ID0390100 AGENCY: AMERICAN FALLS PD
CASE: 4324
CHARGE: (M) BATTERY COUNTS: 1

THIS RECORD MAY BE USED ONLY FOR CRIMINAL JUSTICE PURPOSES AS DEFINED BY THE ILETS BOARD AND NCIC ADVISORY POLICY BOARD.

EOR - END OF IDAHO CRIMINAL HISTORY - END OF RECORD

MRI 2861436 IN: CCH 733 AT 10:35 17JUN05
OUT: PPOC 221 AT 10:35 17JUN05

=====

Grant, Woodrow

DOB: [REDACTED]

SSN: [REDACTED]

445 Cleveland
American Falls

ID 83211

License: X1207761K

Sex: Male

ID Height: 509

Weight: 175

Hair: Blonde

Eyes: Blue

Balance due court: 0.00

Case: CR-2005-0009875-IN

Defendant

Pending

Judge: Magistrate Court Clerk

Filing Date: 6/9/2005

| <u>Charge</u> | <u>Degree</u> | <u>Disposed</u> | <u>Plea</u> | <u>Finding</u> | <u>Citation</u> |
|---|---------------|--------------------|-------------|-------------------|----------------------|
| Insurance-fail To Provide Proof Of Insurance Issued: 6/2/2005 | I | (no) | None | None | 1102367 |
| | | Fines/Fees: | 0.00 | Paid: 0.00 | Balance: 0.00 |
| Safety Restraint-Operator +18/Occupant -18 Issued: 6/2/2005 | I | (no) | None | None | 1102367 |
| | | Fines/Fees: | 0.00 | Paid: 0.00 | Balance: 0.00 |
| | | Case Total: | 0.00 | Paid: 0.00 | Balance: 0.00 |



IDAHO STATE JUDICIARY

[HOME](#)

Grant, Woody

Power County

Case History

14 Cases found.

Case: CR-2005-0000532 Magistrate Judge: Mark A. Beebe Amount due: \$0.00 Pending

Charges: Violation Date Charge Citation Disposition
04/30/2005 I18-903 BATTERY 19577

Pending hearings: Date/Time Judge
07/12/2005 10:00 am Mark A. Beebe Court Trial - City Public Defender

Case: CR-2005-0000480 Magistrate Judge: Mark A. Beebe Amount due: \$0.00 Pending

Charges: Violation Date Charge Citation Disposition
04/14/2005 I18-903 BATTERY 19382

Pending hearings: Date/Time Judge
07/12/2005 10:00 am Mark A. Beebe Court Trial - City Public Defender

Pending bonds: Type Entered Amount
Surety 04/18/2005 \$300.00

Case: CR-2004-0001319 Magistrate Judge: Mark A. Beebe Amount due: \$0.00 Pending

Charges: Violation Date Charge Citation Disposition
07/15/2004 I18-7001 {M} PROPERTY-MALICIOUS INJURY TO PROPERTY
Finding: Guilty
Disposition date: 02/09/2005
Fines/fees: \$192.50
Jail: 6 months
Suspended Jail: 6 months

Probation: PROBATION: 2 YEARS BR

Pending hearings: Date/Time Judge
07/12/2005 10:00 am Mark A. Beebe Court Trial - City Public Defender

Case: CR-2004-0001292 Magistrate Judge: Mark A. Beebe Amount due: \$0.00 Closed

Charges: Violation Date Charge Citation Disposition
07/19/2004 I36-1201(C) LICENSE-FAIL TO CARRY ON PERSON/EXHIBIT 40606 Finding: Dismissed By Court
ON REQUEST Disposition date: 07/29/2004

Case: CR-2003-0000969 Magistrate Judge: Magistrate Court Clerk Amount due: \$0.00 Closed

Charges: Violation Date Charge Citation Disposition
11/17/2003 I49-319 DRIVERS LICENSE-DRIVING WITH EXPIRED LICENSE 18563 Finding: Dismissed By Court
Disposition date: 12/08/2003

Case: CR-2003-0000518 Magistrate Judge: Mark A. Beebe Amount due: \$0.00 Pending

Charges: Violation Date Charge
10/07/2003 I18-6409 DISTURBING THE PEACE

Citation Disposition
Finding: Guilty
Disposition date: 03/09/2004
Fines/fees: \$167.50
Jail: 6 months
Suspended Jail: 5 months

Probation: **PROBATION: 2 YEARS BR**

Pending hearings: Date/Time Judge
07/12/2005 10:00 am Mark A. Beebe Court Trial - City Public Defender

Case: **CR-2002-0001332** Magistrate Judge: **Magistrate Court Clerk** Amount due: **\$0.00** Closed

Charges: Violation Date Charge Citation Disposition
06/29/2002 I49-654(2) SPEED-EXCEED MAXIMUM SPEED LIMIT 17422 Finding: Guilty
Disposition date: 08/09/2002
Fines/fees: \$53.00
06/29/2002 I49-673 SAFETY RESTRAINT-FAIL TO USE 17422 Finding: Guilty
Disposition date: 08/09/2002
Fines/fees: \$5.00

Case: **CR-2002-0001287** Magistrate Judge: **Magistrate Court Clerk** Amount due: **\$0.00** Closed

Charges: Violation Date Charge Citation Disposition
06/23/2002 I49-654(1) SPEED-BASIC RULE 17324 Finding: Guilty
Disposition date: 08/09/2002
Fines/fees: \$53.00



Case: **CR-2001-0001873** Magistrate Judge: **Magistrate Court Clerk** Amount due: **\$0.00** Closed

Charges: Violation Date Charge Citation Disposition
09/20/2001 I49-654(2) SPEED-EXCEED MAXIMUM SPEED LIMIT 16962 Finding: Guilty
Disposition date: 10/19/2001
Fines/fees: \$53.00



Case: **CR-2000-0002035** Magistrate Judge: **Magistrate Court Clerk** Amount due: **\$0.00** Closed

Charges: Violation Date Charge Citation Disposition
08/24/2000 I49-317 DRIVERS LICENSE-VIOLATION OF RESTRICTED LICENSE 16147 Finding: Guilty
Disposition date: 02/27/2001
Fines/fees: \$83.00



Connection: Secure

ORIGINAL

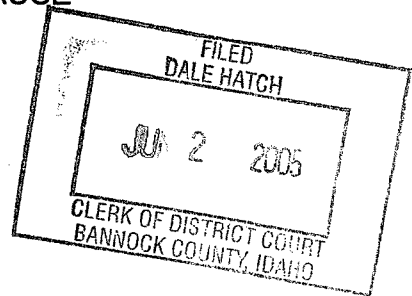
IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,)
)
 Plaintiff,)
)
 vs.)
)
 WOODROW JOHN GRANT,)
)
)
)
)
)
 Defendant.)
 _____)

CASE NO. CR-2005-10538F

AFFIDAVIT OF PROBABLE CAUSE




STATE OF IDAHO,)
) ss
 COUNTY OF BANNOCK)

VIC A. PEARSON, being first duly sworn, deposes and says that:

I am the Chief Deputy Prosecutor for the Bannock County Prosecuting Attorney's Office. I have conducted an investigation regarding WOODROW JOHN GRANT. Based on that investigation, I have requested a Sixth District Magistrate Judge to make a determination of probable cause to hold or set bond on the above-named defendant for the public offense of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b).

The basis for the request is the information set forth in a supplementary police report which is designated as Exhibit "A" attached hereto. I further depose and say that I have read Exhibit "A" and all the contents are true to the best of my knowledge, and that I personally know the author of that report to be a law enforcement officer whom I believe to be credible and reliable.

DATED this 17 day of June, 2005.


 _____)
 VIC A. PEARSON

STATE OF IDAHO)
) ss
 COUNTY OF BANNOCK)

VIC A. PEARSON, known to me to be the person whose name is subscribed to the within instrument, acknowledged to me that he has executed the same and that he read the same and that the same was true to the best of his knowledge.

DATED this 17 day of June, 2005.



 NOTARY/MAGISTRATE

06/17/05
10:05

Detail Incident Report

Page: 649
1

Incident #: 05-P10793

LAW INCIDENT:

Nature: ASSAULT Address: 1334 S 2ND AV
Location: POCATELLO DISTRICT #21 City: Pocatello ST: ID Zip: 83201

Offense Codes: ASFI ASOW
Received By: ARMSTRONG, R How Received: Telephone Agency: PPD
Rspndg Officers: TOLMAN, P EDWARDS, N MATSON, S HARRIS, B
Rspnsbl Officer: HIGBEE, C Disposition: Active on 05/31/05
When Reported: 23:53:31 05/21/05
Occurred: Between 23:50:00 05/21/05 and **:***:** **/**/**

VICTIMS:

NAME: [REDACTED] Name Number: 65894
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED], Pocatello, ID 83201
Home Phone: [REDACTED] Work Phone: [REDACTED]

NAME: [REDACTED] Name Number: 136971
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED] ID 83245
Home Phone: [REDACTED] Work Phone: () -

WITNESSES:

NAME: [REDACTED] Name Number: 65895
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED], Pocatello, ID 83201
Home Phone: [REDACTED] Work Phone: () -

NAME: [REDACTED] Name Number: 73317
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED], ID 83201
Home Phone: [REDACTED] Work Phone: (208) -

NAME: [REDACTED] Name Number: 73372
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED], Pocatello, ID 83201
Home Phone: [REDACTED] Work Phone: [REDACTED]

NAME: [REDACTED] Name Number: 86712
Race: W Sex: F DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED], Pocatello, ID 83201
Home Phone: [REDACTED] Work Phone: [REDACTED] CELL

NAME: [REDACTED] Name Number: 95399
Race: W Sex: F DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED], Pocatello, ID 83201
Home Phone: [REDACTED] Work Phone: () -

06/17/05
10:05

Detail Incident Report

Page: 649
2

Incident #: 05-P10793

NAME: [REDACTED] Name Number: 104608
Race: W Sex: F DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED] Chubbuck, ID 83202
Home Phone: [REDACTED] Work Phone: [REDACTED] CELL

NAME: [REDACTED] Name Number: 109860
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED] ID 83245
Home Phone: [REDACTED] Work Phone: [REDACTED]

NAME: [REDACTED] Name Number: 120562
Race: L Sex: M DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED] POCATELLO, ID 83202
Home Phone: [REDACTED] Work Phone: () -

NAME: [REDACTED] Name Number: 162922
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED] Inkom, ID
Home Phone: [REDACTED] Work Phone: () -

NAME: [REDACTED] Name Number: 164003
Race: W Sex: F DOB: 07/02/85 SSN: [REDACTED]
Address: [REDACTED], ID 83201
Home Phone: [REDACTED] Work Phone: () -

NAME: [REDACTED] Name Number: 169091
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED], Pocatello, ID 83201
Home Phone: [REDACTED] cell Work Phone: [REDACTED]

NAME: [REDACTED] Name Number: 172618
Race: I Sex: F DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED] POCATELLO, ID 83202
Home Phone: [REDACTED] Work Phone: [REDACTED] cell

NAME: [REDACTED] Name Number: P0001981
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED] Pocatello, ID 83201
Home Phone: [REDACTED] Work Phone: () -

NAME: [REDACTED] Name Number: P0044995
Race: W Sex: F DOB: [REDACTED] SSN: [REDACTED]
Address: [REDACTED] Pocatello, ID 83201
Home Phone: [REDACTED] Work Phone: [REDACTED] CELL

SUSPECTS:

NAME: [REDACTED] Name Number: 139150
Race: I Sex: M DOB: [REDACTED] SSN: 5 [REDACTED]
Height: 5'09" Weight: 260 Hair: BLK Eyes: BRO
Address: [REDACTED], Pocatello, ID 83201
Home Telephone: [REDACTED] Work Telephone: () -

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Incident #: 05-P10793

NAME: [REDACTED] Name Number: 149330
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Height: 5'10" Weight: 165 Hair: BRO Eyes: BLU
Address: [REDACTED], Chubbuck, ID 83201
Home Telephone: [REDACTED] Work Telephone: () -

NAME: [REDACTED] Name Number: 181085
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Height: 5'09" Weight: 175 Hair: BLN Eyes: BLU
Address: [REDACTED] AMERICAN FALLS, ID 83211
Home Telephone: [REDACTED] Work Telephone: () -

PROPERTY INFORMATION:

Item Type: PHOTOGRAPHS Property Number: P81314
Item/Brand: Model: DIGITAL
Serial Number: Color: /
Characteristics:
Quantity: 15 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: Owner Name: ,

I took 15 digital photographs while I was at the hospital. Photos one and two are of the blunt trauma to RICHARD'S head. Photo eight and nine are various views of RICHARD. Photo ten is of an injury to the right side of RICHARD'S chest. He said this was from being struck with the baseball bat. Photo 11 is of an abrasion on his left shin. Photo three is a picture of TYLER'S left leg on the inner thigh. Photo four is a picture of TYLER'S right leg on the inner thigh. Photo five is a picture of TYLER'S left leg from the outside. These photos show where the round that was fired entered into TYLER'S left leg, exited his left leg on his inner thigh, and entered his right leg on his mid inner thigh. Photos six and seven are general photos of TYLER. Photos 12, 13, 14, and 15 are of the x-rays of TYLER'S legs. See the photos for further details. All 15 photos were downloaded on the police server at J:PDCOMMON/CRIMESCENEPHOTOS/05-P10793.

Item Type: RECORDINGS Property Number: P81315
Item/Brand: Model: DIGITAL
Serial Number: Color: /
Characteristics:
Quantity: 6 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: Owner Name: ,

While I was at the hospital, I recorded my initial response and initial interviews. I then recorded an interview with BRANDI LUDWIG, RICHARD LATTIMER, TYLER SOLOMON, and BRENNAN NYSTROM. The interview with NYSTROM was done in two parts due to the fact that we were interrupted. The two recordings with NYSTROM are indicated at NYSTROM one and NYSTROM two.

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| | | |
|--------------------------------------|-------------------------|-------------------|
| Item Type: PIPE | Property Number: P81316 | |
| Item/Brand: | Model: MARIJUANA | |
| Serial Number: | Color: BLK / | |
| Characteristics: | | |
| Quantity: 1 | Meas: | Total Value: 0.00 |
| Local Status: Found Property, Stored | | |
| Owner ID Number: | Owner Name: , | |

METAL PIPE RECOVERED FROM THE CRIME SCENE ON THE EAST SIDE OF THE ROADWAY NEAR THE RESIDENCE OF 1326 S 2ND.

| | | |
|-----------------------------------|-------------------------|-------------------|
| Item Type: CASING | Property Number: P81317 | |
| Item/Brand: FEDERAL | Model: .22 CALIBER | |
| Serial Number: | Color: GLD / | |
| Characteristics: | | |
| Quantity: 1 | Meas: | Total Value: 0.00 |
| Local Status: Evidence in Storage | | |
| Owner ID Number: | Owner Name: , | |

ONE SPENT .22 CALIBER CASING RECOVERED FROM THE CRIME SCENE. IT WAS LOCATED OUT FROM THE EAST CURB OF THE RESIDENCE AT 1326 S 2ND.

| | | |
|-----------------------------------|--------------------------------------|-------------------|
| Item Type: CASSETTE,VIDEO | Property Number: P81359 | |
| Item/Brand: | Model: OTTOGARY,WILLIA | |
| Serial Number: | Color: / | |
| Characteristics: | | |
| Quantity: 1 | Meas: | Total Value: 0.00 |
| Local Status: Evidence in Storage | | |
| Owner ID Number: | 139150 Owner Name: OTTOGARY, WILLIAM | |

| | | |
|-----------------------------------|------------------------------------|-------------------|
| Item Type: CASSETTE,VIDEO | Property Number: P81360 | |
| Item/Brand: | Model: NICHOLS,ROBERT | |
| Serial Number: | Color: / | |
| Characteristics: | | |
| Quantity: 1 | Meas: | Total Value: 0.00 |
| Local Status: Evidence in Storage | | |
| Owner ID Number: | 149330 Owner Name: NICHOLS, ROBERT | |

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Item Type: CASSETTE,VIDEO Property Number: P81361
Item/Brand: Model: LUDWIG,BRANDI
Serial Number: Color: /
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 95399 Owner Name: LUDWIG, BRANDI

Item Type: CASSETTE,VIDEO Property Number: P81362
Item/Brand: Model: LATTIMER,RICHAR
Serial Number: Color: /
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 65894 Owner Name: LATTIMER, RICHARD

Item Type: CASSETTE,VIDEO Property Number: P81363
Item/Brand: Model: HILL,MICHAEL
Serial Number: Color: /
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 169091 Owner Name: HILL, MICHAEL

Item Type: CASSETTE,VIDEO Property Number: P81379
Item/Brand: Model: MEDRANO,ROSENDO
Serial Number: Color: /
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 120562 Owner Name: MEDRANO, ROSENDO

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Item Type: CASSETTE,VIDEO
Item/Brand:
Serial Number:
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 172618 Owner Name: CUTLER, SHAREEN

Item Type: CASSETTE, VIDEO
Item/Brand:
Serial Number:
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 162922 Owner Name: SOLOMON, JARED

Item Type: CASSETTE,VIDEO
Item/Brand:
Serial Number:
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 109860 Owner Name: SOLOMON, JOSHUA

Item Type: CASSETTE, VIDEO
Item/Brand:
Serial Number:
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 73317 Owner Name: NYSTROM, BRENNAN

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Incident #: 05-P10793

Item Type: CASSETTE, VIDEO Property Number: P81420
Item/Brand: Model: SOLOMON, TYLER
Serial Number: Color: /
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 136971 Owner Name: SOLOMON, TYLER

Item Type: CASSETTE, VIDEO Property Number: P81421
Item/Brand: Model: ROMERO, BRANDI
Serial Number: Color: /
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 104608 Owner Name: ROMERO, BRANDI

Item Type: CASSETTE, VIDEO Property Number: P81422
Item/Brand: Model: MERRILL, HAILEY
Serial Number: Color: /
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: P0044995 Owner Name: MERRILL, HAILEY

Item Type: CASSETTE, AUDIO Property Number: P81536
Item/Brand: Model:
Serial Number: Color: /
Characteristics:
Quantity: 1 Meas: Total Value: 0.00
Local Status: Evidence in Storage
Owner ID Number: 136971 Owner Name: SOLOMON, TYLER

A 911 tape of the phone call that came in in regards to this incident.

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Incident #: 05-P10793

NARRATIVE:

OFFICER: MATSON # 5145

DICTATED: 5-22-05 @ 0546 HRS

INVESTIGATIVE TIME: 3 HRS

LAW INCIDENT #: 05-P10793

STENO INITIALS: CJ

DATE & TIME

TRANSCRIBED: 5-22-05 @ 1807 HRS

#3 ASSAULT INVESTIGATION NARRATIVE:

1. BRIEF SYNOPSIS OF INCIDENT:

On 5-21-05 at approximately 2353 hours, officers were dispatched to the area of 1334 S 2nd for the report of shots fired at that location.

While officers were en route, they were advised by dispatch that it was confirmed that shots had been fired and that a subject had been shot at that location. Subjects were detained and contacted in regards to their involvement in this incident. They were spoken to by detectives. For further, see their supplements to this report.

2. RELATIONSHIPS BETWEEN THE PARTIES:

Unknown at this time.

3. WEAPONS OR FORCE USED:

A bat, a baton, and a handgun.

4. VICTIMS INJURIES, MEDICAL TREATMENT GIVEN:

For the victim's injuries see Corporal WHITNEY'S supplement.

5. DOCUMENTS OF EVIDENCE TO BE FILED IN RECORDS:
(STATEMENTS, RIGHTS FORMS, LATENTS, PHOTOS, ETC.)

See the supplemental report by detectives.

6. VICTIM(S) INTERVIEW(S):

See the supplement by Corporal WHITNEY.

7. WITNESS(ES) OBSERVATIONS:

See the supplement by Corporal WHITNEY, Officer TOLMAN, and Officer SHUTES' supplemental reports.

8. SUSPECT(S) INTERVIEW(S) / INFORMATION:

See supplements by detectives.

9. ADDITIONAL INFORMATION, NOT PREVIOUSLY STATED:

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On 5-21-05 at approximately 2350 hours, officers responded to the area of 1334 S 2nd on the report of shots fired in which a subject had been shot at that location. Upon arrival, I arrived with Officer SHUTES. We had approached the location from the south. As we approached the area, it was noted that Officer TOLMAN was already on scene and was being contacted by several subjects who were very upset and distraught. The subjects were advising that a friend and a brother of one of the subjects had been shot and that they had already been transported from the scene by private vehicle. It was then determined that we needed to make contact with the subjects at the hospital. Corporal WHITNEY was contacted and advised to make contact at the hospital. He did so. For further on his contact with the victim's, see Corporal WHITNEY'S supplemental report.

While officers were on the scene, officers did locate a spent casing near the residence of 1326 S 2nd. It was located on the east side of the road and approximately ten feet from the curb. A pipe was located approximately 20 feet from where the casing was located lying next to the curb. There was also blood observed in the area. It went from the front of the residence at 1326 S 2nd and proceeded down the sidewalk area of the driveway and the front steps of the residence at 1338 S 2nd.

While officers were out at the scene, the area was secured and officers were searching the area for the suspects who were last seen running west through the yard located just west of 1326 S 2nd. Officers did make contact with two male subjects, WILLIAM OTTOGARY and ROBERT NICHOLAS who were in the area of 1st and Lovejoy. Subsequently, the subjects were detained and were brought to the Police Department where they were interviewed by detectives. The two subjects were identified as subjects that were at the scene of the shooting. It is unknown what their involvement was in the incident. For further on that, see the detective's interviews.

The crime scene was secured and a perimeter was set. Also, after speaking with the witnesses that were at the residence of 1338 S 2nd, they were allowed to leave as they wanted to respond to the hospital to check on their friends. Officers did check the surrounding area for the possible weapons that were involved, which were described as a metal bat and also a .22 caliber semi-automatic handgun.

In searching the area, officers did make contact with ROSS MEDRANO, who resides at 1338 S 1st. MEDRANO was advised of the incident. He was asked if we could search around the exterior of his residence for possibly locating the weapons used in this incident. MEDRANO gave officers verbal permission to search. As officers were searching around his residence, to the back of his residence through an open door of the shed and also through a window area, large quantities of Coca Cola products could be observed. In talking with MEDRANO, he stated that they were given to him by a friend and if they were stolen he did not wish to have them. Subsequently, they were seized. They were possibly taken in a burglary. For further, see LI 05-P10045.

Also, while searching the back area of MEDRANO'S residence, as officers were in a tall weed area, a large plastic baggy was observed lying in the grass. Upon looking more closely at the bag, it was determined that a large quantity of marijuana was inside the bag. The bag was photographed and was seized. For further, see Officer TOLMAN'S report, LI 05-P10801.

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Officers were advised that the shooting did occur after a male subject by the name of MICHAEL HILL who was at the residence at 1338 S 2nd had received a phone call. Several subjects stated that after receiving the phone call, HILL immediately left the residence. He was observed running from the area shortly after this incident. Male subjects arrived at that location on foot and verbal arguments ensued. We were advised that the subjects were told to leave. They later returned and the shooting occurred.

While at the Pocatello Police Department at approximately 0400 hours, I received a phone call from MICHAEL C HILL, date of birth [REDACTED]. He advised that he wanted to speak with me in regards to this incident. HILL stated that he was at the residence on S 2nd and he had received several phone calls during the evening from a female by the name of CAITLIN. He stated that he believes that the subject that was shot was supposed to be him and he felt that it was because the female by the name of CAITLIN was accusing him of ripping her off of \$50.00. I inquired what the \$50.00 she was referring to was for. He advised that she had asked him to purchase her some marijuana. HILL stated that he does not do that kind of stuff and that he at no time received any money from the female subject by the name of CAITLIN. He advised that there was also another female, but that he could not recall her name. HILL advised that he only spoke with CAITLIN once during the evening and that a male subject later got on the phone and advised him that he was going to "beat his fucking ass." HILL advised the male subject, "whatever" and for the male subject to "bring it on." HILL stated that the phone calls to his cell phone continued throughout the evening, but that he did not answer the phone. He stated that he left the residence without incident and that he was not aware that the subjects were coming to that residence. He did state that they did advise him that they didn't want to start problems at the S 2nd address, and for him to meet them outside just north of that location. HILL advised that he did not do this and that he left the area prior to any of the assaults taking place. HILL did throughout the conversation advise me that he felt that he was partially at fault in regards to this incident. He also stated that he was concerned for his safety, but would not advise me where he was. HILL further stated that he resides on Jefferson, but would not provide any further information other than his home phone number of 233-9322.

It should be noted at this point that HILL is not a suspect in this incident. I did advise him of this. He stated that he felt that he was being looked at as a suspect. He advised me that he had information but could not remember the name of the male subject that had the gun. He stated that he would recontact the Police Department when he obtained that information. At this time, no further is needed.

End of Report.

SUPPLEMENTAL NARRATIVE:

OFFICER: TOLMAN # 5208

Dictated: 5-22-05

Investigative Time: (NOT PROVIDED)

LAW INCIDENT #: 05-P10793

STENO INITIALS: CJ

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Incident #: 05-P10793

DATE & TIME

TRANSCRIBED: 5-22-05 @ 0530 HRS

1. DOCUMENTS OF EVIDENCE TO BE FILED IN RECORDS:
(STATEMENTS, RIGHTS FORMS, LATENTS, PHOTOS, ETC.)

None

2. NARRATIVE:

On 5-21-05 at approximately 2353 hours, I was asked to respond with Corporal MATSON, Officer SHUTES, Officer JACKSON, and Officer BENCH to the area of 1334 S 2nd regarding a weapons offense. Upon my arrival to the area, I was informed by Pocatello Police Dispatch that there had been a number of subjects reporting that shots had been fired in the area and that there had been a subject shot.

Upon arrival in the area, I was contacted by several subjects who were pointing in the direction of S 1st, stating that the subjects who had shot their brother had run toward that area. The subjects were highly agitated and were not making much sense. It was difficult to get them calmed down in order to tell us what had happened.

Corporal MATSON and Officer SHUTES began interviewing the subjects. I was able to focus my attention to BRANDY ROMERO, date of birth [REDACTED]. ROMERO told me that prior to the altercation, she was aware that there was a fight brewing between several of her friends and some other subjects. She stated that a girl by the name of CAITLIN had claimed to have been raped by a subject by the name of MIKE HILL. She stated that HILL also owed CAITLIN \$50.00. According to ROMERO, CAITLIN had gone over to the address of 1338 S 2nd in an attempt to retrieve the money, stating that HILL would not see her and denied owing her the money. ROMERO advised that CAITLIN left the residence, promising to come back with friends. A short time later, ROMERO said that HILL, who was at 1338 S 2nd, began receiving telephone calls from subjects or acquaintances of CAITLIN'S. ROMERO stated that HILL had told her that the phone calls were threatening in nature and that a fight was brewing between the subjects. ROMERO told me that several phone calls were placed by HILL and also received by HILL. ROMERO said that all the calls were threatening. ROMERO advised that at one point, HILL called the subjects and told them that if they wanted to fight, they should come over and fight. ROMERO told me that this went on for several minutes. At one point, HILL received a telephone call, an argument ensued over the phone, and immediately after receiving the call HILL left the residence.

It should be noted that ROMERO is friends with both groups of people, is friends with the subjects at 1338 S 2nd, and is also friends with several subjects who were staying at her brother's residence, ROSS MEDRANO, 1338 S 1st. ROMERO had been traveling back and forth during the two residences during the time the fight was brewing. She stated that at one point, the subjects began to gather at her brother's residence. These subjects walked over to 1338 S 2nd. When they came over they demanded to speak with MIKE HILL. They were told that MIKE was not there. ROMERO told me that an argument then ensued between these subjects and the subjects at the residence. ROMERO advised that at one point, one of the subjects she recognized as being recognized as ROBERT NICHOLS and the person he was with told the subjects that they were not finished, that they would come back with a gun and take care of business. ROMERO stated that the

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subjects at 1338 S 2nd started running at NICHOLS and his companion. NICHOLS and the companion started to run away toward an empty field. They immediately turned around again. One of them had obtained a baseball bat. The other had what she believed to be a pistol. ROMERO stated that there were two groups of people all running at each other. They met off the east side of the street on S 2nd. ROMERO said this was a large group of people and they were all fighting and struggling. She was unable to see who exactly was doing what. At one point she heard a shot fired and everyone began screaming and running in all directions. ROMERO advised that she saw someone who was bleeding from the head and believed that this subject had been struck by the person holding the baseball bat. ROMERO was uncertain which of the subjects had fired the shot.

At this point, ROMERO stated that all subjects began to run either to the residence on S 2nd or her brother's residence on S 1st. ROMERO stated that she followed several subjects to the area of S 1st and she was questioning them as to which one fired the shot. She told me that she specifically spoke with ROBERT NICHOLS and asked him if he fired the shot. He repeatedly told her that he didn't shoot anybody. At this point, he and someone she recognized as WILLIAM OTTOGARY began running northbound on S 1st.

After speaking with ROMERO, I managed to contact ROSS MEDRANO, who was still at his residence 1338 S 1st. MEDRANO told me that he was at his home with his ten month old child when several subjects, a ROBERT NICHOLS, WILLIAM OTTOGARY, and some other people that he had never met before, including one subject that he recognized as WOODY, came to his residence. They informed him that they had been having some trouble getting money from MIKE HILL for CAITLIN. MEDRANO told me that these subjects told him that they were planning to have a one on one fight with MIKE HILL on S 2nd. MEDRANO stated that there were about five car loads of people who began showing up to his residence. He advised that they were standing in his backyard watching the residence on S 2nd. He believed that a fight was going to occur. MEDRANO stated that at no time did he see any subject carrying a bat or in possession of a handgun. He told me that when the subjects left his residence to fight on S 2nd, he did not follow and he did not know who fired the shot.

After speaking with both of these subjects, I photographed a 22 shell casing that was left at the scene in the area of 1334 S 2nd. I also photographed a black pipe that was near the spot where ROMERO told me the fight occurred. I also photographed several areas where there were blood droppings left by the injured subjects.

I did note that at the residence of 1338 S 2nd, there was a number of alcohol containers on the outside of the residence. Officers were not permitted entry into the residence for investigation. See the other officer's supplements for more information.

End of Report.

SUPPLEMENTAL NARRATIVE:

OFFICER: SHUTES # 5213

Dictated: 5-22-05

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INVESTIGATIVE TIME: (NOT PROVIDED)
LAW INCIDENT #: 05-P10793
STENO INITIALS: CJ
DATE & TIME
TRANSCRIBED: 5-22-05 @ 1605 HRS

1. DOCUMENTS OF EVIDENCE TO BE FILED IN RECORDS:
(STATEMENTS, RIGHTS FORMS, LATENTS, PHOTOS, ETC.)

None

2. NARRATIVE:

On 5-21-05 at approximately 2353 hours, I responded with Corporal MATSON and Officer TOLMAN to the area of 1334 S 2nd Ave on the report that one individual had been shot.

Upon my arrival, I contacted RICKY LATTIMER, KERRY LATTIMER, and BRENNAN NYSTROM, who had been involved in a disturbance with other individuals. All three subjects were highly agitated and were unable to provide any detailed information. They stated that a RICHARD LATTIMER had been struck in the head with an aluminum baseball bat and that TJ SOLOMON had been shot with what they believed to be a .22 caliber handgun.

RICKY LATTIMER described two subjects involved as a white male, approximately five feet nine inches tall, slender build, wearing a baseball hat. He stated that the other subject had a dark complexion, possibly Hispanic or Native American, and was more heavy set than the white male. He stated that they left traveling westbound through the back yard of the house across the street, 1327 S 2nd Ave.

I also spoke with KATY WILLIAMS who resides at 1327 S 2nd Ave. WILLIAMS stated that she saw two or maybe three subjects come through her back yard and cross the street toward the neighbor's house across the street. This would be BRENNAN NYSTROM'S residence at 1338 S 2nd. She stated that she heard one gunshot and saw the subjects once again run back through her driveway. She stated that she was positive that there were two subjects and believed that there may have been a third but she was unsure.

At this time, I remained on scene with Officer TOLMAN and Corporal MATSON to secure the scene.

End of Report.

SUPPLEMENTAL NARRATIVE:

OFFICER: WHITNEY # 5172

Dictated: 5-22-05

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Incident #: 05-P10793

INVESTIGATIVE TIME: (NOT PROVIDED)
LAW INCIDENT #: 05-P10793
STENO INITIALS: CJ
DATE & TIME
TRANSCRIBED: 5-22-05 @ 1652 HRS

1. DOCUMENTS OF EVIDENCE TO BE FILED IN RECORDS:
(STATEMENTS, RIGHTS FORMS, LATENTS, PHOTOS, ETC.)

MEDICAL RELEASE: One page authority for release of medical information in reference to RICHARD LATTIMER.

MEDICAL RELEASE: One page authority for release of medical information in reference to TYLER SOLOMON.

2. NARRATIVE:

While at the Bannock County Jail on another call, I overheard radio traffic of a shooting that had occurred on 2nd St. I cleared the jail and started responding to the area. I overheard officers state that this was a confirmed shooting with a victim that had been shot.

Corporal MATSON told me over the police radio that the victim was headed to the hospital and requested that I respond to contact him.

When I arrived at the hospital, I walked into the triage area where I was met by BRANDI LUDWIG. I recognized LUDWIG due to the fact that she had been out on a ride along with Officer MORRELL the previous shift as a representative of Victim's Advocates. LUDWIG informed me that her boyfriend RICHARD LATTIMER had been struck in the head by a baseball bat and that his friend TJ SOLOMON (identified in Spillman as TYLER JOE SOLOMON) had been shot in the leg.

I walked into the emergency room where RICHARD and TYLER were both being treated. At the time, both TYLER and RICHARD were being treated by emergency room personnel.

I spoke with a subject who identified himself to me as JOSHUA SOLOMON. He told me that he is TYLER'S brother and that he was present at the time of the incident. He said that RICHARD was struck by an individual wielding a baseball bat and that TYLER was shot by someone who had a gun. JOSHUA said that he did not actually see the gun but he saw an individual put out his hand as if he may have had one and then heard a shot. JOSHUA said that the individuals arrived in several vehicles, one being a cooper colored hatchback, possibly a Mitsubishi Eclipse or Plymouth Laser. I was provided a license plate for a possible vehicle involved by LUDWIG, 2P17736. JOSHUA provided me with another plate, 2P17763.

I spoke with JOSHUA'S brother JARED SOLOMON and he told me the following: While they were at a bachelor party a fight broke out. An individual that he believes may have shot TYLER was possibly a heavy set Hispanic male wearing a white or grey shirt. He was further described as being bald and possibly having a moustache. When I asked JARED again later, he described him as a tall, heavy, bald headed Hispanic male.

I spoke with RICHARD who was being treated in the emergency room for a wound on

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the left side of his head from being struck by a baseball bat. He additionally had an abrasion on the front right side of his chest and another on the shin of his left leg. I asked RICHARD if he ever saw the individual that struck him with the baseball bat before. He said no. The only description that RICHARD could provide of the suspect that struck him with the baseball bat was that the individual had possibly dark hair.

I spoke with TYLER about what happened. He told me that he saw the individual with the baseball bat strike RICHARD. He described him as a white male having dark hair, approximately six foot to six foot two inches tall.

I spoke with JEREMY BROWER who provided me with the names ROBERT NICHOLS and WILLIAM OTTOGARY. He advised that he received information that these were the individuals that were responsible for the shooting and the beating. BROWER told me that he had just heard that these were the individuals that were responsible and he did not have any trail as to how he learned this information.

I spoke with LUDWIG again. She told me the following: Tonight was her bachelorette party and her soon to be husband's bachelor party. She did not know where her fiance's bachelor party was, other than it was on 2nd Street at one of his friend's houses. She did not know who the friend was that had the house where the party was located. Later in the evening, they decided to get together and have a bachelor/bachelorette party. She went to the residence on 2nd Street where the bachelor party was being held with her friends. While they were out front on the porch of the residence, two or three cars pulled up. Several people got out of the vehicles; however, two individuals approached them with a bat and a gun. RICHARD suggested that they put the items away so there were no problems. One of the individuals then started beating RICHARD with the baseball bat. Of all the people that got out of the vehicles, LUDWIG only saw two people involved in the shooting and battery. While she was at the scene, she ended up with someone's cell phone to call 911. She later received a call on the phone. The anonymous caller provided her with the license plate 2P17736 as one of the vehicles involved in the disturbance. LUDWIG said that she did not know the source of the information. She further told me that one of the individuals involved may be named SERGIO. She said that he may be the shooter but she is not sure. She said that her friend DEBBIE GARCIA knows for sure.

LUDWIG later provided me with the names ROBERT NICHOLS, SERGIO ROMERO, and ROSS MEDRANO as individuals that may have been involved. An additional individual involved is only known to her as BILLIE, drives a red Toyota Celica, and used to date a female by the name of LAVONNA HUNT.

I spoke with BRENNAN NYSTROM and he told me that the bachelor party was being held at his house, 1338 S 2nd. He advised that at one point during the party, he looked through the peep hole that goes to the downstairs portion of his house and he noticed three dark colored individuals that he believed to be Hispanic. He said that they walked downstairs and came into his house, where he confronted them. He said that he did not know them. He said that he recognized one of the individuals as ROSS MEDRANO who lives on the next street over at 1338 S 1st. NYSTROM said that he told MEDRANO that they were not welcome and that MEDRANO told him that they were looking for MIKE unknown last name. MIKE apparently owes \$50.00 to MEDRANO. The individuals left the first time without incident; however, returned a short time later. NYSTROM said that

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he was not outside at the time, but that suddenly everyone from inside the house moved outside to see what was going on. He advised that this is when he became aware of the disturbance. I asked NYSTROM how many people were at his party. He told me that there were no more than approximately 15 at any given time.

I spoke with RICKY LATTIMER, who said that at one point, the suspect with the gun pointed it at him. He then told me that his brother RICHARD had not only been struck by a baseball bat, but that a third individual also struck his brother with some sort of baton. The baton was left in the gutter at the scene where the incident occurred. I relayed this information to Corporal MATSON who informed me that they had already recovered the item that had been described as a baton.

It should be noted that while I was at the hospital, I recorded my initial response and initial interviews. I then recorded an interview with BRANDI LUDWIG, RICHARD LATTIMER, TYLER SOLOMON, and BRENNAN NYSTROM. The interview with NYSTROM was done in two parts due to the fact that we were interrupted. The two recordings with NYSTROM are indicated as NYSTROM one and NYSTROM two.

Of everyone I spoke with, I was only able to obtain limited descriptions of the suspects.

I obtained signed authority for release of medical information forms in reference to RICHARD and TYLER'S records. See the two forms for further details.

The six total digital recordings were downloaded on the police server at the following address: J:/PDCOMMON/COMMON/CRIMESCENEPHOTOS/05-P10793.

I also took a total of 15 photographs of both RICHARD and TYLER'S injuries. See these photographs for details. These were also downloaded onto the police server at the same address as the digital recordings.

End of Report

SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE #5154

INVESTIGATIVE TIME: 4.0 HOURS
LAW INCIDENT #: 05-P10793

EVIDENCE:

One video cassette tape recording of the interview with ROBERT RAYMOND NICHOLS that took place on 05/22/05 at approximately 0300 hours. The tape was logged into evidence and placed into property. One Adult Rights Miranda form signed by NICHOLS was placed into records and a copy kept in the working case file.

NARRATIVE:

On 05/22/05 at approximately 0325 hours, Det. KINGSLEY and I conducted an interview with a ROBERT R. NICHOLS living at 445 Garden Oaks, Chubbuck ID., (237-5030). NICHOLS had been detained by police regarding this incident.

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Prior to conducting an interview I advised NICHOLS of his rights and he said he understood them and agreed to speak with me. NICHOLS signed the Adult Rights form which was later filed in records.

During the interview NICHOLS advised he went over to ROSS MEDRANO'S house on 1st street to visit him. NICHOLS didn't know the address but said it was a purple house near the end of the street. NICHOLS said he went to MEDRANO'S at approximately 2230-2300 hours. NICHOLS said DUSTIN BROWN gave him a ride to MEDRANO'S. NICHOLS said that his friend BILLY (WILLIAM WAYNE OTTOGARY) was already at the house.

NICHOLS said he watched television for approximately 30 minutes then walked outside with BILLY to smoke. NICHOLS advised they heard some people yelling and screaming on 2nd street directly behind the house. NICHOLS said that he and BILLY started to walk over to see what was going on and they saw approximately 25-30 people standing around. NICHOLS said they recognized a person who had "jumped them" two years ago at the Bannock County Fairgrounds. NICHOLS said that he and BILLY were standing by each other and he didn't recognize anyone in the crowd.

NICHOLS said he talked to an unknown female and she said something about a MIKE HILL. NICHOLS said he didn't know a MIKE HILL but that the female was talking about him. NICHOLS said that he and BILLY turned around and started walking toward 1st street and he heard a single gun shot. NICHOLS said he turned around and saw a lot of people standing over someone lying on the ground. NICHOLS said that he and BILLY then continued walking on 1st street where they were contacted and detained by police and brought to the station.

I asked NICHOLS about being inside the house and on the property where the incident occurred. NICHOLS adamantly denied this and said, "I never stepped foot on that property or anywhere around it." I asked him if he was the one who fired the gun and he said, "No sir." I asked him about using a bat and NICHOLS looked away from me and said, "I'm done talking." The interview was concluded.

SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE 5154 DICTATED: 5/24/05

INVESTIGATIVE TIME: 1 HOUR
LAW INCIDENT #: 05-P10793
STENO INITIALS: LML
DATE & TIME
TRANSCRIBED: 1345 HOURS / 5/24/05

#1-GENERAL NARRATIVE:

1. BRIEF SYNOPSIS OF EVENTS:

None.

2. DOCUMENTS OF EVIDENCE:

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None.

3. NARRATIVE:

On 5/23/05 at 1345 hours, BRANDI LUDWIG voluntarily responded to the Pocatello Police Department for an interview. In speaking with her, I directed her attention to Saturday (5/21/05) to the incident that had occurred on South 2nd Avenue. LUDWIG advised that at approximately 2330 hours, she arrived at BRENNAN's house at 1338 S. 2nd Avenue. LUDWIG advised that she rode to BRENNAN's house with DEBBIE GARCIA, SARAH WHITMER, and LINDSEY (unknown last name). LUDWIG advised that when she arrived there, there were people that came to the residence with her along with BRENNAN NYSTROM, JEREMY BROWER, a subject by the name of KATIE (unknown last name), TJ SOLOMON, JOSH SOLOMON, RUSS LATTIMER, KERRY LATTIMER, RICKY LATTIMER, ERIC DAVIS, his girlfriend, a subject by the name of HAILEY (unknown last name), and LD (also known as LOGAN UNDERWOOD), who is BRANDY ROMERO's boyfriend. LUDWIG advised that when she arrived at the residence, everything was quiet, and they were just "chilling out," and then some girls responded to the residence advising that they were looking for MIKE HILL. LUDWIG advised that the only one of the girls that she recognized was KRISTINA ENO and another girl in the car. They told him that MIKE HILL wasn't at the residence, and it then became quiet again. LUDWIG advised that shortly after this, everyone started to go outside the residence, and she saw RICHARD out on the street talking to ROSS MEDRANO, WILLIAM OTTOGARY (a.k.a. BILLY), WOODY GRANT, and ROBERT NICHOLS. LUDWIG advised that the four subjects had arrived in a car with 2P license plates (she had given the license plate number to Corporal WHITNEY while she was at the hospital). LUDWIG advised that all four of the subjects got out, and RICHARD told them that they needed to leave because MIKE HILL wasn't there. LUDWIG advised at this time that there were four male subjects in the car with 2P plates (ROSS, BILLY, WOODY, and ROBERT). There was also another car with girls inside of it, to include, KRISTINA ENO and unknown other female subjects. LUDWIG advised that they all got back in their car and left the area. A short time later, all four male subjects returned in the same car with 2P plates, advising that they knew that MIKE HILL was at the residence. They then started to yell at them, advising that they wanted to see MIKE HILL because he owed them some money. LUDWIG advised that RICHARD asked them to leave. She advised that he was standing there talking to ROBERT and WOODY and when RICHARD turned around to walk away, ROBERT struck RICHARD in the back left side of his head with a bat. ROBERT had been holding the bat in his hands. LUDWIG described the bat as being a wooden bat (approximately three feet in length). LUDWIG advised that ROBERT had the bat held along side his leg as he was standing there talking to RICHARD. LUDWIG advised that after ROBERT struck RICHARD with the bat, RICHARD turned around and struck ROBERT. They then fell to the ground, fighting with each other. LUDWIG advised that two subjects jumped in on the altercation and started to strike RICHARD. LUDWIG advised that one of them was BILLY, and she didn't know the other subject who had jumped in on the fight. BILLY had a metal rod that appeared to be black in color that he was striking RICHARD with in the back, head, and rib areas. LUDWIG advised that TJ SOLOMON (RICHARD's cousin) jumped in on the fight in an attempt to pull people off of RICHARD. At this time, she saw WOODY pull a gun out, exposing it in his hand. He then pointed the gun at RICHARD. She then saw a flash of light and heard the bang. She then heard a couple of more shots. LUDWIG advised that she then saw TJ SOLOMON limping, saying, "I've been shot. I've been shot."

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LUDWIG advised that she remembers screaming, "Oh my god!" She then saw RICHARD, and he had blood all over him. LUDWIG advised that she tried to grab RICHARD to take him to the hospital, and she asked ERIC DAVIS to drive RICHARD to the hospital. LUDWIG said that she responded to RICHARD's location and as he walked up on the front porch, he fainted and/or blacked out, and LD was standing by her, yelling for RICHARD to get up. They then helped RICHARD up and took him over to where ERIC's car had been. ERIC was then found to be missing from the area along with his car. LUDWIG advised that they then were looking for a vehicle to take RICHARD to the hospital in, and she told DEBBIE GARCIA to drive. They then got into a truck that had keys in it. LUDWIG advised that DEBBIE was driving, RICHARD got in, she and JEREMY got in the vehicle, and as they were driving to the hospital, she located a shirt on the floor of the truck, and she pressed it on RICHARD's head so as to stop the bleeding. LUDWIG advised that when they arrived at the hospital, she was contacted by Corporal WHITNEY, and she gave him the information that she could remember at the time. LUDWIG advised that while at the hospital, someone called her on JEREMY's phone and gave her the 2P license plate number which she had given to Corporal WHITNEY in regards to the vehicle that the suspects had arrived at the house in.

I then asked LUDWIG if she was positive that she could identify WOODY GRANT as having the gun and being the subject who fired the gun when it went off, and she replied by saying, "Yes." I then asked her if she was positive that ROBERT NICHOLS had been the one who was holding the wooden bat when RICHARD was struck, and she replied by saying, "Yes." LUDWIG also advised that she was positive that BILLY was holding a metal pipe, which he had also used to strike RICHARD in the head, back, and ribs. LUDWIG advised that there was also a fourth person that had jumped into the fight along with BILLY when he was hitting RICHARD, but she was unsure as to who this individual was. She advised that he was holding a wooden stick as he was striking RICHARD. LUDWIG then provided me with a handwritten piece of paper in which she gave me the phone numbers for MIKE HILL (223-9322) and SAM and KRISTINA ENO, a SHERENE (380-1242), KATELYN (221-1299), ROSS MEDRANO (251-4545), and BRANDY ROMERO, who is ROSS's girlfriend.

The interview with LUDWIG was concluded at 1415 hours. The interview with LUDWIG was videotaped, and this videotape was later logged into evidence, where it was placed into property.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: KINGSLEY #5065 DICTATED DATE & TIME: 05-24-05, 1445 hours
INVESTIGATIVE TIME: 4.0 hours
LAW INCIDENT NUMBER: 05-P10793
STENO INITIALS:
TRANSCRIBED DATE & TIME: 05-24-05, 1445 hours

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EVIDENCE:

One video cassette tape recording of the interview with WILLIAM OTTOGARY that took place on 05-22-05 at approximately 0200 hours at the police station was turned over to Det. HIGBEE to be placed into property at a later time.

NARRATIVE:

On 05-22-05, at approximately 0200 hours, Det. HIGBEE and I conducted an interview with a WILLIAM W. OTTOGARY of 1640 S. Von Elm #3 (223-9551). Mr. OTTOGARY had been detained by the patrol officers in connection with this incident.

Prior to conducting the interview with Mr. OTTOGARY, I advised him of his rights. Mr. OTTOGARY stated that he understood his rights and then signed a Rights Waiver Form that indicated that he wished to continue to talk with us.

During the videotaped interview that followed, Mr. OTTOGARY stated that earlier in the evening, he and ROBERT NICHOLS had gone to ROSS MEDRANO'S residence on S. 1 st. Mr. OTTOGARY stated that he and Mr. NICHOLS had been in his (OTTOGARY'S) uncle's green Ford Explorer. Mr. OTTOGARY stated that he did not know the exact address of the MEDRANO residence but described it to be a purple house on the east side of the street. Mr. OTTOGARY stated that he and Mr. NICHOLS had "hung out" at the MEDRANO residence for a while and stated that they had gone there to drink alcohol and party. Mr. OTTOGARY further stated that they did not party at all at the MEDRANO residence because of the fact that Mr. MEDRANO was home alone with his 10 month old baby. Mr. OTTOGARY did state that he drank two Budweiser beers while at the MEDRANO residence.

Mr. OTTOGARY stated that he and Mr. NICHOLS then went outside to smoke and at that time, they were able to hear noise from a party that was in progress on S. 2 nd street. Mr. OTTOGARY stated that the party noise was coming from the area behind Mr. MEDRANO'S residence. Mr. OTTOGARY stated that he asked Mr. MEDRANO whose party it was. Mr. OTTOGARY stated that BRANDI ROMERO then arrived at the MEDRANO residence to baby sit for Mr. MEDRANO and at that point, he, Mr. MEDRANO and Mr. NICHOLS went to the party on S. 2 nd.

Mr. OTTOGARY stated that as soon as they walked up onto the porch of the residence where the party was being held, Mr. NICHOLS recognized some of the subjects who were already present at the party as persons who had "jumped" them a couple of years ago at the Bannock County Fairgrounds. Mr. OTTOGARY stated that that they (he and NICHOLS) left after just a couple of minutes because he did not want any problems with the subject from the previous incident from a couple of years ago.

Mr. OTTOGARY stated that after they left the party, they realized that Mr. NICHOLS had dropped his inhaler so they returned to the party to look for the inhaler. Mr. OTTOGARY stated that while at the party a second time, an unidentified "white guy" handed him a metal bar and said "there's going to be a fight". Mr. OTTOGARY described the bar to be approximately 18" in length. Mr. OTTOGARY stated that he dropped the bar on the curb in front of the residence. Mr. OTTOGARY stated that at that point, he just wanted to leave the area because he kept seeing persons that he had had previous problems with.

Mr. OTTOGARY stated that while they ere leaving, he heard a metallic sounding

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thud and saw "a guy" with a bat. Mr. OTTOGARY stated that he also heard somebody say something about a 12 gauge. Mr. OTTOGARY stated that as he and Mr. NICHOLS were leaving, he heard gunshots. At first Mr. OTTOGARY stated that he had heard two gunshots but later stated that he had heard three or four shots. Mr. OTTOGARY stated that when he looked back, he could see flashes coming from two different directions. Mr. OTTOGARY stated that he and Mr. NICHOLS both began running northbound on 1 st street.

Det. HIGBEE and I asked Mr. OTTOGARY how many persons were involved in the actual fight. He told us that there were approximately 7-8 persons involved. He also stated that there were lots of persons there that he did not see at first.

Mr. OTTOGARY stated that he did not know what had started the fight. Mr. OTTOGARY then changed his story and stated that he heard someone yelling about a pistol. Mr. OTTOGARY then stated that two white guys were holding pistols. Mr. OTTOGARY stated that one of the persons holding a pistol had dark hair and was wearing a "beanie" and the other person holding a pistol was a blond haired male. Mr. OTTOGARY stated that both subjects were about 18 years of age.

I then confronted Mr. OTTOGARY about being the person who had fired the pistol. Mr. OTTOGARY stated that he did not have any type of firearm. Mr. OTTOGARY also denied that he had been the person who was holding the bat. Mr. OTTOGARY continued to deny having had any involvement in this incident other than as a spectator.

At that point, I asked Mr. OTTOGARY if he would sign a permission to search form for his vehicle that he had left parked at the MEDRANO residence. He stated that he would and then signed the form allowing police to search the vehicle.

The interview with Mr. OTTOGARY was then concluded and he was later transported by a patrol officer back to the MEDRANO residence on S. 1 st where his vehicle was parked. At that time, the vehicle was searched by Sgt. PETERSON but no firearm was found.

The videotape of the interview with Mr. OTTOGARY was given to Det. HIGBEE to be entered into property at a later time.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE # 5154

Dictated: 5-24-05 @ 1350 HRS

Investigative Time: .75 HRS

LAW INCIDENT #: 05-P10793

STENO INITIALS: CJ

DATE & TIME

Transcribed: 5-24-05 @ 1432 HRS

1. DOCUMENTS OF EVIDENCE TO BE FILED IN RECORDS:
(STATEMENTS, RIGHTS FORMS, LATENTS, PHOTOS, ETC.)

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None

2. NARRATIVE:

On 5-24-05 at approximately 1047 hours, MICHAEL C HILL voluntarily came to the Pocatello Police Department for an interview. The interview with HILL was videotaped. The tape was later logged into evidence and placed into property.

During the interview HILL advised me of the following:

-On 5-21-05 at approximately 1300 hours, he got a phone call from CAITLIN (unknown last name), cell phone number 221-1299, about buying some marijuana for her.

-HILL advised that he met her at the Stinker Station on Yellowstone and she gave him \$50.00 to purchase marijuana. HILL advised that another female by the name of SHEREN was with CAITLIN and he was unsure of her last name also. He gave her phone number as 380-1242.

-HILL advised that he did not purchase any marijuana with the \$50.00 and used the money to buy his son GAVIN, 2 1/2 months old, some diapers. He used some of the money to put gas in a friend's car, gave \$5.00 to SAMANTHA HILL, his ex-wife, for gas for her car. He then spent some of the money on food.

-HILL advised that he then hung out for the rest of the day and went to a bachelor party on S 2nd at approximately 2100 hours. HILL advised that he spent about one hour at the bachelor party.

-When he arrived there, he saw BRENNAN NYSTROM, who is one of the people who live at the house. He advised that SHONEY, unknown last name, COLONEY, unknown last name, JEREMY BROWER, LD, LOGAN UNDERWOOD, and BRANDI ROMERO were at the house when he arrived.

-He advised that after about an hour at the house, he left with PHILLIP RASCONE and went to RASCONE'S girlfriend's house as she lived on Hawthorne in Chubbuck. They played pool for some time.

-HILL advised that he kept getting numerous cell phone calls from CAITLIN and her friends, demanding that he give back the money or the marijuana that she had given him the \$50.00 for. He told them numerous times to quit calling him.

-HILL advised that they continued to call him using various cell phones. He ignored the calls.

-At approximately 2330 or 0000 hours, he answered a cell phone call from CAITLIN and she told him that they were at ROSS' house and they wanted him to come over. She told him that they were going to settle this for once and for all. HILL advised that he told them "whatever" and hung up on her. She called back numerous times and when answered the phone again, she told him to come over and he told her that he would come over.

-After playing a few more games of pool, they started to drive over to BRENNAN'S house. When they arrived at BRENNAN'S house, HILL advised that there were cops all over the place. He said that he got scared and they left the area.

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-HILL called JEREMY BROWER'S phone number and BRANDI answered the phone, telling him that someone had gotten shot and someone got hit with a bat. HILL advised that he immediately left the area and they drove back over to Hawthorne Rd where they had been playing pool earlier in the evening.

-HILL then went to the hospital at approximately 0330 hours to tell LATTIMER and the other kid that had gotten shot that he was sorry for what had happened. HILL advised that when he got to the hospital, LATTIMER was already checked out, so he left the hospital and walked back to his house on Jefferson.

-HILL called and spoke with Corporal MATSON later that morning on the telephone.

-HILL advised that he had no further information and the interview was concluded at approximately 1120 hours.

No further action has been taken at this time.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE # 5154

DICTATED: 5-24-05 @ 1340 HRS

INVESTIGATIVE TIME: 1.5 HRS

LAW INCIDENT #: 05-P10793

STENO INITIALS: CJ

DATE & TIME

TRANSCRIBED: 5-24-05 @ 1556 HRS

1. DOCUMENTS OF EVIDENCE TO BE FILED IN RECORDS:
(STATEMENTS, RIGHTS FORMS, LATENTS, PHOTOS, ETC.)

None

2. NARRATIVE:

On 5-23-05 at approximately 1421 hours, RICHARD LATTIMER voluntarily came to the Pocatello Police Department for an interview. I escorted him to interview room A where the interview with RICHARD was videotaped. During the interview, RICHARD told me the following:

-On 5-21-05 at approximately 2300 hours, he arrived at BRENNAN NYSTROM'S house at 2nd and Center. He was just hanging out with BRENNAN and several other friends at the house.

-LATTIMER advised that when he arrived at the house, people that were already there were LD, LOGAN UNDERWOOD, MITCH MULHOLLAND, BRANDI ROMERO, and ROBERT (unknown last name). Three other individuals that came to the house with him were LARRY FRENCH, KERRY LATTIMER, and RUSSELL LATTIMER.

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-RICHARD advised that at approximately 0000 hours, JOSH, TJ, and JARED SOLOMON showed up, along with ERIC DAVIS.

-RICHARD advised that shortly after midnight, ROSS MEDRANO showed up looking for a MIKE HILL. He said that MEDRANO looked mad and said that HILL owed him \$50.00.

-RICHARD advised that he offered to let MEDRANO come in and look around. Four other guys came inside with him as they were looking around, one being a person that LATTIMER knows as "BILLY G."

-RICHARD advised that they walked around inside BRENNAN'S house. Not seeing him, BRENNAN came down the stairs and saw some of the guys that had come in with MEDRANO rummaging through his stuff and BRENNAN told them to get out of his stuff.

-RICHARD advised that at this time the individuals left, being ROSS, BILLY G, two NICHOLS brothers and WOODY GRANT.

-They came back a short time later and were out in the road screaming and yelling for MIKE HILL and telling him that they wanted to talk with MIKE HILL. RICHARD advised that he told them that MIKE wasn't there. WOODY GRANT showed them that he had a gun and pulled it out and was showing it to people, telling them that he meant business. The individuals then left again.

-RICHARD advised that his brother RICKY LATTIMER showed up along with his fiance BRANDI LUDWIG and her friends. RICHARD advised that a short time later, CHRISTINA ENO and two other girls came into the house. A short time after that, everyone in the house was saying that there were people outside with bats and guns. RICHARD walked outside along with everyone else.

-RICHARD advised that when he walked outside, he again saw ROSS, BILLY G, NICHOLS, and WOODY. He told them to leave, that MIKE HILL wasn't there. He again asked them to leave, telling them that it was his bachelor party and to leave so they could have a good time celebrating his bachelor party.

-RICHARD advised that while speaking with them, NICHOLS had a wooden bat that RICHARD described as being lighter tan in color, approximately two and a half to three feet long, in his hand. BILLY had a black colored pipe in his hand at that time.

-RICHARD advised that he told them to leave because MIKE HILL was not there. He turned around to walk away when he got hit in the back left side of his head with a wooden bat. He turned back toward NICHOLS and asked him, "What the hell do you think you are doing?" RICHARD said that NICHOLS then hit him again in the front left side of his head. RICHARD grabbed NICHOLS by the shirt and threw him to the ground and started trying to punch him.

-RICHARD advised that BILLY then stepped in and swung the black steel rod at him, missing him and striking the ground. RICHARD leaned toward BILLY and punched him. RICHARD advised that he started getting hit by multiple people multiple times. At this point, he was on top of NICHOLS, being hit on his back, side, and rib area.

-RICHARD advised that he then heard a gunshot. He kept getting hit. RICHARD

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then heard two more gunshots and was pushed to the sidewalk "thanking God I was alive" and stood up and started walking back to BRENNAN'S house.

-RICHARD advised that when he stood up, he felt like a shower was running down his face and realized that it was blood running down his face. RICHARD advised that he got to the porch at the front of BRENNAN'S house and the porch light was on. Someone told him that he had gotten shot.

-RICHARD advised that he looked down at his leg and didn't see a bullet hole or anywhere on his body that he had been shot. Shortly after that, he got into JEREMY BROWER'S truck, along with his fiance BRANDI LUDWIG, JEREMY BROWER, and DEBBIE GARCIA who was driving the truck for them. They then took him to Portneuf Medical Center, West Campus, for treatment.

-RICHARD advised that while at the hospital, his fiance BRANDI had told him that his cousin TJ had gotten shot.

-RICHARD advised that the doctor had used over 500 stitches to sew up the lacerations on his head. RICHARD refused any x-ray or further medical treatment as he does not have any medical insurance. He told them that he just wished to have the lacerations sewn up.

-RICHARD advised that he thought from the time he first got hit from the bat until he was able to walk away and knew he was okay and going to live, he was scared for not only his life but also for the life of everyone else around when he started hearing the gun being fired. RICHARD advised that he was afraid that at any moment he was going to die.

-RICHARD advised that he could positively identify NICHOLS as being the person that hit him with the bat. BILLY had hit him with a metal club. RICHARD said that he did not see who fired the gun, but had seen WOODY with a gun earlier in the evening and assumed that he was the one that had fired the shot.

I then told RICHARD that if he heard anything in the future to contact me. I gave him my business card. The interview with RICHARD LATTIMER was then concluded. No further action has been taken at this time.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE 5154 DICTATED: 0910 HOURS / 5/25/05

INVESTIGATIVE TIME: 1 HOUR 30 MINUTES
LAW INCIDENT #: 05-P10793
STENO INITIALS: LML
DATE & TIME
TRANSCRIBED: 1005 HOURS / 5/25/05

#1-GENERAL NARRATIVE:

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1. BRIEF SYNOPSIS OF EVENTS:

None.

2. DOCUMENTS OF EVIDENCE:

One Adult Right's Miranda form signed by ROSENDO MEDRANO that will be filed in records. A copy of this form will also be kept in the working case file. There is also a videotape of the interview with MEDRANO. This was logged into property and will subsequently be located in evidence.

3. NARRATIVE:

On 5/24/05 at 1532 hours, ROSENDO MEDRANO JR. (9/13/83), who lives at 1338 S. 1st Avenue (251-4545), voluntarily responded to the Pocatello Police Department for an interview. The interview with MEDRANO was videotaped, and the videotape was later logged into property and was placed into evidence. During the interview, MEDRANO told me the following.

On 5/21/05 (Saturday), he was at his residence at 1338 S. 1st Avenue with his son, JAMISON (ten months old). At approximately 1400 hours, KATELYN (unknown last name) came over to his house, and they were hanging out and watching television. At approximately 1600 hours, BILLY (a.k.a. WILLIAM OTTOGARY) and his girlfriend, ELIZABETH (unknown last name), came over to his residence, and they hung out together while watching television. MEDRANO advised that between 1900 and 2000 hours, BILLY left to go get ROBERT NICHOLS, and he was then planning on coming back to the house. At approximately the same time, a subject by the name of SHERIN (unknown last name) called KATELYN, and she (SHERIN) then responded to ROSS's (ROSENDO) house. A short time after this, MEDRANO advised that KATELYN was calling MIKE HILL on several occasions attempting to get \$50.00 back from him that she had previously loaned to him. MEDRANO advised that he didn't know what the \$50.00 was for. He advised that KATELYN had told him that MIKE HILL had "ripped her off." MEDRANO advised that KATELYN had called MIKE on several occasions and finally, MIKE answered his phone, and he heard them arguing back and forth. KATELYN then handed the phone to MEDRANO, and he spoke with HILL. He then asked him if he thought that it was cool to rip off girls. He advised that they used several obscenities on the phone while talking with each other, and the conversation then concluded. MEDRANO advised that between 2100 and 2200 hours, SHERIN and KATELYN left the residence. At this time, ROSS, JAMISON, and ELIZABETH were still at the residence (ELIZABETH had responded to the residence with BILLY). MEDRANO advised that at around 2200 hours, ROBERT and BILLY responded back to the house, and they were hanging out with him. KATELYN then called and advised that MIKE HILL was at B-RENNAN's house. When I questioned him about B-RENNAN, he advised that this was BRENNAN NYSTROM, who lives at 1338 S. 2nd Avenue. He advised that he calls him B-RENNAN. MEDRANO advised KATELYN that he would go over to the residence and speak with them as he is friends with B-RENNAN and several other people at the residence. MEDRANO advised that when he left to go over to B-RENNAN's residence, ROBERT and BILLY went over with him, and ELIZABETH remained at the residence with JAMISON. MEDRANO advised that they walked up to the porch, and he started to talk with RICHARD LATTIMER, JEREMY BROWER, and two other people that he didn't know. MEDRANO asked LATTIMER about MIKE HILL, and LATTIMER told them that HILL wasn't at the residence. He then offered to let them come into the residence to look around. MEDRANO advised that they walked in the house with LATTIMER, and they proceeded to look through

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the house. They were unable to locate HILL. At this time, B-RENNAN walked in and asked them what they were doing, and they told him that they were looking for HILL. B-RENNAN then told them that he didn't want any trouble, and they needed to leave. MEDRANO advised that ROBERT and BILLY went outside at this time, and he, B-RENNAN, and ROSS were talking in the living room. MEDRANO told them to have HILL get a hold of them, and he then walked outside and walked back to the house with ROBERT and BILLY. MEDRANO advised that ten minutes later, SHERIN and KATELYN came to the house, and KATELYN was on her cell phone talking to MIKE. He advised that she was yelling and screaming at MIKE. MEDRANO advised that he took the phone from KATELYN and after several challenges back and forth between himself and HILL, he told MIKE that he better knock it off because he didn't know who he was messing with. MEDRANO advised that HILL told him that he didn't know who he was messing with. They then exchanged obscenities to each other, telling each other to "fuck off." They also said to each other, "Fuck you." They then ended the phone conversation. MEDRANO advised that KATELYN then called MIKE back, and she walked outside with her phone to talk with him. MEDRANO advised that he didn't know what was said from this point forward. MEDRANO advised that at 2330 hours, he tried to put JAMISON to bed, and a subject by the name of WOODY GRANT then showed up at his house. He advised that an unknown male subject was accompanying GRANT. MEDRANO described this subject as being a "tall guy," being over 6'0" in height and Caucasian. He advised that he was skinny and had dark, short hair. He also had a female subject with him that he (MEDRANO) had never seen before. MEDRANO advised that his sister, BRANDY ROMERO, called him and told him that she knew what was going on, and there was a fight that was escalating. He then told her that MIKE was supposed to be coming over to fight. BRANDY told him that MIKE had just left the area, and MEDRANO advised that he then walked out into his backyard and heard someone jump the fence. MEDRANO advised that he ran down 1st Avenue and then up Sutter to see who had left the area, and he was standing at the corner between 1st Avenue and 2nd Avenue on Sutter, and he heard someone yell, "Where's MIKE at?" MEDRANO advised that he then ran over to B-RENNAN's house, and ROBERT and WOODY were in the street, yelling with a group of people that were at the residence on 2nd Avenue. MEDRANO advised that he grabbed them and tried to get them to leave. He then started to walk away, and ERIC DAVIS then came off the steps and told them to leave before the cops were called. MEDRANO advised that ROBERT asked DAVIS what he was going to call the cops for, and DAVIS told him that he was going to call the cops for them loitering in the area. MEDRANO advised that everyone stopped leaving at this time, and ROBERT told them that there isn't a law about him standing in the road. MEDRANO advised that he then attempted to get ROBERT and WOODY to leave with him, and words were then exchanged between DAVIS and ROBERT. MEDRANO advised that he then started to walk toward his residence and when he got to 1st Avenue and Sutter, he heard someone yell, "He's got a gun!" MEDRANO advised that he kept walking toward his residence and when he was approximately 20 yards from his house, he heard a gun shot. He then looked back toward 2nd Avenue, and he heard people yelling and screaming. He advised that when he arrived at his residence, he walked in, and ELIZABETH's ride was at his house, and she was waiting for him to get back so that she could leave due to JAMISON being in the residence. MEDRANO advised that a short time after this, his sister, BRANDY ROMERO, came over and began to yell at everyone. She told him that he should leave the residence. He told her that he couldn't leave because his son was at the house. BRANDY told him that someone had been shot, and someone else had been struck in the head with a bat. MEDRANO advised that BRANDY then left his residence and walked back toward the residence on 2nd Avenue. MEDRANO advised that he sat at his house, waiting for the cops to come

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over and speak with him. MEDRANO advised that he never saw anyone with a weapon, and he knew from past experience that neither BILLY nor ROBERT had carried guns. He advised that he didn't think that they carried guns on them. He advised that he has known WOODY to be in possession of a gun at times. He was adamant that he had not witnessed any weapons, and he had no knowledge as to who had what. MEDRANO advised that he is very afraid at this time because he has received numerous phone calls from various people "threatening to kick [his] ass" and to "take care of things."

I told MEDRANO to keep any numbers that come in on his cell phone and to contact the police department to make a report if things like this continue to occur. He advised that he would do this. The interview with MEDRANO then concluded at 1640 hours. MEDRANO advised that he would contact me if he remembered any more details about the incident.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: KINGSLEY #5065 DICTATED DATE & TIME: 05-25-05, 1410 hours
INVESTIGATIVE TIME: 1.0 Hour
LAW INCIDENT NUMBER: 05-P10793
STENO INITIALS:
TRANSCRIBED DATE & TIME: 05-25-05, 1410 hours

EVIDENCE:

The digital recording of the interview with KAITLYN LEWIS that occurred on 05-25-05 was saved on the computer server in H:\common\Recordings\05-P10793.

NARRATIVE:

On 05-25-05 at approximately 1130 hours, Det. HIGBEE asked me to interview KAITLYN LEWIS regarding this incident. Ms. LEWIS had accompanied another person to the police station who was also being interviewed concerning this incident.

Ms. LEWIS agreed to talk with me. Prior to beginning the digitally recorded interview with her, she was advised of her rights as a juvenile. Ms. LEWIS stated that she understood her rights and wished to continue to talk with me without her parent, guardian or legal counsel being present.

I then asked Ms. LEWIS to tell me about what had occurred on 05-21-05. She began by saying that MIKE HILL had stolen some money from her. She then stated that on that day at approximately 1400 hours, she had gone to visit ROSS MEDRANO at his residence. Ms. LEWIS stated that she just hung out at his residence and watched movies all afternoon. Ms. LEWIS stated that at approximately 2000 hours, a subject named BILLY (LNU) had stopped by and that they all just hung out until about 2100 hours. Ms. LEWIS stated that at that

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approximate time, her friend SHAREEN CUTLER and a friend named LYDIA (LNU) also stopped by. Ms. LEWIS stated that she and SHAREEN then took LYDIA home and then stopped by SARA MILLER'S apartment in the Summit Apartment complex.

Ms. LEWIS stated that while she was at the MILLER apartment, she received a call on her cell phone from MIKE HILL and the two of them began arguing over the money that MIKE owed her. Ms. LEWIS then stated that at approximately 1300 hours, she had contacted MIKE HILL and had given him \$50.00 because a friend of hers named CRAIG (LNU) had wanted to purchase some marijuana. Ms. LEWIS stated that she only knows CRAIG by his first name. Ms. LEWIS stated that while she was talking with Mr. HILL on the phone, he (HILL) told her that he had spent the money and was not going to be giving it back to her.

Ms. LEWIS stated that after talking with Mr. HILL, she and SHAREEN CUTLER went back to ROSS MEDRANO'S residence and when they arrived, BILLY and ROBERT were already there. Ms. LEWIS stated that she did not know the last name for either subject. Ms. LEWIS stated that after arriving at MEDRANO'S house, she again contacted Mr. HILL via phone and they began to argue over the money once again. Ms. LEWIS stated that at one point, ROSS MEDRANO also talked with Mr. HILL and told him (HILL) that he (HILL) should not have ripped her (LEWIS) off. Ms. LEWIS stated that she could not hear all of the conversation.

Ms. LEWIS stated that after talking with Mr. HILL, she received a call from an unidentified female who told her that she (the unidentified female) was Mr. HILL'S girlfriend and that she (the unidentified female) was going to "kick her ass". Ms. LEWIS stated that about five or six other unidentified persons showed up at the MEDRANO residence and were told by Mr. MEDRANO to stay outside.

Ms. LEWIS stated that she once again called Mr. HILL for a third time and asked him if he would talk with her about the money again. Ms. LEWIS stated that Mr. HILL told her that he did not want to talk with her.

Ms. LEWIS stated that as she and SHAREEN CUTLER were leaving Mr. MEDRANO'S residence she heard a gunshot and they got into SHAREEN'S vehicle and left the area.

Ms. LEWIS stated that at the time that she heard the gunshot, she and SHAREEN CUTLER were the only persons at Mr. MEDRANO'S residence.

Ms. LEWIS stated that at no time did she witness a fight or witness anyone with a firearm or a bat in their possession. Ms. LEWIS also stated that at no time was she ever at the residence on S. 2 nd where this incident occurred.

Ms. LEWIS further stated that she had not been drinking or using any type of drugs and was not intoxicated in any way at the time that this incident occurred. Ms. LEWIS was not able to provide any further information regarding this incident.

After Ms. LEWIS left the police station, the digital recording was saved on the computer server in H:\common\Recordings\05-P10793.

End of report.

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SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE 5154 DICTATED: 1250 HOURS / 5/25/05

INVESTIGATIVE TIME: 45 MINUTES
LAW INCIDENT #: 05-P10793
STENO INITIALS: LML
DATE & TIME
TRANSCRIBED: 1410 HOURS / 5/25/05

#1-GENERAL NARRATIVE:

1. BRIEF SYNOPSIS OF EVENTS:

None.

2. DOCUMENTS OF EVIDENCE:

One Juvenile Right's form dated 5/25/05 and signed by SHAREEN M. CUTLER. A copy will be filed in records, and another copy will be kept in records. There is also a videotape of the interview which was logged into property and later placed into evidence.

3. NARRATIVE:

On 5/25/05 at 1140 hours, SHAREEN CUTLER responded to the Pocatello Police Department for an interview. She told me the following.

On Saturday (5/21/05) at approximately 2100 hours, she and LYDIA HERNANDEZ (238-1945) drove her silver Volkswagen Beetle to ROSS MEDRANO's house on South 1st Avenue. When she arrived at ROSS's residence, subjects present at the house were ROSS, his son, JAMISON, and KAITLIN. CUTLER advised that they watched movies, and she then left with KAITLIN, and she took LYDIA home around 2230 hours. After dropping LYDIA off at home, she and KAITLIN went over to their friend's residence (SARAH PRESCOTT and WILLY MILLER) at the Summit Apartments. They hung out at that location for approximately one half hour. CUTLER advised that they then returned back to ROSS's apartment at approximately 1115 to 1130 hours. When they arrived back at ROSS's residence, they found that ROSS, KAITLIN, herself, and JAMISON were at the residence. CUTLER advised that a short time later, several subjects showed up, to include BILLY (a.k.a. WILLIAM OTTOGARY), and SAMANTHA and KRISTINA ENNO. CUTLER advised that SAMANTHA and KRISTINA live off of El Rancho (237-0971). CUTLER advised that KRISTINA's cell phone number is 406-8931. CUTLER advised that a short time later, she and SAM walked over to B-RENNAN's (BRENNAN NYSTROM) on 2nd Avenue, where they talked to him for a minute. SAM then went out and got into the car with her sister, KRISTINA, and they then left the area. CUTLER advised that she started to walk across the street, and she heard some guys yelling, "Where's MIKE?"

CUTLER advised that she then stopped and saw ROSS telling the guys, whom she was unable to identify because she doesn't know them, to leave because MIKE wasn't there. CUTLER advised that ERIC DAVIS then came down off of the porch, yelling and screaming at ROSS and the other guys. DAVIS then called the other subjects on to fight. CUTLER advised that DAVIS put his beer down on the

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street, and he was asking for subjects to fight him. CUTLER advised that this scared her, and she ran to ROSS's residence, where she went inside and told KAITLIN, "Let's go." CUTLER advised that she then walked outside, yelling back into the residence at KAITLIN, telling her that they needed to leave. She then heard a single gunshot.

CUTLER advised that KAITLIN exited the residence and said, "What was that?" CUTLER advised that she looked around and saw ROSS standing about ten feet from where she was standing when she heard the shot. CUTLER advised that she started to cry because she knew that it was a gunshot, and all of the subjects around the area were her friends. CUTLER advised that she asked ROSS if he wanted her to take JAMISON with her, and he told her that he didn't because he didn't have a car seat. CUTLER advised that KAITLIN and her then entered her car, and she saw a large group of people walking back toward ROSS's residence. CUTLER and KAITLIN then drove back up to WILLY and SARAH's residence and later in the morning, she drove to CUTLER's residence, where she spent the rest of the evening. CUTLER advised that while they were at WILLY and SARAH's house, ERIC DAVIS called her on her cell phone and blamed her for what had happened to her friends. He then said to her, "You'll get what's coming to you."

CUTLER advised that she had no further information, and she had not seen anyone with weapons throughout the evening. CUTLER advised that she is scared because ZACH HUNSAKER (251-8294) keeps calling her to tell her that herself, KAITLIN, and KALONI FAYLE are going to get what's coming to them. I advised her to make documentation of this information by writing down what is said on the phone immediately after getting off the phone. I also informed her that she would need to call the police to make a police report about threatening phone calls.

The interview with CUTLER was then concluded.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: EDWARDS # 5216

Dictated: 5-24-05 @ 0251 HRS

Investigative Time: (NOT PROVIDED)

LAW INCIDENT #: 05-P10793

STENO INITIALS: CJ

DATE & TIME

Transcribed: 5-25-05 @ 1502 HRS

1. DOCUMENTS OF EVIDENCE TO BE FILED IN RECORDS:
(STATEMENTS, RIGHTS FORMS, LATENTS, PHOTOS, ETC.)

None

2. NARRATIVE:

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On 5-23-05 at approximately 2200 hours, I received information from the Inkom Police Department and Chief EDWARDS. He stated that he had made contact with TJ SOLOMON'S father, who advised that there were three females that he knew by first name that might know who the shooter was. EDWARDS further advised that the shooter's name was WOODY. He advised that the girls could be contacted. The names of the three girls that knew who the shooter was were SHINNE, 380-1242, CAITLYN 221-1299, and KRISTINA 406-8931. EDWARDS stated that he believed those three girls know who the shooter was and possibly observed the shooting. No further action has been taken at this time.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: BUSCH 5142

Dictated: 2030 HOURS / 05/25/05

Investigative Time: 1 HOUR

LAW INCIDENT #: 05-P10793

STENO INITIALS: KSB

DATE & TIME

Transcribed: 2122 HOURS / 05/25/05

1. DOCUMENTS OF EVIDENCE TO BE FILED IN RECORDS:
(STATEMENTS, RIGHTS FORMS, LATENTS, PHOTOS, ETC.)

None.

2. NARRATIVE:

On 05/25/05 I was contacted by DETECTIVE HIGBEE who advised he needed assistance in interviewing some witnesses reference this incident. He advised that he had made arrangements for JOSH SOLOMON to come in along with his cousin and that they could only be here at 1800 hours when he was off shift. I advised him that I would assist him. DETECTIVE COLLINS interviewed SOLOMON'S cousin and I interviewed JOSH SOLOMON himself.

At 1800 hours SOLOMON and his cousin responded to the Pocatello Police Department and I took him into interview room B and videotaped the interview. I asked SOLOMON what he recalled about the incident. He advised that he was over at 1334 South 2nd for a bachelor party for a friend. He advised that while at the residence three individuals showed up and asked for a subject whose name he couldn't remember; however, he thought it may be TIM. He stated that he was told that there was no TIM at that location and that they were just having a party and didn't want any problems and that he needed to leave by one of the subjects at the party.

He advised that approximately 15 minutes later the three subjects came back along with four others. So there were approximately seven guys. He advised that they again demanded to see TIM. At which time his friend RICHARD LATIMER told the subject, who later pulled the gun, that he needed to leave. The subject then stated "who's going to make me?" At which time he pulled out a

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pistol and put it to LATIMER'S forehead and asked him if he wanted to be shot in the forehead or shot in the chest. At that time he advised that LATIMER turned around and started to walk away as did all the other persons from the party. He advised that the suspects started to walk away. About thirty seconds later they turned around and came back. At which time one of the suspects brandishing a bat hit LATIMER in the back of the head, knocking him to the ground. He advised at that time his brother TJ ran over to assist LATIMER and attempted to pull the suspect off of him. At that time the subject with the firearm shot his brother TJ in the leg. He advised that after the gun shot went off all of the suspects scattered and took off out of the area. He advised that he did not get a good look at the suspect with the gun because he was not close enough; however, he did get a look at the suspect with the bat and would be able to pick him out of a photo line-up. I advised him that line-ups were being compiled and he would be shown one at a later time.

He advised at that time LATIMER'S wife took him to the hospital and that he took his brother TJ to the hospital. He stated that he did not recall anything further other than some of the people at the party knew who the suspect was and he heard that he went by the name WOODY. I advised him that he would be contacted at a later time to look at the photo line-up. Nothing further at this time.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE 5154 DICTATED: 0815 HOURS / 5/27/05

INVESTIGATIVE TIME: 1 HOUR
LAW INCIDENT #: 05-P10793
STENO INITIALS: LML
DATE & TIME
TRANSCRIBED: 1100 HOURS / 5/27/05

#1-GENERAL NARRATIVE:

1. BRIEF SYNOPSIS OF EVENTS:

None.

2. DOCUMENTS OF EVIDENCE:

None.

3. NARRATIVE:

On 5/26/05 at 0817 hours, TYLER J. SOLOMON (a.k.a. TJ) voluntarily responded to the Pocatello Police Department for an interview. He was also accompanied by his father, TODD SOLOMON. I advised TJ that I wanted to reinterview him about

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the events that had occurred on the evening of 5/21/05. TJ told me that he arrived at BRENNAN NYSTROM's house at approximately 2315 hours on Saturday evening (5/21/05). JOSH and JARED SOLOMON went to the bachelor party with him and while they were there, three kids came to the house. He didn't know their names, but he described one of them as being approximately 5'8" in height and having a skinny build. He further advised that he was a Hispanic or Native American. He described another subject as being a Native American being approximately 250 pounds. He was unable to provide a description for the third subject.

TJ advised that these subjects approached him and asked for some kid (he doesn't remember what the name was for the subject they asked for). They then offered to allow these subjects to look around, and they then did so. After looking around, they then left the area. TJ advised that they returned approximately 30 minutes later, and ERIC DAVIS then went outside to speak with them. All of a sudden, the subjects started to surround ERIC. TJ advised that he (TJ), RICHARD LATTIMER, JOSH SOLOMON, JARED SOLOMON, and JEREMY BROWER walked out of the house and went down the stairs toward the location where ERIC was standing at. TJ thought that he heard someone whistle and all of a sudden, more kids got out and started to come toward them. He described one of the kids as being a white male standing approximately 6'0" in height and was 200 to 250 pounds and had a "skimpy" beard or goatee. This subject was also wearing glasses. He advised that this subject was carrying a bat as he approached them. TJ advised that he saw this kid raise the bat and then strike RICHARD with it. RICHARD then fell against a fence. When the kid struck RICHARD again for a second time, RICHARD grabbed the kid. TJ advised that he then ran toward them in an attempt to assist RICHARD as he was being struck with the bat. TJ advised that he heard one single gun shot, and he felt something strike his leg. He advised that both of his legs went numb, and he felt a burning sensation. TJ advised that he remembers yelling, "I got shot."

TJ advised that he then ran over to JOSH, and JOSH told him that he had been shot. TJ advised that himself, JOSH, and JARED then entered a white 1990 Toyota pickup (which is what they arrived in the area in), and they started to drive away en route to the hospital. He advised that they stopped at the ISU sub parking lot, and he looked down and saw bullet holes through his pants. He advised that he still felt the burning sensation, and he knew that he had been shot. They then went to the hospital. TJ advised that the bullet entered the back of his left thigh and exited the inside of his left thigh. The bullet then entered the interior portion of his right thigh, and the bullet lodged just under the skin on the outside of his right thigh. TJ advised that during the incident, he was very fearful for his life, and he initially got involved to help save RICHARD from being beaten to death. TJ advised that after he heard the gunshot, he was afraid that the person who fired the gun was going to continue firing. He advised that he was afraid that himself and/or other persons were going to be killed. TJ advised that he thinks that he can possibly identify the person with the bat who had struck RICHARD if a photo line-up were presented to him. He advised that he would be willing to do so when one is obtained. TJ advised that he didn't see the person who fired the gun. The interview with TJ ended at 0900 hours. The interview with TJ was videotaped, and the videotape was later logged into evidence.

End of report.

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SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE 5154 DICTATED: 0822 HOURS / 5/27/05

INVESTIGATIVE TIME: 1 HOUR
LAW INCIDENT #: 05-P10793
STENO INITIALS: LML
DATE & TIME
TRANSCRIBED: 1120 HOURS / 5/27/05

#1-GENERAL NARRATIVE:

1. BRIEF SYNOPSIS OF EVENTS:

None.

2. DOCUMENTS OF EVIDENCE:

None.

3. NARRATIVE:

On 5/26/05 at 1015 hours, BRANDI ROMERO voluntarily responded to the Pocatello Police Department for an interview. The interview with BRANDI was videotaped, and the videotape was later logged into evidence, where it was placed into property.

BRANDI provided the following account.

On 5/21/05, she knew that CAITLIN and MIKE had been arguing on the phone throughout the day. She went over to her brother, ROSS's house, and she then responded over to BRENNAN NYSTROM's house with her boyfriend, LD (a.k.a. LOGAN UNDERWOOD). BRANDI advised that ROSS text messaged her, asking her to look for MIKE so that they could get their money back. BRANDI advised that shortly after this, CAITLIN and SAM came over to BRENNAN's residence. BRANDI and LD became bored, and they left the residence. BRANDI advised that ROSS called her a short time later and advised that MIKE and ROBERT were going to fight, and MIKE was going to have a bunch of girls beat up CAITLIN.

LD and BRANDI then drove back over to ROSS's house and when they drove by ROSS's house, they saw ROBERT NICHOLS at ROSS's residence, and they decided not to stay because NICHOLS had beat up LD one year prior at a Cottonmouth King's concert at the Old Club Mill. BRANDI advised that they then drove past ROSS's residence and responded to BRENNAN's house. BRANDI advised that while they were at BRENNAN's house, WOODY, ROBERT, and BILLY came over to BRENNAN's residence, and BRANDI stepped outside to see what was going on. She saw ERIC DAVIS approach them, and she told them to leave because they were having a bachelor party. She told him that it wasn't cool to start anything here. She advised that he should just let them have their bachelor party. He also told them that MIKE wasn't there. BRANDI advised that there was yelling back and

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forth, and she saw WOODY, whom she identified as WOODY GRANT, pull out a gun and then point it in the air. BRANDI advised that she was standing approximately 15 feet from both of them when this happened, and she heard WOODY ask ERIC, "Where do you want it? In the head, chest, or leg?"

BRANDI advised that everyone started to yell, and some subjects came running at them with bats. They were on the sidewalk at this time, and they saw ROBERT with a bat swinging at them. At this time, RICHARD and several other persons walked toward the location where ERIC was at, and she saw someone else with a wooden stick who she was unsure of. BRANDI advised that she saw ROBERT swing the bat, and it struck RICHARD. She advised that it sounded like a metal bat because it made a "thump" when it hit him in the head. BRANDI advised that shortly after this, she heard a gunshot, which she described as a "pop." She then got pushed behind BRENNAN's truck. BRANDI advised that everyone was running around, screaming and yelling, and she saw BRANDI LATTIMER holding RICHARD, and he was bleeding from the head. She then saw TJ and noticed that he had blood on his leg. TJ then said, "They shot me."

BRANDI advised that she then heard subjects yelling that someone had been shot. BRANDI advised that she walked over to ROSS's house and as she came through the backyard, she saw a lot of persons leaving the area. BRANDI advised that she yelled, "What the fuck did you guys do?"

She then told ROSS that someone had shot one of her friends, and ROSS was yelling at everyone, telling them to leave and to "get the hell off [his] property."

BRANDI advised that during this time at ROSS's house, she remembers seeing BILLY, ROBERT, ROSS, and another guy, who she thought was MIKE (unknown last name). She was also unable to remember if ROBERT's younger brother, CHRIS NICHOLS, was there or not. BRANDI advised that there were also a bunch of girls and a lot of cars around the residence. BRANDI advised that she saw ROBERT and BILLY take off walking down 1st Avenue. She advised that BRANDI and ROSS then walked over to BRENNAN's to get her car. At this time, they saw the cops, and ROSS turned around and went back home, where he was going to wait for the police with his son. BRANDI advised that she then walked to BRENNAN's house, where she was contacted by the police. She advised that she told them that ROBERT was the one who had struck RICHARD with the bat. She advised that she remained at this location and identified BILLY and ROBERT when the police questioned her about the incident. After the police allowed her to leave the area, she left and responded to ERIC's mother's house. She advised that her and LD then responded to her house for the remainder of the evening. BRANDI advised that she had heard rumor that the bat that was used to strike RICHARD with was thrown in the landfill, and the gun was buried in a yard or field. She is unsure of the location.

The interview with BRANDI then ended at 1115 hours on 5/26/05.

End of report.

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SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE 5154 DICTATED: 0830 HOURS / 5/27/05

INVESTIGATIVE TIME: 30 MINUTES
LAW INCIDENT #: 05-P10793
STENO INITIALS: LML
DATE & TIME
TRANSCRIBED: 1150 HOURS / 5/27/05

#1-GENERAL NARRATIVE:

1. BRIEF SYNOPSIS OF EVENTS:

None.

2. DOCUMENTS OF EVIDENCE:

None.

3. NARRATIVE:

On 5/26/05 at 1322 hours, RICKY L. LATTIMER (2/2/72) voluntarily responded to the police department for an interview. The interview with LATTIMER was recorded via usage of a digital recorder. The recording of the interview was later logged into evidence on the evidence server under recordings 05-P10793/1334 S. 2nd Avenue/RICKY LATTIMER INTERVIEW.WAV.

RICKY provided the following account.

He arrived at the bachelor party on 2nd Avenue at approximately 2340 hours on 5/21/05. He advised that he was invited there by his brother, KERRY. When he arrived, he saw JOSH, TJ, RUSSELL, and RICHARD as well as several other persons that he didn't know. RICKY advised that he was outside on the porch, and he never actually entered the house. RICKY advised that he saw a white male subject with blonde hair and a white shirt walking toward them. He advised that someone went out and told him to leave because he had a gun. RICKY believed that the male subject was looking for someone who owed him money. He then saw the male subject turn and walk away toward 1st Avenue. RICKY advised that approximately five minutes later, a bunch of people were arguing on the street, and he saw a male subject who he described as being 18 or 19 years of age. He advised that this male subject had a "tannish" complexion (possibly Native American or Hispanic) and stood approximately 5'8" in height. He advised that this subject was carrying an aluminum bat. RICKY advised that RICHARD approached him, and they bumped chests. The guy then struck RICHARD on the back of the head with a bat. RICKY advised that when the bat struck RICHARD's head, he heard a "clank." The guy then struck RICHARD two more times before RICHARD grabbed him, and they fell against a red van parked one and a half houses away from where the party was at. RICKY advised that he then heard a gun shot and when RICHARD went to the ground, he saw a guy strike RICHARD in the head with a black pipe, which he said, "looked like a piece of metal wrapped with black electrical tape." He was unable to provide a description of the subject who struck RICHARD with the black pipe. RICKY advised that the blonde male subject from earlier then pointed the gun at RICKY and then pointed

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it at RICHARD. RICKY advised that every time he tried to move closer to RICHARD in order to help him, the blonde male subject pointed the gun back at him, and he began to fear for his life as he thought that the male subject was going to shoot him in the head. RICKY described the gun as being a semi-auto (black in color). He advised that he believed that it was a .22 caliber from the sound it made when he heard it fire. RICKY advised that he then saw RICHARD roll off, and they all got up, and there was a lot of screaming. He then saw the suspects run through a corner lot, running toward 1st Avenue. RICKY advised that everyone then started to leave the area, and friends then took RICHARD and TJ to the hospital. RICKY advised that he remained on the scene to await the arrival of the police. He then responded to the hospital to check on RICHARD and TJ. RICKY advised that each time he tried to move toward RICHARD to help him and to take the bat away so as to prevent it from striking RICHARD, the blonde male subject would point the gun at him. RICKY advised that he is having a hard time sleeping, and he keeps seeing the incident play over and over in his head. He advised that he is currently seeing a counselor and will discuss this matter with him. RICKY advised that he will possibly be able to identify the subject with the gun if a photo line-up was presented to him. He advised that he would be willing to identify the subject. The interview with RICKY then concluded at 1350 hours.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE 5154 DICTATED: 0838 HOURS / 5/27/05

INVESTIGATIVE TIME: 1 HOUR
LAW INCIDENT #: 05-P10793
STENO INITIALS: LML
DATE & TIME
TRANSCRIBED: 1245 HOURS / 5/27/05

#1-GENERAL NARRATIVE:

1. BRIEF SYNOPSIS OF EVENTS:

None.

2. DOCUMENTS OF EVIDENCE:

None.

3. NARRATIVE:

On 5/26/05 at 1410 hours, HAILEY MERRILL (4/11/85) voluntarily responded to the police department for an interview. During the interview, MERRILL provided the following account in regards to the events that took place on the night of this incident.

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On 5/21/05, she got off work at Sizzler at approximately 2300 hours. HAILEY advised that she met her boyfriend, ERIC DAVIS, in the Winco parking lot, and they responded to CHRIS DOWNS' house, where LEVI SPANGLER (ERIC's cousin) was staying at. HAILEY advised that ERIC received a phone call from LD UNDERWOOD, who was advising that there was going to be a fight on 1st Avenue. She and ERIC then drove to BRENNAN NYSTROM's house on 2nd Avenue, and they arrived there at approximately 2340 hours. HAILEY advised that she remembered seeing JEREMY BROWER, DEBBIE GARCIA, RICHARD LATTIMER, KERRY LATTIMER, BRANDI LUDWIG, TJ SOLOMON, and a blonde girl who lived nextdoor. She advised that she was unsure of this subject's name. She also saw TJ's older brother and cousin. She advised that there were other subjects at the residence, but she didn't know their identities. HAILEY advised that she spoke with TJ and BRENNAN for six to seven minutes, and JEREMY BROWER offered them alcohol, but they declined the alcohol. She advised that LD then came into the residence, advising that there were two subjects in the street. HAILEY advised that she and ERIC then went outside, and ERIC walked down and spoke with the two subjects and told them to leave. She advised that he told them to show some respect for the bachelor party. He also told them that they didn't want any trouble at the residence, and he then asked them to leave the area. HAILEY described one of the male subjects as wearing a white sweatshirt, and the other subject was wearing a black hat. HAILEY advised that she saw one of the male subjects pull out a gun and then ask ERIC if he wanted it in his chest or knees. HAILEY advised that ERIC then put up his hands and backed up two steps. He then told them that he would fight them if they put the gun away. HAILEY advised that the subjects started to walk away, and HAILEY and ERIC started to walk toward their car. They then heard a gunshot. HAILEY advised that they heard people screaming and yelling, and then people began to run everywhere. HAILEY advised that ERIC was yelling at her, telling her to get into the car because they needed to get out of the area because he currently had a warrant for his arrest, and he didn't want to be there when the police arrived. HAILEY advised that she saw TJ in front of the car, and he had advised that he had been shot. BRANDI LUDWIG then came up to the window of their car and asked if they would take RICHARD to the hospital, and they advised that they would if he was ready to leave immediately. HAILEY advised that BRANDI LUDWIG then disappeared, and she didn't respond back, so they took off, leaving the area. She advised that they drove her car around the block five to six times, and ERIC told her that she needed to call 911 to make a report with the police. HAILEY advised that she called 911 and when they drove down 1st Avenue, they saw ROSS with his baby, and ERIC yelled out the window to ROSS, "That's fucked up."

HAILEY advised that as they were leaving the area, they obtained two license plate numbers on a red Jeep (1B30533) and a silver Eclipse (2P17736). She advised that she thought that she had given these license plate numbers to someone so that this information could be provided to the police. She advised that she logged them into her cell phone. HAILEY advised that she and ERIC then went to his old trailer, where he used to live (West Griffith Road), and they then responded home. HAILEY advised that she would possibly be able to identify subjects if a photo line-up was provided to her. She further advised that she would be willing to look at a line-up at a future time. The interview with HAILEY was then concluded at 1500 hours. The interview with HAILEY was videotaped, and the tape was later logged into property, where it was placed into evidence.

End of report.

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SUPPLEMENTAL NARRATIVE:

OFFICER: COLLINS 5129 DICTATED: 2009 HOURS / 5/25/05

INVESTIGATIVE TIME: 1 HOUR
LAW INCIDENT #: 05-P10793
STENO INITIALS: LML
DATE & TIME
TRANSCRIBED: 1315 HOURS / 5/27/05

#1-GENERAL NARRATIVE:

1. BRIEF SYNOPSIS OF EVENTS:

None.

2. DOCUMENTS OF EVIDENCE:

None.

3. NARRATIVE:

On 5/25/05 at approximately 1800 hours, I was contacted at the Pocatello Police Department by JARED SOLOMON. SOLOMON was escorted to an interview room in the detective division. At this time, I questioned SOLOMON as to knowing why he was at the police department. SOLOMON advised that he had spoken with Detective HIGBEE earlier on the telephone, and he was at the police department because of the incident that had occurred on the past Saturday night. In speaking with SOLOMON, he advised that he had been at BRENNAN NYSTROM's house. He advised that he believed that NYSTROM's house was located somewhere on South 2nd Avenue, but he didn't know the exact numeric address of the location of the house. He advised that he was at the house on Saturday night on 5/21/05, and a disturbance had occurred at the residence sometime between 2330 hours and 0000 hours on 5/22/05. He advised that he came to the residence for a bachelor party. In speaking with SOLOMON, I questioned him in regards to who else was at the residence. He advised that besides himself, JOSH SOLOMON, TJ SOLOMON, RICHARD LATTIMER, KERRY LATTIMER, RUSSELL LATTIMER, BRENNAN NYSTROM, and four or five other male subjects were also at the residence. He advised that he didn't know these other four or five subjects. JARED SOLOMON advised that while he was there, he was outside the residence and was standing in the front yard area of the residence when three subjects showed up. He advised that these subjects stated that they were looking for someone. At this time, JARED SOLOMON advised that he couldn't remember the name of the subject that they were apparently looking for. He stated that these subjects were not invited. He advised that these three subjects had all gone into the house. He advised that they had looked throughout the house for this subject. He advised that they were told that the subject wasn't there on several occasions, and they didn't know who this subject was. He also stated that these three subjects

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were told to leave the residence. In speaking with SOLOMON, he advised that one of these three subjects was described as being an Indian male subject. He advised that he was between 27 and 28 years of age. He further advised that he was approximately 5'10" in height and weighed around 300 pounds. He stated that he had short hair and was wearing a baseball cap. The next subject he described was a Hispanic male subject in his 20's. He described this subject as being approximately 5'6" in height and weighed about 100 pounds. He also described a white male subject that was present who was in his 20's and was approximately 5'10" to 6'0" in height. He advised that he believed that this subject had a goatee, and he was wearing a sweatshirt with a hood, and the hood was on his head. He advised that this subject was also wearing a baseball cap underneath the hood. JARED SOLOMON advised that he didn't know the names of any of these subjects. He stated that after these subjects left, they then returned back to the residence ten to 15 minutes later, and they had four to five other subjects with them. He stated that when these subjects arrived, they were immediately told to leave, but they refused to do so. At this time, JARED SOLOMON advised that he was getting ready to fight with these subjects when one of the subjects pulled out a gun. JARED SOLOMON advised that he didn't actually see the gun or see who had the gun. He advised that it was either BRENNAN or TJ that had yelled that there was a gun. He advised that after one of these subjects had yelled that there was a gun, everyone then backed off, and these suspects then left the area. SOLOMON then advised that this same group of suspects then arrived back to the residence approximately five minutes later. JARED SOLOMON advised that they were all standing in the front yard area and when the suspects came back to the area, RICHARD LATTIMER had pushed one of the suspects. The suspect apparently had a baseball bat, and he (the suspect) then struck RICHARD in the head with the baseball bat. JARED SOLOMON advised that it was very dark at this time, and he didn't really see what was occurring other than the fact that there were a lot of people there. JARED SOLOMON also stated that he didn't see specifically which suspect had the baseball bat. He did state that after RICHARD had been struck by the baseball bat, he attempted to go "back after the suspect with the baseball bat." The suspect with the baseball bat then struck RICHARD in the head again. JARED SOLOMON then stated that TJ SOLOMON was attempting to go after the suspect with the baseball bat. TJ was then shot by the subject who had the gun. JARED advised that he did hear the gunshot and shortly after the gunshot, TJ SOLOMON came running back to the area of the front porch and was advising that he had been shot. SOLOMON stated that he was still in the front yard area when all of this was occurring. JARED SOLOMON advised that at this time, all of the suspects then left the area. SOLOMON advised that TJ SOLOMON and RICHARD LATTIMER were then transported to the hospital in private vehicles. In speaking with SOLOMON, he advised that he didn't know who any of the suspects were. He advised that he could possibly recognize them if he were to see them again. He was only able to provide descriptions of the first three suspects who had originally shown up to the residence.

In questioning SOLOMON, I questioned him in regards to the vehicles that the suspects had arrived in. He then advised that he didn't see their vehicles, but he was told by someone else that they had been operating a copper in color Dodge Lancer or Mitsubishi Eclipse. JARED SOLOMON advised that he had previously given this information as well as a license plate number to the police when they had originally responded. SOLOMON advised that he didn't have any further information to provide to me in regards to this disturbance. He was then advised that he may be contacted at a later time. He advised that he would be willing to cooperate in any way possible.

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End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: DANIELS 5170 DICTATED: 0826 HOURS / 05/26/05

INVESTIGATIVE TIME: UNKNOWN
LAW INCIDENT #: 05-P10793
STENO INITIALS: KSB
DATE & TIME
TRANSCRIBED: 2109 hours / 05/27/05

#1-GENERAL NARRATIVE:

1. BRIEF SYNOPSIS OF EVENTS:

None.

2. DOCUMENTS OF EVIDENCE:

None.

3. NARRATIVE:

On 05/25/05 BRENNAN NYSTROM came to the Pocatello Police Department for an interview. BRENNAN told me the following. That the party was held at his house because they had been unable to find anywhere else to have the party. BRENNAN stated that there had been a few people who had been coming in and out of the house all evening. He stated that the main guests were RICHARD LATIMER, his brothers, RUSSELL LATIMER, KERRY LATIMER and RICKY LATIMER. There was also a friend of RUSSELL'S at the party, the neighbor girl and a couple of cousins: TJ and JOSH. He believed approximately seven other subjects that he did not know.

BRENNAN stated that earlier in the evening he had been on his back porch smoking and that three "brown guys" had come over to his residence. He stated that one of the subjects was named ROSS and that ROSS lives at 1338 South 1st. Also with ROSS was a larger Indian male and a little white guy. BRENNAN stated that the three had just walked into his house. When he contacted them they had told him that they were looking for a MIKE HILL and that HILL owed them \$50. BRENNAN stated that he talked to ROSS because he knew ROSS. He asked the subjects to leave which they did.

BRENNAN stated that later in the evening he went to the front porch to smoke. As he was walking out of the front door he heard the shot and that he jumped down and got by the van. BRENNAN stated that he had found a shell casing. BRENNAN stated that he did not see anyone with a weapon. He had not seen subjects come up to the party, due to the fact that he had been in the house.

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He stated that he did not see ROSS or the other two at that point in the evening. The only time he had seen them was earlier in the evening when he kicked them out of the house. BRENNAN does not know who fired the shot nor had any other weapons with them.

BRENNAN assumed that they were having a party at 1338 South 1st and that there had been a lot of people there due to the fact that they are always having parties there. BRENNAN stated that he then went to the hospital with the subjects. He has no further information.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: MATSON 5145 DICTATED: 0319 HOURS / 5/26/05

INVESTIGATIVE TIME: 5 MINUTES
LAW INCIDENT #: 05-P10793
STENO INITIALS: LML
DATE & TIME
TRANSCRIBED: 1440 HOURS / 6/1/05

#1-GENERAL NARRATIVE:

1. BRIEF SYNOPSIS OF EVENTS:

None.

2. DOCUMENTS OF EVIDENCE:

None.

3. NARRATIVE:

On 5/25/05, upon beginning my shift, I had received the tape recorded 911 call in an envelope that was located in my mailbox. This call had come in through the 911 service. Subsequently, I placed the 911 tape in a cassette package, and I placed it into evidence locker #10 for evidentiary purposes.

End of report.

SUPPLEMENTAL NARRATIVE:

OFFICER: HIGBEE #5154 DICTATED: 1130 HOURS

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10:05

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LAW INCIDENT #: 05-P10793
INVESTIGATIVE TIME: 1 HOUR

DOCUMENTS OF EVIDENCE TO BE FILED IN RECORDS:

10 pages from Portneuf Medical Center consisting of the medical records for RICHARD LATTIMER. They will be filed in records and a copy kept in the working case file.

NARRATIVE:

On 5/31/05 I received 10 pages from Portneuf Medical Center regarding the treatment of RICHARD LATTIMER. I placed the originals in records. I sent to the Department of Motor Vehicles requesting a photo line up on ROBERT NICHOLS, WOODROW GRANT, JOSHUA SORENSON, and WILLIAM OTTOGARY. DMV E-mailed me a photo line up on GRANT, SORENSON, and NICHOLS. They were unable to provide one for OTTOGARY.

I contacted BRANDI LUDWIG and requested for her and RICHARD LATTIMER to come in and view the line up. She said she would contact RICHARD and make arrangements.

End.

CH

ORIGINAL

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE

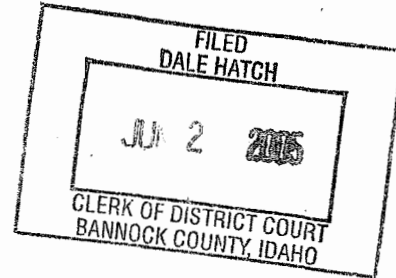
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

MAGISTRATE DIVISION

STATE OF IDAHO,)
)
 Plaintiff,)
)
 vs.)
)
 WOODROW JOHN GRANT,)
 518-13-0042)
 02-17-85)
)
 Defendant.)

DOCKET # CR-2005-10538 FE

MINUTE ENTRY AND ORDER



- An Affidavit of Probable Cause
- Complaint
- Citation
- Sworn Statement

having been presented to the undersigned magistrate on this date charging the Defendant with the crime(s) of:

AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b)

A WARRANT OF ARREST is issued setting bond in the amount of \$ 20,000.00

A SUMMONS is issued requiring the Defendant to appear to answer to the charge(s) on _____.

A PROBABLE CAUSE determination is made:

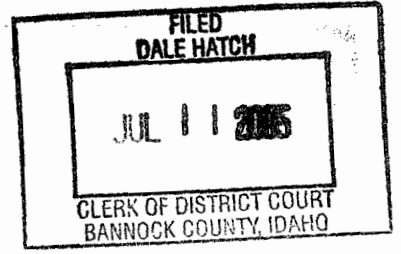
- defendant is released O.R.
- requiring incarceration of the defendant:
- bond(s) is/are set in the amount(s) of: \$ _____
- bond(s) is/are to be determined at arraignment.

IT IS SO ORDERED this 17 day of June, 2005, and signed at 3:30 o'clock P.M.

Robert C. Noss
 SIXTH DISTRICT MAGISTRATE JUDGE

2005-10538
X

Madras Grant
2-17-85 518-13-0042
445 Cleveland St
Am Falls, 83211



Richard Lattimer

3/30/84

551 El Rancho #8

530049139 237.9674
Also Tyler Joe Solomon

518-29-1747, 775-3167 DOB=42588

Address 215 Commercial St
BC IC

8
Robert C. Noyz

July

2005
Joy Holm

Madras Grant 7.8.05

4/8/05

4:30 PM

BCCH

Maria Cardoso

Bridge # 3395

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

FILED
LE HATCH
JUL 11 2005
CLERK OF DISTRICT COURT
BANNOCK COUNTY, IDAHO

Charge/Case No. 2005-10538

STATE OF IDAHO,

Plaintiff,

vs

Andrew Grant

Defendant.

**ORDER TO MEET WITH
PUBLIC DEFENDER**

FELONY CHARGE(S)

YOU ARE HEREBY ORDERED to meet with the Public Defender:

Tuesday, on _____, 200__ at _____ p.m.

Thursday, on _____, 200__ at _____ p.m.

Tuesday, on July 12, 2005 at 2:30 p.m., **IF**

YOU BOND OUT OF JAIL.

The Public Defender's office is located in the brick building found on the northeast corner of the parking lot of the Courthouse facing Clark Street.

When you appear for your appointment, you are ordered to bring the following:

- * The date and time of your preliminary hearing;
- * The name of the judge who will be hearing your preliminary hearing;
- * Any information regarding the specific felony charge that has been filed against you;
- * The names and addresses of witnesses who can help you in your defense.

If you do not appear for this scheduled appointment, the Court will revoke your O.R. release or will revoke your bond and will issue a warrant for your arrest.

The secretary in the Public Defender's office is ordered to notify the Court in writing if you fail to appear for this scheduled appointment.

IT IS SO ORDERED this 8 day of July, 2005

Judge Robert C. Nagge

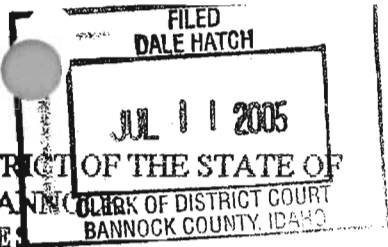
RECEIPT

I HEREBY ACKNOWLEDGE that I have read and received this Order to Appear this

8th day of July, 2005.

Andrew Grant
Defendant

ORDER TO MEET WITH PUBLIC DEFENDER



IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK COURT ARRAIGNMENT MINUTES

STATE OF IDAHO,

Plaintiff,

vs

Case # 7-19-05-0538

Date: 7-8-05

Judge: Party

Charge/s: Aggravated Battery

Woodrow Grant
Defendant

Page # 2769 Beginning 5903 and 6291

APPEARANCES:

- Defendant with Attorney: _____
- Interpreter: _____ Prosecutor: _____
- The Defendant is informed of the charges against him/her and all legal rights, including the right to counsel
- Requested Court Appointed Counsel, the Court appointed denied the Public Defender,
- Will Obtain Own Counsel.
- Waived reading of complaint
- Requested reading of complaint

PRELIMINARY HEARING:

Statutory time waived Preliminary Hearing Set July 19, 05
 at 9:30 A.m. before Judge Grant, Room # 119
 in Pocatello, Bannock County, Idaho.

Defendant shall contact the Public Defender immediately and schedule an appointment.

OTHER: _____

BAIL SET \$5000.00

RELEASED: _____ Condition of Release: W. Grant

Date: July 8, 05

Robert C. Nogg
Judge

Woody Grant
Defendant

cc: Defendant Mailed Hand Delivered

Attorney for Defendant Mailed Hand Delivered


Prosecuting Attorney Mailed Hand Delivered

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I served a copy of the foregoing Court Arraignment Minutes on the 8 day of July 2005 as hereinbefore indicated in these minutes.

[Signature]
Deputy Clerk

Douglas K. Dykman, Esquire
 1246 Yellowstone Avenue, A-4
 P.O. Box 4981
 Pocatello, Idaho 83205-4981
 Telephone: (208) 237-8300
 Facsimile: (208) 237-8300
 E-Mail : Dykman@att.myrf.net
 State Bar No. 3926

FILED
 BANNOCK COUNTY
 CLERK
 2005 JUN 14 AM 10:35


Attorney for Defendant

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
 THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

| | | |
|---------------------|---|-----------------------------|
| STATE OF IDAHO, |) | |
| |) | Case No. CR-2005-0010538-FE |
| Plaintiff, |) | |
| |) | |
| vs. |) | REQUEST FOR DISCOVERY |
| |) | AND INSPECTION |
| WOODROW JOHN GRANT, |) | |
| |) | |
| |) | |
| Defendant. |) | |
| |) | |

TO: Bannock County Prosecutor; 624 E. Center Pocatello ID 83201:

PLEASE TAKE NOTICE that the above-named Defendant, Woodrow John Grant, by and through his attorney of record, Douglas K. Dykman, pursuant to Rule 16 of the Idaho Criminal Rules requests discovery and inspection of the following information, evidence, and materials:

1. STATEMENT OF DEFENDANT: Inspection and copying or photographing any relevant written or recorded statements made by the Defendant, or copies thereof, within the possession, custody or control of the state, the existence of which is known or is available to the prosecuting attorney by the exercise of due diligence; and also the substance of any relevant, oral statement

made by the Defendant whether before or after arrest to a peace officer, prosecuting attorney or his agent; and the recorded testimony of the Defendant before a grand jury which relates to the offense charged.

2. **STATEMENT OF CO-DEFENDANT:** Inspection and copying or photographing any written or recorded statements made by any Co-Defendant; and also the substance of any relevant oral statement made by any Co-Defendant whether before or after arrest in response to interrogation by any person known by the Co-Defendant to be a peace officer or agent of the prosecuting attorney.

3. **DEFENDANT'S PRIOR RECORD:** Furnishing of such copy of Defendant's prior criminal record, if any, as is now or may become available to the prosecuting attorney.

4. **DOCUMENTS AND TANGIBLE OBJECTS:** Inspecting and copying or photographing books, papers, documents, photographs, tangible objects, buildings, or places, or copies or portions thereof, which are in the possession, custody, or control of the prosecuting attorney and which are material to the preparation of the defense, or intended for use by the prosecuting attorney as evidence at trial, or obtained from or belonging to the Defendant.

5. **REPORTS OF EXAMINATIONS AND TESTS:** Inspecting and copying or photographing any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with this case, or copies thereof, within the possession, custody or control of the prosecuting attorney, the existence of which is known or is available to the prosecuting

attorney by the exercise of due diligence.

6. **STATE WITNESSES:** Furnishing of a written list of the names and addresses of all persons having knowledge of relevant facts who may be called by the state as witnesses at the trial, together with any record of prior felony convictions of any such person which is within the knowledge of the prosecuting attorney. Furnishing the statements made by the prosecution witnesses or prospective prosecution witnesses to the prosecuting attorney or his agents or to any official involved in the investigatory process of the above case unless a protective order is issued as provided in Rule 16(k).

7. **POLICE REPORTS:** Furnishing reports and memoranda in the prosecuting attorney's possession which were made by a police officer or investigator in connection with the investigation or prosecution of the above case.

8. **POLICE PROCEDURE:** The prosecuting attorney shall set forth in detail the acts, conduct and procedure followed by any peace officer or agent of the prosecuting attorney at the time of any contact with the Defendant specifically indicating warnings against self-incrimination, right to counsel, or any advice, threats, promises, or statements made to Defendant including date, time, place and names and addresses of all persons present.

9. **CONTINUING REQUEST:** This is a continuing request and the prosecuting attorney shall file supplemental responses and serve the same upon the Defendant's attorney as may from time to time be required to correctly set forth all further and different

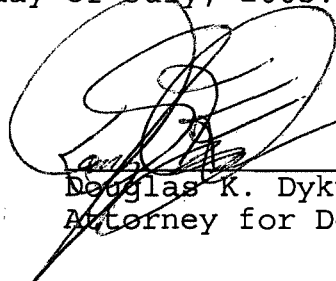
information obtained by the prosecuting attorney.

10. **EXCULPATORY EVIDENCE:** The Defendant requests to inspect and copy or photograph, or otherwise be furnished, any information and material known to the Plaintiff, or its agents or investigators, or the attorney for the Plaintiff or available to the State through due diligence, which could or may be exculpatory with regard to the guilt of the Defendant, which could or may be favorable to the Defendant on the issue of punishment.

11. **EVIDENCE:** Information admitted from such responses and from supplemental responses shall be offered or admitted in evidence at trial of this action, except for good cause shown to the satisfaction of the Court. If the matter so admitted was not known to, or available to the prosecuting attorney by the exercise of due diligence and that the offering thereof, or the admitting thereof in evidence will not constitute undue surprise to such Defendant or prejudice the right of the Defendant to a fair trial it shall be admitted into evidence.

The undersigned requests responses and copies of all documents by 5:00 p.m. on July 29, 2005, at POB 4981 Pocatello, ID 83205-4981. Defendant further provides notice that the State, pursuant to Rule 16 of the Idaho Criminal Rules, has a continuing duty to supplement discovery responses and has a duty to exercise due diligence in the gathering and discovering of the evidence requested.

DATED this 14th day of July, 2005.



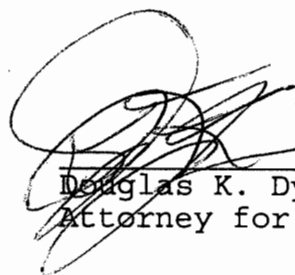
Douglas K. Dykman
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of July, 2005 a true and correct copy of the foregoing REQUEST FOR DISCOVERY was served upon the following attorney of record by:

Mark L. Hiedeman
Bannock County Prosecutor
624 E. Center
Pocatello ID 83201

[] U.S. Mail
[X] Hand Delivery
[] Facsimile



Douglas K. Dykman
Attorney for Defendant

Gregory C. May
DIAL, MAY & RAMMELL, CHARTERED
216 W. Whitman/P.O. Box 370
Pocatello, ID 83204-0370
Telephone: 208-233-0132
Facsimile: 208-234-2961

FILED
BANNOCK COUNTY
CLERK
JUL 22 PM 3:17

Cai

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,

Plaintiff,

vs.

WOODY GRANT,

Defendant.

CASE NO. *CR-2005-10538-FE*

STIPULATION FOR SUBSTITUTION OF
COUNSEL

COMES NOW the firm of Dial, May & Rammell, Chartered, and Douglas K. Dykman and stipulates to the Substitution of Counsel in the above referenced matter. Dial, May, & Rammell, Chartered acting as new counsel gives notice to the Court and counsel herein that in all further stages of the proceedings herein, Gregory C. May will be appearing as counsel of record for the Defendant.

DATED this 20 day of July, 2005.

Douglas K. Dykman

for _____
Gregory C. May

Gregory C. May
DIAL, MAY & RAMMELL, CHARTERED
234 W. Windsor P.O. Box 379
Pocatello, ID 83204-0379
Telephone: 208-233-0132
Facsimile: 208-234-2941

IN THE DISTRICT COURT OF THE STATE JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO

Plaintiff,

CASE NO.

vs.

STIPULATION FOR SUBSTITUTION OF
COUNSEL

WICHITSA OIL FIELD,

Defendant.

GOESD NOW the Court of Dial, May & Rammell, Chartered, and Douglas R. Birman and agrees to the Substitution of Counsel in the above referenced matter. Dial, May & Rammell, Chartered acting as new counsel gives notice to the Court and counsel herein that in all further stages of the proceedings herein, Gregory C. May will be appearing as counsel of record for the Defendant.

DATED this 20 day of July, 2005.

The image shows two handwritten signatures. The top signature is written in dark ink and is followed by a long horizontal line. The bottom signature is also in dark ink and is followed by a shorter horizontal line. The signatures are somewhat stylized and difficult to decipher.

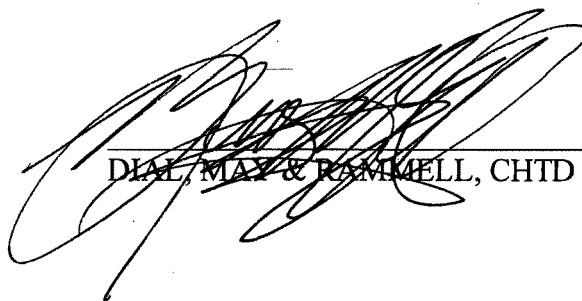
CERTIFICATE OF SERVICE

I certify that on this date a copy of the Stipulation for Substitution of Counsel was served on the following named persons at the addresses shown an in the matter indicated.

Bannock County Public Defenders Office
PO Box 4147
Pocatello, ID 83205-4147

U.S. Mail
 Hand Delivery
 Facsimile

DATED this 20 day of July, 2005.



DIAL, MAY & RAMMELL, CHTD

FILED
CLERK OF DISTRICT COURT
BONNOCOUNTY, IDAHO
2008 JUN 20 PM 5:29

DIAL, MAY & RAMMELL, CHARTERED
216 W. Whitman/P.O. Box 370
Pocatello, ID 83204-0370
Telephone: 208-233-0132
Facsimile: 208-234-2961

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,

Plaintiff,

vs.

WOODY GRANT,

Defendant.

CASE NO. _____

WAIVER OF PRELIMINARY HEARING
TIME

TO THE HONORABLE JUDGE AND PROSECUTING ATTORNEY:

STATE OF IDAHO)
 :SS
County of Bannock)

I, Woody Grant, after being first duly sworn on oath, depose and state and hereby acknowledge that:

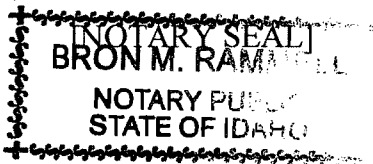
1. I am the above-named Defendant;
2. I am represented by the law firm of Dial, May & Rammell, Chartered, Post Office Box 370, Pocatello, Idaho 83204; and
3. I have the right to a preliminary hearing as provided in Rule 5 of the Idaho Rules of Criminal Practice and Procedure, no later than 14 days after my initial appearance if I am in custody, and no later than 21 days if I am not in custody. My right to a preliminary hearing is also guaranteed under Article 1 §8 & 13 of the Constitution of the State of Idaho.

Having read, and understanding the above rights, I waive my right to have a preliminary hearing within 21 days as provided in Rule 5. I understand that by waiving the time of the Preliminary Hearing, I am not waiving my right to have a Preliminary Hearing.

DATED this 19 day of July, 2005.

Woody Grant

SUBSCRIBED AND SWORN To before me this 19 day of July, 2005.



[Signature]
Notary Public for Idaho
My Commission Expires: ~~7-11-05~~
11-23-210

CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the foregoing was served on the following named persons at the addresses shown and in the manner indicated.

Bannock County Prosecuting Attorney
Post Office Box P
Pocatello, ID 83201

U.S. Mail
 Hand Delivery
 Facsimile

DATED this 19 day of July, 2005.

[Signature]

MARK L. HIEDEMAN
BANNOCK COUNTY PROSECUTING ATTORNEY
P.O. Box P
Pocatello, Idaho 83205-0050
Telephone (208) 236-7280

FILED
BANNOCK COUNTY
JUL 25 11:10 AM '05
Cai

VIC A. PEARSON, ISB #6429
Assistant Chief Deputy Prosecuting Attorney

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

| | | |
|-----------------|---|---------------------------|
| STATE OF IDAHO, |) | |
| |) | |
| Plaintiff, |) | CASE NO. CR-2005-10538-FE |
| |) | |
| vs. |) | MOTION TO CONTINUE |
| |) | |
| WOODROW GRANT, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

COMES NOW, the State of Idaho, by and through VIC A. PEARSON, Deputy Prosecuting Attorney for Bannock County, Idaho, and respectfully moves this Court for an Order continuing the PRELIMINARY HEARING scheduled on the 2nd day of August, 2005, at the hour of 9:30 a.m., before the Honorable RONALD M. HART on the grounds and for the reason that the witness Brandi Ludwig will be out of town the 1st thru the 6th of August.

DATED this 25 day of July, 2005.



VIC A. PEARSON
Deputy Prosecuting Attorney

CERTIFICATE OF DELIVERY

I **HEREBY CERTIFY** That on this 25 day of July, 2005, a true and correct copy of the foregoing MOTION TO CONTINUE was delivered to the following:

DOUGLAS K. DYKMAN
ATTORNEY AT LAW
P.O. BOX 4981
POCATELLO, ID 83205

mail -
postage prepaid
 hand delivery
 facsimile



VIC A. PEARSON

SIXTH JUDICIAL DISTRICT COURT STATE OF IDAHO
IN AND FOR THE COUNTY OF BANNOCK
MAGISTRATE DIVISION

FILED
DALE HATCH
AUG 16 2005
CLERK OF DISTRICT COURT
BANNOCK COUNTY, IDAHO

STATE OF IDAHO,)

Plaintiff.)

vs.)

Woodrow John Grant)
445 Cleveland)
American Falls, ID, 83211)

Defendant.)

DOB:)

DL or SSN: [REDACTED] ID)

) Case No: CR-2005-0010538-FE

) **MINUTE ENTRY AND ORDER**
) **BINDING DEFENDANT OVER**
) **TO DISTRICT COURT**

The above-entitled matter was before the court on Tuesday, August 16, 2005 for preliminary hearing on the charge(s) of AGGRAVATED BATTERY, I.C. 18-903 and 18-907(1)(a) and/or (b). The Honorable Ronald Hart presided. The State was represented by Vic A Pearson. The defendant appeared in person and through counsel, Braun Rammell.

The state called the following witnesses and introduced the following exhibits: Richard Lattimer, Brandy Lattimer and T.J. Solomon.

The defendant introduced the following exhibits: exhibit A and B (map drawing) were marked, identified and admitted into evidence.

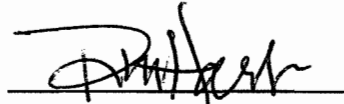
The court reviewed the evidence and testimony and concluded the public offense(s) listed above was/were committed in Bannock County, and found reasonable grounds to believe the defendant committed said offense(s).

IT IS THEREFORE ORDERED that the defendant be bound over to the district court and held to answer to the charge(s) listed above.

Bond status: The defendant is released on a \$5,000.00 Surety Bond.

The court ORDERED the defendant to stay in contact with his/her attorney and attend all future court proceedings.

IT IS SO ORDERED this Tuesday, August 16, 2005.

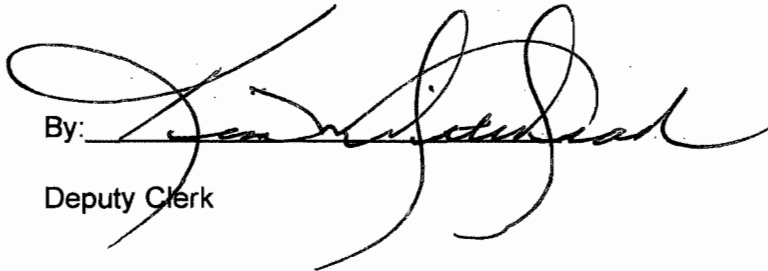


RONALD HART
MAGISTRATE JUDGE

I certify that on Tuesday, August 16, 2005 I served a true and correct copy of the foregoing **Minute Entry and Order Binding the Defendant Over to District Court** on the person(s) listed below by hand delivery or mail with correct postage.

| | |
|--|---|
| Vic A Pearson Bannock County Prosecutors Office P O Box P Pocatello, ID 83205 | Braun Rammell Po Box 370 Pocatello ID 83204 |
|--|---|

Dale Hatch
Clerk Of The District Court

By: 
Deputy Clerk

MARK L. HIEDEMAN
 BANNOCK COUNTY PROSECUTOR
 P.O. BOX P
 POCATELLO, IDAHO 83205
 Telephone: (208) 236-7280

FILED
 BANNOCK COUNTY
 CLERK OF DISTRICT COURT

2005 AUG 10 PM 2:01

BY Cai
 DEPUTY CLERK

VIC A. PEARSON
 Assistant Chief Deputy Prosecuting Attorney
 ISB #6429

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

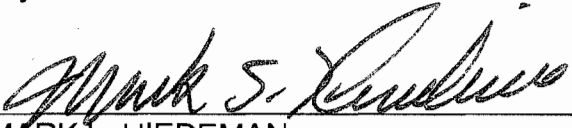
| | | |
|---------------------|---|---------------------------|
| STATE OF IDAHO, |) | |
| |) | |
| Plaintiff, |) | CASE NO. CR-2005-10538-FE |
| |) | |
| vs. |) | PROSECUTING ATTORNEY'S |
| |) | INFORMATION |
| WOODROW JOHN GRANT, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

MARK L. HIEDEMAN, Prosecuting Attorney, in and for Bannock County,

State of Idaho, who, in the name and by the authority of said State prosecutes in its behalf, in proper person comes into said District Court in the County of Bannock, State of Idaho, on the 16th day of August, 2005, and gives the Court to understand and be informed that WOODROW JOHN GRANT is accused by this information of the crime of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b), committed as follows, to-wit:

That the said WOODROW JOHN GRANT, in the County of Bannock, State of Idaho, on or about the 21st of May, 2005, did willfully and unlawfully use force or violence upon the person of another, TYLER SOLOMON, by either the use of a deadly weapon or instrument and/or causing great bodily harm or permanent disability or permanent disfigurement by shooting TYLER SOLOMON with a gun.

All of which is contrary to the form of the statute in such case in said State made and provided and against the peace and dignity of the State of Idaho.



MARK L. HIEDEMAN
Prosecuting Attorney
Bannock County, Idaho

STATE OF IDAHO)
) ss.
COUNTY OF BANNOCK)

I, DALE HATCH, Clerk of the District Court of the Sixth Judicial District, in and for the County of Bannock, State of Idaho, do hereby certify that the foregoing is a true and correct copy of the original information filed in my office on the _____ day of _____, _____.

Clerk

Deputy

2005 AUG 25 PM 1:59

BY  DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
IN AND FOR THE STATE OF IDAHO, COUNTY OF BANNOCK**

| | | |
|----------------------------|---|--------------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR2005-10538FE |
| Plaintiff |) | |
| |) | MINUTE ENTRY AND ORDER |
| vs. |) | |
| |) | |
| WOODROW JOHN GRANT, |) | |
| 518-13-42 |) | |
| 02-17-1985 |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

The above named Defendant came before the Court for arraignment on the 22nd of August, 2005, with counsel, Bron Rammel. Vic A. Pearson, Assistant Chief Deputy Bannock County Prosecuting Attorney, appeared on behalf of the State of Idaho.

When asked by the Court, the Defendant stated that his true name is as shown on the Prosecuting Attorney's Information. Reading of the Information was waived and a certified copy of the same was handed to counsel for defendant.

When asked by the Court the Defendant entered a plea of NOT GUILTY to the charge of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b).

Counsel for Defendant moved for a transcript of the Preliminary Hearing. There was no objection.

NOW, THEREFORE, IT IS HEREWITH ORDERED the official court transcriber, Sherrill Grimmett, shall prepare a transcript of the preliminary hearing in this matter held August 16, 2005, before Honorable Ronald Hart, Sixth District Magistrate Judge. The original to be filed with the Court and copies to respective counsel. Statement shall be sent to counsel, Bron Rammel's Office to be paid within 30 days of receipt.

IT IS FURTHER ORDERED that this matter is set for Trial by Jury commencing **Tuesday, December 6, 2005, at 9:00 a.m.**, District Courtroom No. 300, Bannock County Courthouse. Defendant must be present.

IT IS FURTHER ORDERED proposed jury instructions shall be filed on or before **Wednesday, November 30, 2005.**

IT IS FURTHER ORDERED this matter is set for further proceedings on **Monday December 5, 2005, at 8:30 a.m.**, District Courtroom No. 300, Bannock County Courthouse.

There being no objection;

IT IS FURTHER ORDERED that Defendant's \$5,000.00 Surety Bond Release is herewith CONTINUED with the conditions that Defendant appear for all further Court proceedings and cooperate with counsel. Defendant shall also abide by the No Contact Order previously set forth.

IT IS SO ORDERED.

DATED this 22nd day of August, 2005.

Case No. CR2005-10538FE
Minute Entry and Order
Page 2



PETER D. McDERMOTT
District Judge

Copies to:
Mark L. Hiedeman/Vic A. Pearson
Gregory C. May/Bron Rammel
Court Services
Sherrill Grimmett
Tape: 886: 260
PPD#05-P10793(5-21-05)

Case No. CR2005-10538FE
Minute Entry and Order
Page 3

MARK L. HIEDEMAN
BANNOCK COUNTY PROSECUTING ATTORNEY
P.O. Box P
Pocatello, Idaho 83205-0050
(208) 236-7280

2005 AUG 25 11:40
BY *Cai*
DEPUTY CLERK

VIC A. PEARSON
Assistant Chief Deputy Prosecuting Attorney
ISB #6429

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,)
)
 Plaintiff,)
)
 vs.)
)
 WOODROW JOHN GRANT,)
)
 Defendant.)
 _____)

CASE NO. CR-2005-10538-FE
REQUEST FOR DISCOVERY

TO: BRON RAMMELL, DIAL MAY & RAMMELL, CHARTERED, PO BOX 370,
Pocatello, Idaho; Attorney for the Defendant.

PLEASE TAKE NOTICE that the undersigned, pursuant to Rule 16 of the
Idaho Criminal Rules requests discovery and inspection of the following information,
evidence, and materials:

1. Any books, papers, documents, photographs, tangible objects or copies
or portions thereof, which are within the possession, custody or control of the Defendant,
and which the Defendant intends to introduce at trial in the above-mentioned case.

2. Copies of any and all results or reports of physical or mental examinations and of any scientific tests or experiments made in connection with the above-mentioned case, or copies thereof, within the possession or control of the Defendant which the Defendant intends to introduce at trial, or which were prepared by a witness whom the defendant intends to call at trial when the results or reports relate to testimony of the witness.

3. Describe any and all documents and tangible evidence, not previously disclosed, which Defendant intends to introduce or may introduce at trial.

4. The names and addresses of lay witnesses the Defendant intends to call at trial, and the substance of the testimony of such witnesses.

5. The names and addresses of expert witnesses the Defendant intends to call at trial, and the substance of the testimony of such witnesses.

6. Under Idaho Code §19-519, if you intend to offer evidence of an alibi in your defense, you are hereby required to serve upon me, the undersigned Prosecuting Attorney for Bannock County, Idaho, within ten (10) days, a notice in writing of your intention to claim such alibi which said notice shall contain specific information as the place(s) and time(s) at said place(s) at which you claim to have been on the day of the alleged offense, and as particularly as is known to you or your attorney, the names and addresses of the individual(s) and/or testimonial witnesses by whom you propose to establish such alibi.

7. This is a continuing Request for Discovery and the Attorney for the Defense shall timely file such supplemental responses with the Court and shall serve the same upon the State as may be required from time to time to correctly set forth all further and different information obtained by the Attorney for the Defense.

The undersigned further requests that said information, evidence and

materials be presented to the Office of the Prosecuting Attorney, Bannock County Courthouse, Pocatello, Idaho, on or before the fourteenth day from which it has been signed, or at such other date and time mutually agreed to by counsel.

DATED this 24 day of August, 2005.



VIC A. PEARSON
Deputy Prosecuting Attorney
Bannock County, Idaho

CERTIFICATE OF DELIVERY

I HEREBY CERTIFY That on this 24 day of August, 2005, a true and correct copy of the foregoing REQUEST FOR DISCOVERY was delivered to the following:

BRON RAMMELL
DIAL MAY & RAMMELL
PO BOX 370
POCATELLO, IDAHO 83204-370

mail -
postage prepaid
 hand delivery
 facsimile



VIC A. PEARSON

Bron M. Rammell, Esq.
DIAL, MAY & RAMMELL, CHARTERED
216 W. Whitman/P.O. Box 370
Pocatello, Idaho 83204-0370
Telephone: 208-233-0132
Facsimile: 208-234-2961
Idaho State Bar No. 4389

2005 AUG 25 PM 3:03
BY *Car*
DEPUTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,

Plaintiff,

vs.

WOODY GRANT,

Defendant.

CASE NO.: CR-2005-10538-FE *C*

REQUEST FOR DISCOVERY

TO: Bannock County Prosecutor

PLEASE TAKE NOTICE that the undersigned, pursuant to Rule 16 of the Idaho Criminal Rules, requests discovery and inspection of the following information, evidence and materials within 14 days from the date of service:

1. Any and all written, recorded or video statements of the Defendant within the possession, custody or control of the State, the existence of which is known or is available to you by the exercise of due diligence; and also the substance of any relevant, oral statement made by the Defendant, whether before or after arrest, to a peace officer, you, or your agent.
2. Any and all statements of a co-defendant, written, recorded, or video within the possession, custody or control of the State, the existence of which is known or is available to you by the exercise of due diligence; and also the substance of any relevant, oral statement made by any co-defendant, whether before or after arrest to a peace officer, yourself, or your agent.
3. The Defendant's prior criminal record.
4. Any and all documents and tangible objects which are in your possession, custody or

REQUEST FOR DISCOVERY, PAGE 1

control, and which are or may be material to the preparation of the defense, or are intended for use by you as evidence at the trial, or were obtained from, or belong to, the Defendant.

5. Any and all results or reports of physical or mental examinations, and the scientific tests or experiments made in connection with this case, or copies thereof, within your possession, custody or control, or the existence of which are known or are available to you by the exercise of due diligence.

6. The names, addresses and telephone numbers of any and all state witnesses who have knowledge of relevant facts and who may be called by the State as witnesses at the trial, together with any record of prior felony convictions of any such person which is within the knowledge of the Prosecuting Attorney.

7. Any and all reports, memoranda and statements (including audio and video recordings) in your possession which are made by or obtained by a police officer or investigator in connection with the investigation or prosecution of this case.

DATED this 25 day of August, 2005.

DIAL, MAY & RAMMELL, CHARTERED
Attorneys for Defendant

By



BRON RAMMELL

CERTIFICATE OF SERVICE

I certify that on this date a copy of the foregoing was served on the following named persons at the addresses shown and in the manner indicated.

Bannock County Prosecutor
P.O. Box P
Pocatello, ID 83205

U.S. Mail
 Hand Delivery
 Facsimile

DATED this 25 day of August, 2005.



BRON RAMMELL

REQUEST FOR DISCOVERY, PAGE 2

MARK L. HIEDEMAN
BANNOCK COUNTY PROSECUTING ATTORNEY
P.O. Box P
Pocatello, Idaho 83205-0050
(208) 236-7280

2005 SEP -1 PM 4:22

BY Cai
DEPUTY CLERK

VIC A. PEARSON
Assistant Chief Deputy Prosecuting Attorney
ISB#6429

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,)
)
 Plaintiff,)
)
 vs.)
)
 WOODROW GRANT,)
)
 Defendant.)
 _____)

CASE NO. CR-2005-10538-FE *l*

RESPONSE TO REQUEST
FOR DISCOVERY

TO: BROM RAMMELL, Dial, May, & Rammell, Chartered, 216 W. Whitman, P.O. Box 370, Pocatello, ID 83204-0370, Attorney for the Defendant.

COMES NOW, the State of Idaho, by and through VIC A. PEARSON, Assistant Chief Deputy Prosecuting Attorney in and for the County of Bannock, Idaho, and responds to Defendant's Request for Discovery as follows:

RESPONSE NO. 1: Please refer to the enclosed copy of the Pocatello Police Department Report, LI#05-P10793. Also, any and all video and audiotapes have been

RESPONSE - Page 1

requested from Pocatello Police Department and, if in existence, will be provided upon receipt.

RESPONSE NO. 2: Please refer to response number 1.

RESPONSE NO. 3: Please refer to the enclosed copy of the defendant's prior criminal record.

RESPONSE NO. 4: The following is a list of evidence that may be used at the time of trial: photographs, digital recordings, metal pipe, .22 Caliber casing, 13 cassette videos, 911 audiotape, Tyler Solomon's medical statement, police report.

RESPONSE NO. 5: Please refer to the enclosed copy of Tyler Solomon's medical statement.

RESPONSE NO. 6: The following are a list of individuals that may be called to testify at trial:

Paul Tolman – Pocatello Police Department
Chad Higbee – Pocatello Police Department
Trent Whitney - Pocatello Police Department
Matthew Shutes - Pocatello Police Department
Scott Matson - Pocatello Police Department
Allen Jackson - Pocatello Police Department
Kristen Bench - Pocatello Police Department
Joe Kingsley - Pocatello Police Department
Chad Higbee - Pocatello Police Department
Jim Peterson - Pocatello Police Department
Tony Busch - Pocatello Police Department
Cal Edwards – Inkom Police Department

RESPONSE - Page 2

At the present time, to the best knowledge of the plaintiff, the aforementioned individuals have no record of felony convictions.

Richard Lattimer – 551 El Rancho #8, Pocatello, ID 83201

Tyler J. Solomon – 215 Commercial St., Inkom, ID 83245

Kerry Lattimer – 344 N. 15th Ave., Pocatello, ID 83201

Brennan Nystrom – 1338 S. 2nd Ave., Pocatello, ID 83201

Jeremy Brower – 1460 Pershing Ave., Pocatello, ID 83201

Kaitlin Lewis – 1414 Pershing Ave., Pocatello, ID 83201

Brandi Ludwig – 551 El Rancho # 8, Pocatello, ID 83201

Brandi Romero – 5321 Hawthorne Rd., Chubbuck, ID 83202

Josh Solomon – 215 Commercial St., Inkom, ID 83245

Rosendo Medrano Jr. – 1338 S. 1st, Pocatello, ID 83201

Jared Solomon – P.O. Box 210 Inkom, ID 83245

Katherine Williams – 1327 S. 2nd Ave. Pocatello, ID 83201

Michael Hill – 136 Jefferson Ave., Pocatello, ID 83201

Shareen Cutler – RR2; Box 54-S, Pocatello, ID 83202

Ricky Lattimer – 1021 Wilson Ave. #15, Pocatello, ID 83201

Hailey Merrill – 845 Lucille Ave., Pocatello, ID 83201

William Ottogary – 1640 S. Von Elm St., #3, Pocatello, ID 83201

Robert Nichols – 445 Garden Oaks, Chubbuck, ID 83202

Debbie Garcia – 3830 Sandpiper Pocatello, ID 83201

Sergio Romero – 399 Taft #2, Pocatello, ID 83201

Lavonna Hunt – 864 Washington #5, Pocatello, ID 83201

Sara Whitmer – 1730 W. Quinn #613, Pocatello, ID 83201

Eric Davis – 450 W. Griffith #7, Pocatello, ID 83201

RESPONSE - Page 3

Logan Underwood – 405 Northland, Pocatello, ID 83201

Mitch Mulholand – 11244 Dempsey Crk Rd., Lava Hot Springs, ID 83246

Larry French – 705 W. McNabb, Inkom, ID 83245

Russell Lattimer – 109 Taft, Pocatello, ID 83201

Zach Hunsaker – 37 Cottonwood, Pocatello, ID 83204

Kaloni Fayle – 402 McKinley, Pocatello, ID 83201

Chris Downs – 64 Cedar Hills Drive, Pocatello, ID 83204

Levi Spangler – 2058 Shetland Street, Pocatello, ID 83202

Please refer to the enclosed Bannock County criminal history on the above-mentioned individuals.

RESPONSE NO. 7: Please refer to response number 4.

The State reserves the right to supplement this response upon receipt of such evidence

DATED this 1 day of September, 2005.



VIC A. PEARSON
Assistant Chief Deputy Prosecuting Attorney

CERTIFICATE OF DELIVERY

I **HEREBY CERTIFY** That on this 1 day of September, 2005, a true and correct copy of the foregoing **RESPONSE TO REQUEST FOR DISCOVERY** was delivered to the following:

BROM RAMMELL,
Dial, May, & Rammell, Chartered,
216 W. Whitman, P.O. Box 370
Pocatello, ID 83204-0370

mail -
postage prepaid
 hand delivery
 facsimile



VIC A. PEARSON

MARK L. HIEDEMAN
BANNOCK COUNTY PROSECUTOR
P.O. BOX P
POCATELLO, IDAHO 83205
Telephone: (208) 236-7280

2005 AUG 18 PM 2:01

BY: *Ca*
DEPUTY CLERK

VIC A. PEARSON
Assistant Chief Deputy Prosecuting Attorney
ISB #6429

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,)
)
 Plaintiff,)
)
 vs.)
)
 WOODROW JOHN GRANT,)
)
 Defendant.)
)

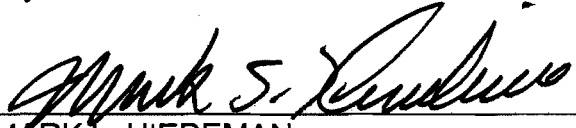
CASE NO. CR-2005-10538-FE *C*
PROSECUTING ATTORNEY'S
INFORMATION

MARK L. HIEDEMAN, Prosecuting Attorney, in and for Bannock County,

State of Idaho, who, in the name and by the authority of said State prosecutes in its behalf, in proper person comes into said District Court in the County of Bannock, State of Idaho, on the 16th day of August, 2005, and gives the Court to understand and be informed that WOODROW JOHN GRANT is accused by this information of the crime of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b), committed as follows, to-wit:

That the said WOODROW JOHN GRANT, in the County of Bannock, State of Idaho, on or about the 21st of May, 2005, did willfully and unlawfully use force or violence upon the person of another, TYLER SOLOMON, by either the use of a deadly weapon or instrument and/or causing great bodily harm or permanent disability or permanent disfigurement by shooting TYLER SOLOMON with a gun.

All of which is contrary to the form of the statute in such case in said State made and provided and against the peace and dignity of the State of Idaho.



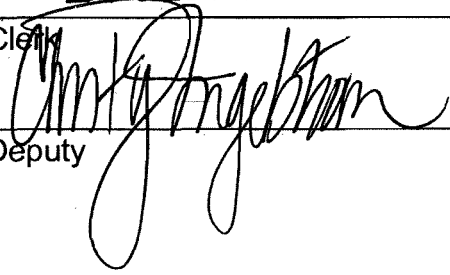
MARK L. HIEDEMAN
Prosecuting Attorney
Bannock County, Idaho

STATE OF IDAHO)
) ss.
COUNTY OF BANNOCK)

I, DALE HATCH, Clerk of the District Court of the Sixth Judicial District, in and for the County of Bannock, State of Idaho, do hereby certify that the foregoing is a true and correct copy of the original information filed in my office on the 18 day of

August, 05.

DALE HATCH

Clerk


Deputy

Bron M. Rammell, Esq.
DIAL, MAY & RAMMELL, CHARTERED
216 W. Whitman/P.O. Box 370
Pocatello, Idaho 83204-0370
Telephone: 208-233-0132
Facsimile: 208-234-2961
Idaho State Bar No. 4389

2005 SEP -2 PM 3:18
BY Cai
DEPUTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,

Plaintiff,

vs.

WOODY GRANT,

Defendant.

CASE NO.: CR-2005-10538-FE

MOTION FOR LEAVE TO WITHDRAW

Bron M. Rammell, the attorney of record for Defendant moves for leave of the Court, pursuant to Idaho Criminal Rule 44.1, to withdraw as attorney of record for the Defendant. The grounds and reasonings for this Motion are contained in the Affidavit of Bron M. Rammell.

DATED this 2 day of September 2005.

DIAL, MAY & RAMMELL, CHARTERED
Attorneys for Defendant

By Bron M. Rammell
for BRON M. RAMMELL

CERTIFICATE OF SERVICE

I certify that on this date a copy of the foregoing *NOTICE OF WITHDRAWAL* was served on the following named persons at the addresses shown and in the manner indicated.

Bannock County Prosecutor
PO Box P
Pocatello, ID 83205

U.S. Mail
 Hand Delivery
 Facsimile

Woody Grant
445 Cleveland
American Falls, ID 83211

U.S. Mail
 Hand Delivery
 Facsimile

DATED this 2 day of September, 2005.



DIAL, MAY & RAMMELL, CHARTERED

2005 SEP -2 PM 3:18
 BY: *Cai*
 DEPUTY CLERK

Bron M. Rammell
 Brian J. Cheney
 DIAL, MAY & RAMMELL, CHARTERED
 216 W. Whitman/P.O. Box 370
 Pocatello, Idaho 83204-0370
 Telephone: 208-233-0132
 Facsimile: 208-234-2961
 Idaho State Bar No. 4389
 Idaho State Bar No. 7058

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
 THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,

 Plaintiff,

 vs.

 WOODY GRANT,

 Defendant.

CASE NO.: CR-2005-10538-FE

 AFFIDAVIT OF BRIAN J. CHENEY

STATE OF IDAHO)
 : ss
 County of Bannock)

I, Brian J. Cheney, being first duly sworn, depose and say:
 1. I am the attorney for the Defendant in this matter.
 2. Defendant has been unable to obtain the funding to retained my law firm
 to represent him at this stage of the case.
 3. I ask this court to allow me to withdraw as counsel so that the Defendant
 can obtain other counsel through whatever means he deems appropriate.

DATED this 2 day of September, 2005.

DIAL, MAY & RAMMELL, CHTD.

B. Cheney

 BRIAN J. CHENEY

CERTIFICATE OF SERVICE

I certify that on this date a copy of the foregoing Affidavit of Brian J. Cheney was served on the following named persons at the addresses shown and in the manner indicated.

Bannock County Prosecutor
PO Box P
Pocatello, ID 83205

U.S. Mail
 Hand Delivery
 Facsimile

Woody Grant
445 Cleveland
American Falls, ID 83211

U.S. Mail
 Hand Delivery
 Facsimile

DATED this 7 day of September, 2005.



DIAL, MAY & RAMMELL, CHARTERED

2005 SEP 13 AM 9:37

BY  DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
IN AND FOR THE STATE OF IDAHO, COUNTY OF BANNOCK**

| | | |
|----------------------------|---|--------------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR2005-10538FE |
| Plaintiff |) | |
| |) | MINUTE ENTRY AND ORDER |
| vs. |) | |
| |) | |
| WOODROW JOHN GRANT, |) | |
| 518-13-42 |) | |
| 02-17-1985 |) | |
| |) | |
| Defendant. |) | |

Defendant came before the Court for further proceedings pursuant to on the 12th of September, 2005, with counsel, Bron Rammel. Jared Olson, Deputy Bannock County Prosecuting Attorney, appeared on behalf of the State of Idaho.

The Court noted Defendant entered a plea of NOT GUILTY to the charge of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b) and the matter was set for Jury Trial Tuesday, December 6, 2005 at 9:00 a.m. and further proceedings, Monday, December 5, 2005.

The Court received oral argument of respective counsel. There was no objection.

NOW, THEREFORE, IT IS HEREWITH ORDERED counsel Bron Rammel's Motion to Withdraw is GRANTED and counsel is WITHDRAWN as counsel of record in this

matter.

IT IS FURTHER ORDERED the Public Defender's Office is herewith APPOINTED to represent Defendant and was previously assigned counsel Douglas K. Dykman, and the Court herewith again APPOINTS Douglas K. Dykman to represent Defendant in all further proceedings.

NOW, THEREFORE, IT IS HEREWITH ORDERED the Preliminary Hearing transcript remains ordered; however, the transcript shall be at public expense. The official court transcriber, Sherrill Grimmett, shall prepare a transcript of the preliminary hearing in this matter held August 16, 2005, before Honorable Ronald Hart, Sixth District Magistrate Judge. The original to be filed with the Court and copies to the State and Douglas K. Dykman.

IT IS FURTHER ORDERED that this matter remains set for Trial by Jury commencing **Tuesday, December 6, 2005, at 9:00 a.m.**, District Courtroom No. 300, Bannock County Courthouse. Defendant must be present.

IT IS FURTHER ORDERED proposed jury instructions shall be filed on or before **Wednesday, November 30, 2005.**

IT IS FURTHER ORDERED this matter is set for further proceedings on **Monday December 5, 2005, at 8:30 a.m.**, District Courtroom No. 300, Bannock County Courthouse.

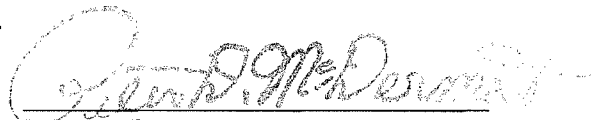
There being no objection;

Case No. CR2005-10538FE
Minute Entry and Order
Page 2

IT IS FURTHER ORDERED that Defendant's \$5,000.00 Surety Bond Release is herewith CONTINUED with the conditions that Defendant appear for all further Court proceedings and cooperate with counsel. Defendant shall also abide by the No Contact Order previously set forth.

IT IS SO ORDERED.

DATED this 12th day of September, 2005.


PETER D. McDERMOTT
District Judge

Copies to:
Mark L. Hiedeman/Vic A. Pearson
Bron Rammel – Withdrawn
Douglas K. Dykman – re-appointed
Court Services
Sherrill Grimmatt
Suzanne Johnson, Trial Court Administrator
Tape: 890:1900
PPD#05-P10793(5-21-05)

Case No. CR2005-10538FE
Minute Entry and Order
Page 3

MARK L. HIEDEMAN
BANNOCK COUNTY PROSECUTING ATTORNEY
P.O. Box P
Pocatello, Idaho 83205-0050
(208) 236-7280

2005 SEP 14 PM 3:22
BY *CA*
DEPUTY CLERK

VIC A. PEARSON
Assistant Chief Deputy Prosecuting Attorney
ISB#6429

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

| | | |
|-----------------|---|---------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR-2005-10538-FE |
| Plaintiff, |) | |
| |) | SUPPLEMENTAL RESPONSE |
| vs. |) | TO REQUEST FOR |
| |) | DISCOVERY |
| WOODROW GRANT, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

TO: BROM RAMMELL, Dial, May, & Rammell, Chartered, 216 W. Whitman, P.O. Box 370, Pocatello, ID 83204-0370, Attorney for the Defendant.

COMES NOW, the State of Idaho, by and through VIC A. PEARSON, Assistant Chief Deputy Prosecuting Attorney in and for the County of Bannock, Idaho, and responds to Defendant's Request for Discovery as follows:

RESPONSE NO. 1: Please refer the enclosed copy of the DVD's and audiotapes.

RESPONSE NO. 2: Please refer to response number 1.

RESPONSE NO. 7: Please refer to response number 1.

The State reserves the right to supplement this response upon receipt of such evidence

DATED this 14 day of September, 2005.



VIC A. PEARSON
Assistant Chief Deputy Prosecuting Attorney

CERTIFICATE OF DELIVERY

I **HEREBY CERTIFY** That on this 14 day of September, 2005, a true and correct copy of the foregoing **SUPPLEMENTAL RESPONSE TO REQUEST FOR DISCOVERY** was delivered to the following:

BROM RAMMELL,
Dial, May, & Rammell, Chartered,
216 W. Whitman, P.O. Box 370
Pocatello, ID 83204-0370

mail -
postage prepaid
 hand delivery
 facsimile


VIC A. PEARSON

MARK L. HIEDEMAN
BANNOCK COUNTY PROSECUTING ATTORNEY
P.O. Box P
Pocatello, Idaho 83205-0050
(208) 236-7280

2005 SEP 15 11:10:38
BY *Cari*
DEPUTY CLERK

VIC A. PEARSON
Assistant Chief Deputy Prosecuting Attorney
ISB#6429

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,)
)
 Plaintiff,)
)
 vs.)
)
 WOODROW GRANT,)
)
 Defendant.)
 _____)

CASE NO. CR-2005-10538-FE
*****AMENDED*****
SUPPLEMENTAL RESPONSE
TO REQUEST FOR
DISCOVERY

TO: DOUGLAS K. DYKMAN, ATTORNEY AT LAW, PO BOX 4981, Pocatello, Idaho;
Attorney for the Defendant.

COMES NOW, the State of Idaho, by and through VIC A. PEARSON, Assistant
Chief Deputy Prosecuting Attorney in and for the County of Bannock, Idaho, and
responds to Defendant's Request for Discovery as follows:

RESPONSE NO. 1: Please refer the enclosed copy of the DVD's and audiotape.

RESPONSE - Page 1

RESPONSE NO. 2: Please refer to response number 1.

RESPONSE NO. 7: Please refer to response number 1.

The State reserves the right to supplement this response upon receipt of such evidence

DATED this 15 day of September, 2005.



ERICA A. PEARSON
Assistant Chief Deputy Prosecuting Attorney

CERTIFICATE OF DELIVERY

I HEREBY CERTIFY That on this 15 day of September, 2005, a true and correct copy of the foregoing AMENDED SUPPLEMENTAL REPOSE TO REQUEST FOR DISCOVERY was delivered to the following:

DOUGLAS K. DYKMAN
ATTORNEY AT LAW
PO BOX 4981
POCATELLO, IDAHO 83205-4981

mail -
postage prepaid
 hand delivery
 facsimile



VIC A. PEARSON

Douglas K. Dykman
 Attorney At Law
 1246 Yellowstone Avenue, A-4
 P.O. Box 4981
 Pocatello, ID 83205-4981
 Telephone: (208) 237-8300
 Facsimile: (208) 237-8300
 E-mail : Dykman@att.myrf.net
 State Bar No. 3926

FILED
 BANNOCK COUNTY
 CLERK OF THE COURT

2005 NOV 10 PM 2:33

BY: 
 DEPUTY CLERK

Attorney for Defendant

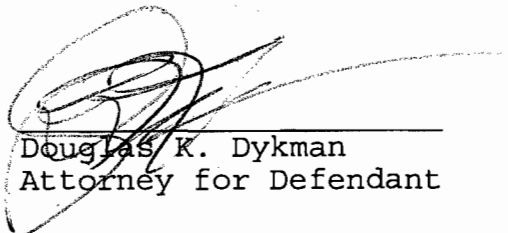
IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

| | | |
|---------------------|---|-------------------------------|
| STATE OF IDAHO, |) | Case No. CR-2005-10538-FE |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | MOTION FOR TURNOVER OF |
| |) | TRANSCRIPT |
| |) | |
| WOODROW JOHN GRANT, |) | |
| |) | |
| Defendant. |) | |
| |) | |

COMES NOW, the Defendant, Woodrow J. Grant, by and through his attorney of record, Douglas K. Dykman, and pursuant to I.C.R. 5.2 respectfully requests a transcript of the Preliminary Hearing which was held on August 16, 2005. There is a prior order dated September 12, 2005 ordering the preparation and turnover of the transcript, but to date the transcript has not been received. It is important to prepare the defense of the Defendant that the transcript be turned over as soon as possible. Jury trial is set for December 6, 2005 at 9:00 a.m. and the Pre-trial is set for December 5, 2005 at 8:30 a.m.

WHEREFORE, the Defendant respectfully requests that the Court give a definite date for turnover of the transcript of the Preliminary Hearing.

DATED this 10th day of November, 2005.

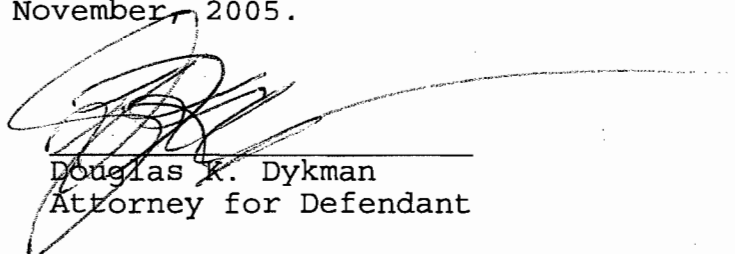


Douglas K. Dykman
Attorney for Defendant

NOTICE OF HEARING

PLEASE TAKE NOTICE that the Defendant will call up for hearing and disposition by the Court its Motion and Notice of Hearing on the 14th day of November, 2005 at the hour of 8:30 p.m. before the Honorable Peter D. McDermott at the Bannock County Courthouse, Pocatello, Idaho or as soon thereafter as counsel can be heard.

DATED this 10th day of November, 2005.



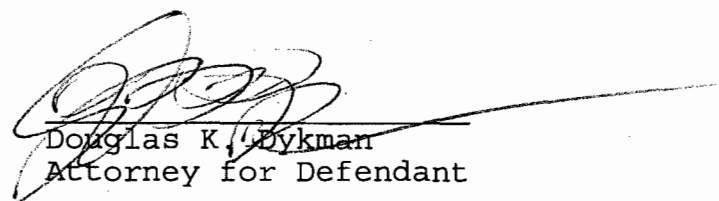
Douglas K. Dykman
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of November, 2005, I served a copy of the foregoing document by the following method to the individual(s) stated below as follows:


Mark L. Hiedeman
Bannock County Prosecutor
P.O. Box P
Pocatello, Idaho 83205-0050

U.S. Mail
 Hand Deliver
 Facsimile



Douglas K. Dykman
Attorney for Defendant

MARK L. HIEDEMAN
BANNOCK COUNTY PROSECUTOR
P.O. BOX P
POCATELLO, IDAHO 83205
Telephone: (208) 236-7280

FILED
LARRY W. CHAN
CLERK OF THE COURT
2005 NOV 10 PM 3:49
BY 
DEPUTY CLERK

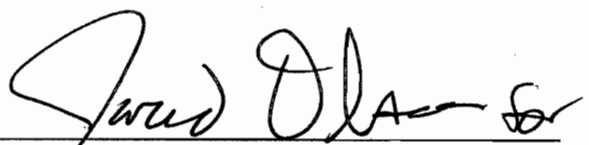
VIC A. PEARSON
Assistant Chief Deputy Prosecuting Attorney
ISB #6429

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

| | | |
|-----------------|---|---------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR-2005-10538-FE |
| Plaintiff, |) | |
| |) | MOTION TO |
| vs. |) | REVOKE RELEASE |
| |) | |
| WOODROW GRANT, |) | |
| |) | |
| Defendant. |) | |
| |) | |
| |) | |
| |) | |

COMES NOW, VIC A. PEARSON, Assistant Chief Deputy Prosecuting Attorney for Bannock County, Idaho, and moves the Court for an Order revoking the release of the above-named defendant on the grounds and for the reasons that there are new charges filed on the defendant.

DATED this 10th day of November, 2005.


VIC A. PEARSON
Assistant Chief Deputy Prosecuting Attorney

FILED
LARRY W. GU
CLERK OF THE C
2005 NOV 16 AM
BY 
DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
IN AND FOR THE STATE OF IDAHO, COUNTY OF BANNOCK**

| | | |
|----------------------------|---|--------------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR2005-10538FE |
| Plaintiff |) | |
| |) | MINUTE ENTRY AND ORDER |
| vs. |) | |
| |) | |
| WOODROW JOHN GRANT, |) | |
| 518-13-42 |) | |
| 02-17-1985 |) | |
| |) | |
| Defendant. |) | |
| <hr/> | | |

Defendant did not appear before the Court for further proceedings pursuant to on the 14th of November, 2005, with counsel, Douglas K. Dykman. Mark L. Hiedeman, Bannock County Prosecuting Attorney, appeared on behalf of the State of Idaho.

The Court noted Defendant entered a plea of NOT GUILTY to the charge of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b) and the matter was set for Jury Trial Tuesday, December 6, 2005 at 9:00 a.m. and further proceedings, Monday, December 5, 2005.

NOW, THEREFORE, IT IS HEREWITH ORDERED the transcript be prepared by the Official Court Transcriber have the transcript, previously ordered September 12, 2005, prepared and submitted to the Court and counsel by Wednesday, November 30, 2005.

Case No. CR2005-10538FE
Minute Entry and Order
Page 1

The State filed a Motion to Revoke Defendant's Surety Bond. The Court received oral argument of respective counsel.

IT IS FURTHER ORDERED the State's Motion to Revoke Surety Bond is DENIED.

IT IS FURTHER ORDERED should Defendant fail to appear for further proceedings on Monday, December 5, 2005, a Bench Warrant will be issued.

IT IS FURTHER ORDERED that Defendant's \$5,000.00 Surety Bond Release is herewith CONTINUED with the conditions that Defendant appear for all further Court proceedings and cooperate with counsel. Defendant shall also abide by the No Contact Order previously set forth.

IT IS SO ORDERED.

DATED this 14th day of November, 2005.


PETER D. McDERMOTT
District Judge

Copies to:
Mark L. Hiedeman/Vic A. Pearson
Douglas K. Dykman
Court Services
Sherrill Grimmett
Tape: 904: 129
PPD#05-P10793(5-21-05)

Case No. CR2005-10538FE
Minute Entry and Order
Page 2

FILED
LARRY W. GRANT
CLERK OF THE COURT

2005 DEC -8 AM 10: 02

DYKMAN
DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
IN AND FOR THE STATE OF IDAHO, COUNTY OF BANNOCK**

| | | |
|----------------------------|---|--------------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR2005-10538FE |
| Plaintiff |) | |
| |) | MINUTE ENTRY AND ORDER |
| vs. |) | |
| |) | |
| WOODROW JOHN GRANT, |) | |
| 518-13-42 |) | |
| 02-17-1985 |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

Defendant failed to appear before the Court for further proceedings pursuant to the Court's Order on this 5th day of December, 2005, with counsel, Shawn Anderson for Douglas K. Dykman. Erin Christison, Bannock County Prosecuting Attorney, appeared on behalf of the State of Idaho.

The Court noted Defendant entered a plea of NOT GUILTY to the charge of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b) and the matter was set for Jury Trial Tuesday, December 6, 2005 at 9:00 a.m. and further proceedings, Monday, December 5, 2005. Defendant has previously failed to appear November 14, 2005, and was ordered to appear this date or his bond release would be revoked and a bench warrant issued.

Case No. CR2005-10538FE
Minute Entry and Order
Page 1

The Court received oral argument of respective counsel.

NOW, THEREFORE, IT IS HEREWITH ORDERED Defendant's Surety Bond Release is REVOKED and the State shall prepare a Bench Warrant with NO BAIL.

IT IS FURTHER ORDERED the Bonding Company is given Ninety (90) Days to deliver Defendant to the custody of the Bannock County Sheriff or remit the \$5,000.00 bail to the Trial Court Administrator's Office of Bannock County.

IT IS SO ORDERED.

DATED this 5th day of December, 2005.


PETER D. McDERMOTT
District Judge

Copies to:

Mark L. Hiedeman/Vic A. Pearson

Douglas K. Dykman

Court Services

Bannock County Sheriff

Aladdin Bail Bonds – 5754 South 5th Avenue, Pocatello, ID 83204

Suzanne Johnson, Trial Court Administrator

Tape: 912: 4651

PPD#05-P10793(5-21-05)

Case No. CR2005-10538FE

Minute Entry and Order

Page 2

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,)
)
 Plaintiff,)
)
 vs.)
)
 WOODROW ALLEN GRANT,)
 518-13-0042)
 02/17/85)
)
 Defendant.)

CASE NO. CR-2005-10538-FE

BENCH WARRANT

TO: ANY SHERIFF, CONSTABLE, MARSHAL OR POLICEMAN OF THE STATE OF IDAHO:

WOODROW ALLEN GRANT, having failed to appear for a FURTHER PROCEEDING scheduled before the Honorable PETER D. McDERMOTT on December 5, 2005 at 8:30 a.m., therefore;

THIS IS TO COMMAND YOU, the Sheriff of Bannock County, Idaho, or any peace officer of this State, to forthwith arrest the above-named defendant, WOODROW ALLEN GRANT, and bring the defendant before this Court, or if Court has adjourned, that you deliver the defendant into the custody of the Sheriff of Bannock County, Idaho.

DATED This 9th day of December, 2005.


PETER D. McDERMOTT
Sixth District Judge

cc: Mark L. Hiedeman
Dykman
Probation & Parole
Bannock County Sheriff Department
Bannock County Court Marshall Office

STATE OF IDAHO v. WOODROW ALLEN GRANT

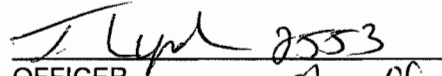
WILL EXTRADITE
 WILL NOT EXTRADITE
 IDAHO ONLY
 WESTERN CONTINENTAL STATES
 NATIONWIDE

MARK L. HIEDEMAN
BANNOCK COUNTY PROSECUTOR

BY 

STATE OF IDAHO)
)
 COUNTY OF Bannock) ss

I HEREBY CERTIFY that I received the within Warrant on the 9th day of December, 2005 and served said Warrant on the within named defendant on the 9th day of December, 2005


OFFICER
Bannock Co Sheriffs Office

BENCH WARRANT

FILED
LARRY W. GHAN
CLERK OF THE COURT

2005 DEC 20 AM 11:50

DY. 
DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
IN AND FOR THE STATE OF IDAHO, COUNTY OF BANNOCK**

| | | |
|---------------------|---|-------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR2005-10538FE |
| Plaintiff |) | |
| |) | MINUTE ENTRY AND ORDER |
| vs. |) | |
| |) | |
| WOODROW JOHN GRANT, |) | |
| 518-13-42 |) | |
| 02-17-1985 |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

Defendant appeared before the Court for further proceedings to the Court's Order on this 19th day of December, 2005, with counsel Douglas K. Dykman. Erin Christison, Bannock County Prosecuting Attorney, appeared on behalf of the State of Idaho.

The Court noted Defendant entered a plea of NOT GUILTY to the charge of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b). Defendant failed to appear as ordered by the Court and a Bench Warrant was ordered, received and reviewed.

NOW, THEREFORE, IT IS HEREWITH ORDERED this matter is reset for Jury Trial commencing **Tuesday, February 14, 2006, at 9:00 a.m.**, District Courtroom No. 300, Bannock County Courthouse.

Case No. CR2005-10538FE
Minute Entry and Order
Page 1

IT IS FURTHER ORDERED proposed jury instructions shall be filed with the Court and respective counsel on or before Wednesday, February 8, 2006.

IT IS FURTHER ORDERED this matter is set for further proceedings **Monday, February 13, 2006, at 8:30 a.m.**, District Courtroom No. 300, Bannock County Courthouse.

Counsel for Defendant moved for a bond release.

The Court received oral argument of respective counsel.

NOW, THEREFORE, IT IS HEREWITH ORDERED Bond is set at \$5,000.00 and if Defendant bonds out it will be with Court Services supervision. The No Contact Order remains.

IT IS FURTHER ORDERED Defendant is REMANDED to the custody of the Bannock County Sheriff.

IT IS SO ORDERED.

DATED this 19th day of December, 2005.



PETER D. McDERMOTT
District Judge

Copies to:
Mark L. Hiedeman/Vic A. Pearson
Douglas K. Dykman
Court Services
Bannock County Sheriff
Tape: 917: 968
PPD#05-P10793(5-21-05)

Case No. CR2005-10538FE
Minute Entry and Order
Page 2

OF THE DISTRICT COURT OF THE 9TH JUDICIAL DISTRICT OF THE STATE OF IOWA IN AND FOR THE COUNTY OF BANNOCK

FILED
BANNOCK COUNTY
CLERK OF DISTRICT COURT
DEC 28 AM 9:27

CR 20050010538 FE

STATE OF IOWA

Charge/Class. No.

Defendant

ORDER TO APPEAR

BY [Signature]
DEPUTY

Woodrow John Grant
Defendant

- BONDED-FAILURE TO PAY
- SHOW CAUSE BEFORE THE JUDGE
- BONDED-MISDEAMOR CHARGES

If you choose this option, please advise in writing: PAYMENTS OWED TO THE COURTS: I choose to pay the amount indicated on the warrant, in cash, to the Sheriff. I also understand the amount I pay will be applied to fines and fee owed to the Court. The process regarding this Warrant for Failure to Pay will be dismissed and I will not need to appear in Court.

X Wc If you choose this option, please advise in writing: **YOU HAVE POSTED A BOND UPON RELEASE FROM JAIL. YOU ARE HEREBY ORDERED TO APPEAR** at time specified by the detention officer, with time and date listed below. Should you fail to appear at the specified time and date given to you by the detention officer, your bond will be forfeited and a WARRANT MAY BE ISSUED FOR YOUR ARREST.

THIS IS ORDERED this 23 day of December, 2005

[Signature]
Judge

X Wc YOU HAVE BEEN CHARGED WITH A FELONY OR DOMESTIC ASSAULT OR BATTERY, STALKING, VIOLATION OF A NO CONTACT ORDER OR VIOLATION OF A PROTECTION ORDER. YOU ARE HEREBY ORDERED TO APPEAR:

Wednesday, Jan. 4th 2006, no later than 11:15am, at Room 118, downstairs of the Bannock County Courthouse at 621 E. Center in Forestville, Iowa.

X Wc FOR ALL OTHER MISDEAMOR CHARGES NOT LISTED ABOVE, YOU ARE HEREBY ORDERED TO APPEAR:

~~_____~~ You must take action on or before Wednesday, Jan. 4th, 2006. If a Warrant or arrest may be issued for your arrest.

RECEIPT

I HEREBY ACKNOWLEDGE that I have seen and received this Order to Appear this 23 day of December, 2005

X Woodrow Grant
Defendant

Deputy Duc 2524

Date 12-23-05

MAIL TO: DISTRICT COURT, 1000 W. CENTER ST., IOWA CITY, IOWA 52241

STATE OF IOWA DISTRICT COURT BANNOCK COUNTY

ALL COUNTY
CLERK OF THE COURT
2006 JAN 10 PM 1:48

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
GUILTY QUESTIONNAIRE

BY _____
DEPUTY CLERK

STATE OF IDAHO vs. Woody Grant Case No. CR200 - _____

1. NAME: Woody Grant AGE: 20

2. ADDRESS: 490 Johnson St Am Falls Id 83211

3. Highest level of education completed: Graduated High School

4. Do you read and understand the English language? yes

5. Have you ever been treated or counseled for mental disease or disorder? no

If answer is "yes", when were you last treated or counseled? _____

6. Have you taken any alcohol, drug or medication within last 48 hours? no

If answer is "yes" do you feel that it impairs your ability to understand these questions and the information given to you by your attorney, or the court proceedings? no

7. Have you been represented by an attorney at all stages of these proceedings? yes

8. What is your attorney's name: Douglas Dykman

9. Are you satisfied with your attorney's services? yes

10. What crimes are you accused of: Agg. Battery

A. Have you received and read the Prosecuting Attorney's Information charging you with such crimes? yes

B. Do you understand that if you plead guilty or are convicted of such crime(s) that the court may sentence you to imprisonment in the State Penitentiary? yes

11. What is the maximum prison sentence that you may receive for each crime?
15 yrs

A. Do you understand your sentence may be imposed with no right to parole? yes

B. Do you understand that if there is more than one crime, the sentences may run consecutive? yes

12. Have you fully discussed all facts and circumstances surrounding the charges against you with your attorney? yes

13. Has your attorney discussed with you any possible defenses you may have to the charge(s)? yes

SIGNATURE: Woody Grant DATED: 01/04/2006

BLAINE COUNTY
CLERK OF THE COURT
2006 JAN 10 PM 1:46

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
GUILTY QUESTIONNAIRE

BY _____
DEPUTY CLERK

STATE OF IDAHO vs. Woody Grant Case No. CR200 - _____

1. NAME: Woody Grant AGE: 20

2. ADDRESS: 490 Johnson St Am Falls ID 83211

3. Highest level of education completed: Graduated High School

4. Do you read and understand the English language? yes

5. Have you ever been treated or counseled for mental disease or disorder? no

If answer is "yes", when were you last treated or counseled? _____

6. Have you taken any alcohol, drug or medication within last 48 hours? no

If answer is "yes" do you feel that it impairs your ability to understand these questions and the information given to you by your attorney, or the court proceedings? no

7. Have you been represented by an attorney at all stages of these proceedings? yes

8. What is your attorney's name: Douglas Dykman

9. Are you satisfied with your attorney's services? yes

10. What crimes are you accused of: Agg. Battery

A. Have you received and read the Prosecuting Attorney's Information charging you with such crimes? yes

B. Do you understand that if you plead guilty or are convicted of such crime(s) that the court may sentence you to imprisonment in the State Penitentiary? yes

11. What is the maximum prison sentence that you may receive for each crime?
15 yrs

A. Do you understand your sentence may be imposed with no right to parole? yes

B. Do you understand that if there is more than one crime, the sentences may run consecutive? yes

12. Have you fully discussed all facts and circumstances surrounding the charges against you with your attorney? yes

13. Has your attorney discussed with you any possible defenses you may have to the charge(s)? yes

SIGNATURE: Woody Grant DATED: 01/04/2006

2006 JAN 10 PM 1:46

BY: 
DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
IN AND FOR THE STATE OF IDAHO, COUNTY OF BANNOCK**

| | | |
|----------------------------|---|--------------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR2005-10538FE |
| Plaintiff |) | |
| |) | MINUTE ENTRY AND ORDER |
| vs. |) | |
| |) | |
| WOODROW JOHN GRANT, |) | |
| 518-13-42 |) | |
| 02-17-1985 |) | |
| |) | |
| Defendant. |) | |

Defendant appeared before the Court for further proceedings on the 9th day of January, 2006, with counsel Douglas K. Dykman. Mark L. Hiedeman, Bannock County Prosecuting Attorney, appeared on behalf of the State of Idaho.

At the outset Defendant withdrew his previously entered plea of not guilty and entered a plea of GUILTY to the charge of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b) and submitted his signed and completed Questionnaire to the Court.

The Court thereafter questioned Defendant concern his plea, advised him of his statutory rights and accepted the plea.

NOW, THEREFORE, IT IS HEREWITH ORDERED a Presentence Investigation

Report shall be prepared prior to sentencing in this matter and this case is referred to the Idaho Department of Corrections, Probation and Parole Division for preparation of said Report. The Court requests the Report be delivered to Court and respective counsel on the Monday preceding sentencing.

IT IS FURTHER ORDERED this matter is set for SENTENCING on **Monday, March 6, 2006, at 9:00 a.m.**, District Courtroom No. 300, Bannock County Courthouse.

IT IS FURTHER ORDERED the Jury Trial previously scheduled commencing Tuesday, February 14, 2006, at 9:00 a.m., is CANCELLED.

There being no objection;

IT IS FURTHER ORDERED Defendant's bond release is CONTINUED with the conditions Defendant appear for all further court proceedings, cooperate with counsel, fully cooperate with the Presentence Investigator, and comply with Court Services. The No Contact Order remains.

IT IS SO ORDERED.

DATED this 9th day of January, 2006.


PETER D. McDERMOTT
District Judge

Copies to:
Mark L. Hiedeman/Vic A. Pearson
Douglas K. Dykman
Probation and Parole
Court Services
Bannock County Sheriff
Tape: 917: 968
PPD#05-P10793(5-21-05)

Case No. CR2005-10538FE
Minute Entry and Order
Page 3

2006 MAR -8 PM 12: 12

BY 
DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
IN AND FOR THE STATE OF IDAHO, COUNTY OF BANNOCK**

| | | |
|----------------------------|---|--------------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR2005-10538FE |
| Plaintiff |) | |
| |) | MINUTE ENTRY AND ORDER |
| vs. |) | |
| |) | |
| WOODROW JOHN GRANT, |) | |
| 518-13-42 |) | |
| 02-17-1985 |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

Defendant appeared before the Court for sentencing on the 6th day of March, 2006, with counsel Douglas K. Dykman. Vic A. Pearson, Chief Deputy Bannock County Prosecuting Attorney, appeared on behalf of the State of Idaho.

Defendant previously entered a plea of GUILTY to the charge of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b). A Presentence Investigation Report was ordered and received.

Defendant having suffered injuries in an automobile accident and counsel requested additional time. There was no objection.

NOW, THEREFORE IT IS FURTHER ORDERED this matter is reset for SENTENCING on Monday, April 17, 2006, at 9:30 a.m., District Courtroom No. 300,

Bannock County Courthouse.

There being no objection;

IT IS FURTHER ORDERED Defendant's bond release is CONTINUED with the conditions Defendant appear for all further court proceedings, cooperate with counsel, fully cooperate with the Presentence Investigator, and comply with Court Services. The No Contact Order remains.

IT IS SO ORDERED.

DATED this 6th day of March, 2006.



PETER D. McDERMOTT
District Judge

Copies to:
Mark L. Hiedeman/Vic A. Pearson
Douglas K. Dykman
Probation and Parole
Court Services
Tape: 930: 1391
PPD#05-P10793(5-21-05)

Case No. CR2005-10538FE
Minute Entry and Order
Page 2

CLERK OF THE COURT
 BANNOCK COUNTY
 2006 APR 18 AM 10:42
 BY _____
 DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
 IN AND FOR THE STATE OF IDAHO, COUNTY OF BANNOCK**

| | | |
|----------------------------|---|--------------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR2005-10538FE |
| Plaintiff |) | |
| |) | MINUTE ENTRY AND ORDER |
| vs. |) | |
| |) | |
| WOODROW JOHN GRANT, |) | |
| 518-13-42 |) | |
| 02-17-1985 |) | |
| |) | |
| Defendant. |) | |

Defendant appeared before the Court for sentencing on the 17^h day of March, 2006, with counsel Douglas K. Dykman. Jared Olson, Deputy Bannock County Prosecuting Attorney, appeared on behalf of the State of Idaho.

Defendant previously entered a plea of GUILTY to the charge of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b). A Presentence Investigation Report was ordered and received.

Defendant having suffered injuries in an automobile accident and continuing to receive medical attention and surgery and there being no objection;

NOW, THEREFORE IT IS FURTHER ORDERED this matter is reset for SENTENCING on Monday, June 19, 2006, at 9:30 a.m., District Courtroom No. 300, Bannock

Case No. CR2005-10538FE
 Minute Entry and Order
 Page 1

County Courthouse.

There being no objection;

IT IS FURTHER ORDERED Defendant's bond release is CONTINUED with the conditions Defendant appear for all further court proceedings, cooperate with counsel, not be involved in any further criminal activity and continue to comply with Court Services. The No Contact Order remains.

IT IS SO ORDERED.

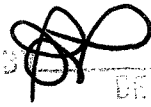
DATED this 17th day of April, 2006.



PETER D. McDERMOTT
District Judge

Copies to:
Mark L. Hiedeman/Vic A. Pearson
Douglas K. Dykman
Probation and Parole
Court Services
Tape: 938: 2797
PPD#05-P10793(5-21-05)

Case No. CR2005-10538FE
Minute Entry and Order
Page 2

CLERK OF DISTRICT COURT
 BANNOCK COUNTY
 CLERK OF THE COURT
 2006 JUN 20 PM 3:25

 DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
 IN AND FOR THE STATE OF IDAHO, COUNTY OF BANNOCK**

| | | |
|---------------------|---|-------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR2005-10538FE |
| Plaintiff |) | |
| |) | MINUTE ENTRY AND ORDER |
| vs. |) | AND COMMITMENT ORDER |
| |) | |
| WOODROW JOHN GRANT, |) | |
| IDOC #80692 |) | |
| 518-13-42 |) | |
| 02-17-1985 |) | |
| |) | |
| Defendant. |) | |
| <hr/> | | |

Defendant appeared before the Court for sentencing on the 19th day of June, 2006, with counsel Douglas K. Dykman. Erin Christison, Deputy Bannock County Prosecuting Attorney, appeared on behalf of the State of Idaho.

Defendant previously entered a plea of GUILTY to the charge of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b). A Presentence Investigation Report was ordered and received.

The Court received comments of Defendant and comments and recommendations of respective counsel and being fully advised;

COMMITMENT ORDER

NOW, THEREFORE, IT IS THE JUDGMENT OF THIS COURT that Defendant is

Case No. CR2005-10538FE
 Minute Entry and Order and Commitment Order
 Page 1

GUILTY of the crime of AGGRAVATED BATTERY, Idaho Code §§18-903 and §18-907(1)(a) and/or (b).

IT IS THE FURTHER JUDGMENT OF THE COURT that said Defendant is remanded to the custody of the Bannock County Sheriff and shall be delivered by him to the authorities at the Idaho State Correctional Institution. Said Defendant, pursuant to Idaho Code Section 19-2513, is sentenced to the custody of the Idaho Department of Corrections, for a **FIXED period of confinement of FOUR (4) YEARS, and a subsequent INDETERMINATE period of SIX (6) YEARS for a total of TEN (10) YEARS.** During the minimum term of confinement, said Defendant shall not be eligible for parole or discharge, or credit or reduction of sentence for good conduct except for meritorious service. Said Defendant may be considered for parole or discharge at any time during the indeterminate period of said sentence.

IT IS FURTHER ORDERED that this Court retain jurisdiction of this cause pursuant to the provisions of Idaho Code Section 19-2601(4) for a period of up to 180 days, during which time said defendant shall be committed to the Board of Corrections for a full and complete evaluation to be completed by the staff of said institution. Retained program commences upon arrival at RDU.

IT IS FURTHER ORDERED that a copy of the evaluation, when completed, be furnished to the Defendant, Defendant's counsel, the Prosecuting Attorney of Bannock County and to this Court.

IT IS FURTHER RECOMMENDED Defendant be placed in the New Directions Treatment Program.

IT IS FURTHER ORDERED that should jurisdiction in this matter be relinquished, the Defendant shall be given credit for any time incarcerated on this charge.

Defendant is herewith advised that in the event said Defendant desires to appeal the foregoing sentence, said appeal must be filed with the Idaho Supreme Court no later than forty-two days from the date said sentence is imposed.

IT IS FURTHER ORDERED that any cash, surety, or property bond heretofore posted, if any, shall be and the same is hereby EXONERATED.

ORDER TO TRANSPORT

IT IS FURTHER ORDERED when Defendant has satisfactorily completed the Retained Jurisdiction Program selected by the Idaho Department of Corrections, said Department shall transport the above named Defendant to the Bannock County Jail where said Defendant shall be held without bail pending Defendant's next appearance in Court. Should Defendant be placed in community rider program the foregoing will not apply.

IT IS SO ORDERED.

DATED this 19th day of June, 2006.


PETER D. McDERMOTT
District Judge

Copies to:

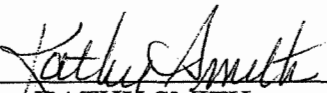
Mark L. Hiedeman/Vic A. Pearson
Douglas K. Dykman
Probation and Parole
Court Services
Idaho Department of Correction – Carolee Kelly
I.S.C.I.
Tape: 959: 3874
PPD#05-P10793(5-21-05)

STATE OF IDAHO)
) ss.
County of Bannock)

I, DALE HATCH , Clerk of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Bannock, do hereby certify the foregoing to be a full, true and correct copy of the Judgment duly made and entered on the minutes of the said District Court in the above entitled action, and that I have compared the same with the original, and the same is a correct transcript therefrom, and of the whole thereof.

ATTEST, my hand and the Seal of said District Court, this 19^h day of June, 2006.

DALE HATCH, Clerk

By: 
KATHY SMITH
Deputy Clerk

Case No. CR2005-10538FE
Minute Entry and Order and Commitment Order
Page 4

CLERK OF DISTRICT COURT
CLERK OF THE COURT

2006 OCT 25 AM 11:07

89
DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
IN AND FOR THE STATE OF IDAHO, COUNTY OF BANNOCK**

| | | |
|----------------------------|---|--------------------------------|
| STATE OF IDAHO, |) | |
| |) | CASE NO. CR2005-10538FE |
| Plaintiff |) | |
| |) | MINUTE ENTRY AND ORDER |
| vs. |) | |
| |) | |
| WOODROW JOHN GRANT, |) | |
| IDOC #80692 |) | |
| 518-13-42 |) | |
| 02-17-1985 |) | |
| |) | |
| Defendant. |) | |
| |) | |

Defendant appeared before the Court for further proceedings following successful completion of the Retained Jurisdiction Program on the 20th day of October, 2006, with counsel Douglas K. Dykman. Ken Webster, Deputy Bannock County Prosecuting Attorney, appeared on behalf of the State of Idaho.

Defendant previously entered a plea of GUILTY to the charge of AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b) and was sentenced to Fixed Term of Four (4) Years and subsequent Indeterminate Term of Six (6) Years for a Total of Ten (10) Years and the Court retained jurisdiction.

An Addendum to the Presentence Investigation Report was received and reviewed.

The Court received comments of Defendant and comments and recommendations of

Case No. CR2005-10538FE
Minute Entry and Order
Page 1

respective counsel, the State objecting, and being fully advised;

NOW, THEREFORE, IT IS HEREWITH ORDERED the sentence heretofore imposed is SUSPENDED and Defendant is placed on supervised probation to the Idaho Department of Correction, Probation and Parole Division for FOUR (4) years. In addition to the terms and conditions to be set forth by the Probation Division Defendant shall comply with the terms and conditions set forth in Appendix A.

IT IS FURTHER ORDERED Defendant is herewith RELEASED from the custody of the Bannock County Sheriff.

IT IS SO ORDERED.

DATED this 20th day of October, 2006.


PETER D. McDERMOTT
District Judge

Copies to:

Mark L. Hiedeman/Vic A. Pearson

Douglas K. Dykman

Probation and Parole

~~Court Services~~ *Bannock County Sheriff*

Idaho Department of Correction – Carolee Kelly

Tape: 992: 338

PPD#05-P10793(5-21-05)

Case No. CR2005-10538FE

Minute Entry and Order

Page 2

APPENDIX A

IT IS HEREWITH ORDERED Defendant is placed on supervised probation to the Idaho Department of Corrections for FOUR (4) YEARS. In addition to the terms and conditions to be imposed by the Department of Corrections this Court imposes the following:

1. Payment to the victim(s) pursuant to the Prosecuting Attorney's Restitution Letter *dated February 28, 06 - 1. # 2, 717.18 Idaho Crime Victim Long Fund*
2. In lieu of a fine Defendant shall pay the sum of ^{23. 200 - Forensic Services} \$350.00, to the following law *Enforcement* enforcement agency Coeur d'Alene Police Dept for the training of officers. *875 Coeur d'Alene Narcotics*
3. You shall pay the sum of \$850.00, to the Sixth District Court Fund for maintenance and operation of the Courts.
4. You shall pay the sum of \$57.50 Court Costs and \$50.00 to the Idaho Victims Compensation Fund.
5. You shall pay the sum of \$850.00, to partially reimburse the County for the services of the Public Defender's Office. Line Item No. 1101-0000-37520.
6. You shall pay the sum of \$100.00, to the Department of Probation and Parole Officer Training Fund. Line Item No. 3291-9160-369.
7. You shall make monthly payments in the sum of \$ 40⁺, or more, to the Bannock County Bonds and Fines Department commencing ~~March 20, 07~~ *March 20, 07*.
8. You shall not use or possess any controlled substances or alcohol and shall not be present where controlled substances are used or possessed.
9. You shall not associate with any known drug dealers, or users, nor anyone your probation officer advises you not to associate with.
10. You shall submit to a blood, breath or urine test at the request of your probation officer and your probation officer may search your person, vehicle or residence without a search warrant.
11. You shall comply with all programs of rehabilitation recommended by your probation officer and in the Presentence Report.
12. You shall not go into any bars.
13. You shall maintain full time employment or actively seek full time employment. If you are attending school then you shall work part time.

14. You shall commit no acts of theft, fraud, embezzlement, physical violence, vandalism, nor any act considered to be a felony under the laws of the State of Idaho or the State in which you are present.

15. You shall not drive or operate a motor vehicle under the influence of alcohol or controlled substance, no matter how slight and if you are operating a motor vehicle and pulled over by any Law Enforcement Officer and asked to submit to a dexterity or breath test you shall comply.

16. You shall have no property in your possession you are not legally entitled to possess.

17. You shall not have a checking account without the prior written permission of your probation officer and if your probation officer grants permission you shall not issue any check unless absolutely certain there are sufficient funds in the account to cover said check.

18. You shall not sign anyone else's name to any document whatsoever, shall not be in possession of any forged documents and, shall not sign your name to any document unless you have the legal right to do so.

19. You shall be honest and truthful with your probation officer at all times.

20. You are sentenced to serve eight (8) months in the Bannock County Correctional center to be served solely at the discretion of your probation officer.

21. You are sentenced to serve N.A.P.D.M. in the Bannock County Detention Facility on the Sheriff-Commissioners Inmate Labor Detail and shall receive credit for two days served on every day worked. You shall contact Sgt. Criddle at 236-7162 and make the necessary arrangements within four (4) days. You will not be housed in jail at night.

22. You are sentenced to serve N.A.P.D.M. in the Bannock County Detention Center and will receive credit for N.A.P.D.M. previously served.

23. Your sentence shall commence: Resider Return

You are herewith advised that in the event you desire to appeal the foregoing sentence, said appeal must be filed no later than forty-two (42) days from the date said sentence is imposed.

IT IS FURTHER ORDERED that if you comply with all of the terms and conditions of your probation, an application may be made at the end of the probationary period for a dismissal or reduction to a misdemeanor of this matter, but in the event of violation any of the terms and conditions of probation, defendant may be brought back into Court for further proceedings.

**IDAHO DEPARTMENT OF CORRECTION
DIVISION OF COMMUNITY CORRECTIONS**

Probation and Parole, District Six
1135 Yellowstone, Suite K

FILED
BANNOCK COUNTY
CLERK OF DISTRICT COURT
ORIGINAL
2009 NOV -5 PM 5:13

REPORT OF PROBATION VIOLATION BY DEPUTY CLERK

DATE: November 3, 2009

TO: Honorable Robert C. Naftz
Sixth Judicial District
Bannock County Courthouse

NAME: Woodrow John Grant
COURT CASE: CR05-10538
ADDRESS: Bannock County Jail
OFFENSE: Aggravated Battery
DATE OF SENTENCE: June 19, 2006
SENTENCE: 4 years fixed, 10 years indeterminate
DATE OF PROBATION: October 20, 2006
COUNTY: Bannock
Judicial District : Sixth

IDOC #: 80692

RULE VIOLATED

Condition #7 of the Court Order, which states; "You shall make monthly payments in the sum of \$40.00, or more, to the Bannock County Bonds and Fines Department commencing Maarch 20, 2007."

SUMMARY OF RULE VIOLATED

Mr. Grant not made a payment towards his financial obligations to the court since December 23, 2008 and has an outstanding balance of \$5,430.68. *Admit 7/8/10*

RULE VIOLATED

Condition #8 of the Court Order, which states; "You shall not use or possess any controlled substances or alcohol and shall not be present where controlled substances are used or possessed."

SUMMARY OF RULE VIOLATED *Admit 7/8/10*

On November 3, 2009 Mr. Grant admitted to using Methamphetamine on November 1, 2009.
On March 30, 2009 he tested positive for Methamphetamine.
On November 25,2008 he admitted to using Methamphetamine
On April 17, 2007 he swallowed an eight ball of Methamphetamine and had to go to the emergency

REPORT OF VIOLATION
RE:
DATE:
IDOC:

Page 2

room at the hospital.

RULE VIOLATED

Condition #14 of the Court Order, which states: "You shall commit no acts of theft, fraud, embezzlement, physical violence, vandalism, nor any act considered to be a felony under the laws of the State of Idaho or the State in which you are present."

SUMMARY OF RULE VIOLATED

On October 2, 2009 Mr. Grant was arrested by Pocatello Police Dept. Officers and charged with the following crimes.

Admit 7/8/10

Aggravated Assault

— Felony Domestic Battery

Felony Felon in Possession of a Firearm

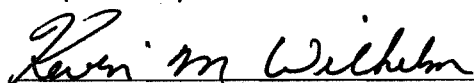
— Possession of a Controlled Substance

COMMENTS AND RECOMMENDATIONS:

On June 19, 2006 Mr. Grant was sentenced to a Fixed 4 years and a subsequent Indeterminate six years with the court retaining jurisdiction for the crime of Aggravated Battery. On October 20, 2006 after completing the retained jurisdiction program Mr. Grant was placed on 4 years supervised probation. Since that time Mr. Grant has struggled with using methamphetamine. We have placed him in just about every available outpatient substance abuse program in Southeast Idaho these include Road to Recovery, Solutions for Life, Behavioral Reform, and Pacific Rim. He has also completed two inpatient treatment programs in the last year, these include ARA inpatient and the SHARE inpatient programs. Despite our best efforts at trying to help Mr. Grant he continues to commit serious and violent crimes. We have been unable to change his behavior and he cannot be supervised safely in the community.

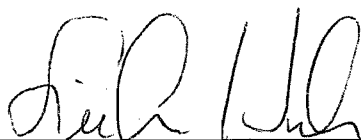
It is therefore respectfully requested that a Bench Warrant be issued to replace the Agents warrant now holding him in the Bannock County Jail and that he be brought back before the court and the original sentence be imposed.

Respectfully submitted,



Sr. Probation/Parole Officer

APPROVED:

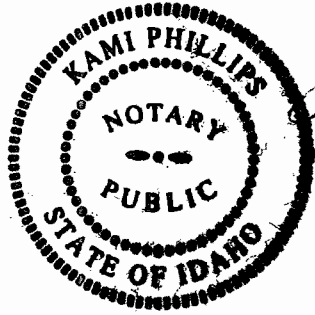


LeeAnn Hamilton, District Manager

REPORT OF VIOLATION
RE:
DATE:
IDOC:

Page 3

Subscribed and sworn before me on this 3 day of November, 2008.



Kami Phillips
Notary Public

Residing at POCATELLO, Idaho

My commission expires June 2010

CR-2005-0010538-FE
2009 NOV 12 PM 3:01
MJD
CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT IN AND
FOR THE STATE OF IDAHO, COUNTY OF BANNOCK

STATE OF IDAHO,
Plaintiff,

Case No: CR-2005-0010538-FE

vs.

MINUTE ENTRY & ORDER

WOODROW JOHN GRANT,
Defendant.

The above named Defendant appeared in Court on the 9th day of November, 2009, with his counsel, Douglas K. Dykman, for hearing on a Report of Violation dated the 3rd day of November, 2009, and filed with the Court on the 5th day of November, 2009. Jared Johnson, Bannock County Deputy Prosecuting Attorney, appeared on behalf of the State of Idaho. Stephanie Davis was the Court Reporter.

At the outset, the Court advised the Defendant of his rights in this matter and the possible consequences of any admission of violation of his probation or any finding by the Court that he had violated the terms and conditions of his probation.

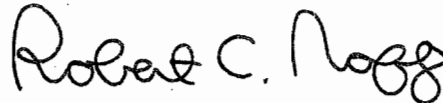
Thereafter, the Defendant denied all the allegations contained in the Report of

Violation and requested that a formal hearing be held in this regard.

NOW, THEREFORE, IT IS HEREBY ORDERED that a formal hearing in regards to the Report of Violation shall be scheduled for **JANUARY 11, 2010, AT THE HOUR OF 9:00 A.M.** before the undersigned District Judge.

IT IS FURTHER ORDERED that the Defendant be and he is hereby **REMANDED** to the custody of the Bannock County Sheriff pending further proceedings in this matter after Defendant's request for a furlough was DENIED.

DATED this 12 day of November, 2009.



Honorable Robert C. Naftz
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12 day of November, 2009, I served a true and correct copy of the foregoing document upon each of the following individuals in the manner indicated.

Bannock County Prosecutor

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 236-7288

Douglas Dykman

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:

Bannock County Sheriff

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 236-7112

Probation & Parole

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 237-2624



Deputy Clerk

BANNOCK COUNTY
CLERK
2010 JAN 14 PM 5:34
DEPUTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT IN AND
FOR THE STATE OF IDAHO, COUNTY OF BANNOCK

STATE OF IDAHO,
Plaintiff,

vs.

WOODROW JOHN GRANT,
Defendant.

Case No: CR-2005-0010538-FE

**ORDER CONTINUING
EVIDENTIARY**

The above named Defendant appeared in Court on the 11th day of January, 2010, with his counsel, Douglas K. Dykman, for Evidentiary Hearing. Ian Service, Bannock County Deputy Prosecuting Attorney, appeared on behalf of the State of Idaho. Stephanie Davis was the Court Reporter.


Having received an informal request to continue the Evidentiary hearing from counsel for Defendant due to pending negotiations on Defendant's other case, and receiving no objection from the State,

IT IS HEREBY ORDERED that the EVIDENTIARY HEARING in this matter be

continued and the same is hereby reset for **FEBRUARY 1, 2010, AT THE HOUR OF 9:00 A.M.** at the Bannock County Courthouse, Pocatello, Idaho before the undersigned Judge.

The Defendant was remanded back to the custody of the Bannock County Jail on a no-bond hold.

DATED this 14 day of January, 2010.



Honorable Robert C. Naftz
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 14 day of January, 2010, I served a true and correct copy of the foregoing document upon each of the following individuals in the manner indicated.

Bannock County Prosecutor

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 236-7288

Douglas Dykman


- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:

Probation & Parole

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 237-2624

Bannock County Sheriff

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:



Deputy Clerk

BANNOCK COUNTY
CLERK
2010 FEB 24 09:53:01
DEPUTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT IN AND
FOR THE STATE OF IDAHO, COUNTY OF BANNOCK

STATE OF IDAHO,
Plaintiff,

vs.

WOODROW JOHN GRANT,
Defendant.

Case No: CR-2005-0010538-FE

**ORDER SETTING
EVIDENTIARY HEARING**

Good cause existing; therefore,

IT IS HEREBY ORDERED that an **EVIDENTIARY HEARING** in this matter will
be held on **MONDAY, MARCH 1, 2010, AT THE HOUR OF 9:00 A.M.** at the Bannock
County Courthouse, Pocatello, Idaho.

DATED this 23 day of February, 2010.

Robert C. Naftz

Honorable Robert C. Naftz
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 24 day of February, 2010, I served a true and correct copy of the foregoing document upon each of the following individuals in the manner indicated.

Bannock County Prosecutor

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 236-7288

Douglas Dykman

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:

Probation & Parole

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 237-2624

Bannock County Sheriff

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:



Deputy Clerk

2010 MAY 10 AM 10:03
DEPUTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT IN AND
FOR THE STATE OF IDAHO, COUNTY OF BANNOCK

STATE OF IDAHO,
Plaintiff,

vs.

WOODROW JOHN GRANT,
Defendant.

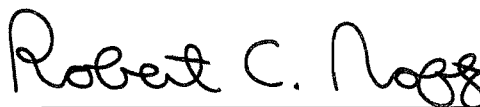
Case No: CR-2005-0010538-FE

**SECOND ORDER SETTING
EVIDENTIARY HEARING**

Good cause existing; therefore,

IT IS HEREBY ORDERED that an EVIDENTIARY HEARING in this matter will
be held on MONDAY, JUNE 28, 2010, AT THE HOUR OF 9:00 A.M. at the Bannock
County Courthouse, Pocatello, Idaho. Defense counsel has represented to the Court that
Defendant will enter admissions to the alleged violations.

DATED this 10 day of May, 2010.



Honorable Robert C. Naftz
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 10 day of May, 2010, I served a true and correct copy of the foregoing document upon each of the following individuals in the manner indicated.

Bannock County Prosecutor

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 236-7288

Douglas Dykman


- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:

Probation & Parole

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 237-2624

Bannock County Sheriff

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:



Deputy Clerk

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BANNOCK COUNTY
CLERK
2010 JUL -1 PM 2:49
BY MD
DEPUTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT IN AND
FOR THE STATE OF IDAHO, COUNTY OF BANNOCK

STATE OF IDAHO,
Plaintiff,

vs.

WOODROW JOHN GRANT,
Defendant.

Case No: CR-2005-10538-FE
CR-2009-19451-FE
CR-2009-19445-FE

**ORDER CONTINUING
EVIDENTIARY AND
SENTENCING HEARINGS**

The above named Defendant appeared in Court on the 28th day of June, 2010, with his counsel, Douglas Dykman, for Evidentiary on Case No. CR-2005-10538-FE and Sentencing on Case Nos. CR-2009-19445-FE and CR-2009-19451-FE. Defendant's Motion to Strike-Seal Victim Impact Statements was also scheduled for this date on Case No. CR-2009-19451-FE. JaNiece Price, Bannock County Deputy Prosecuting Attorney, appeared on behalf of the State of Idaho. Stephanie Davis was the Court Reporter.

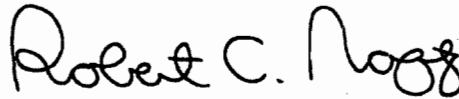
Having received an informal request to continue the hearings from counsel for

Defendant to allow additional time for further review of the Presentence Investigation, and receiving objection from the State,

IT IS HEREBY ORDERED that the **EVIDENTIARY AND SENTENCING HEARINGS along with Defendant's motion** in these matters be continued and the same is hereby reset for **JULY 8, 2010, AT THE HOUR OF 10:00 A.M.** at the Bannock County Courthouse, Pocatello, Idaho before the undersigned Judge.

The Defendant was remanded back to the custody of the Bannock County Jail.

DATED this 30 day of June, 2010.



Honorable Robert C. Naftz
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1 day of ^{July}~~June~~, 2010, I served a true and correct copy of the foregoing document upon each of the following individuals in the manner indicated.

Bannock County Prosecutor

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 236-7288

Douglas Dykman

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:

Probation & Parole

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 237-2624

Bannock County Sheriff

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:



Deputy Clerk

DANNY J. PRICE
CLERK
2010 JUL 12 PM 5:12
JD
DEPUTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT IN AND
FOR THE STATE OF IDAHO, COUNTY OF BANNOCK

STATE OF IDAHO,
Plaintiff,

vs.

WOODROW JOHN GRANT,
518-13-0042
02/17/1985

Defendant.

Case No: CR-2005-0010538-FE

MINUTE ENTRY & ORDER

The above named Defendant appeared in Court on the 8th day of July, 2010, with his counsel, Douglas Dykman, for Evidentiary Hearing. JaNiece Price, Bannock County Deputy Prosecuting Attorney, appeared on behalf of the State of Idaho. Stephanie Davis was the Court Reporter.

At the outset, the Defendant waived his right to a hearing and voluntarily admitted violating his probation pursuant to the November 3, 2009, Report of Probation Violation. Based on that admission, the Court then found the Defendant in violation of the terms and conditions of his probation.

Case No. CR-2005-0010538-FE
MINUTE ENTRY & ORDER
Page 1 of 7

The Court heard comments and recommendations from respective counsel. Being fully advised in the premises and good cause existing therefore, the Court enters its Findings of Fact, Conclusions of Law and Order as follows:

FINDINGS OF FACT

1. On or about the 9th day of January, 2006, the Defendant entered a plea of **GUILTY** to a charge of **AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b)**.

2. At the time of the sentencing on the 19th day of June, 2006, the Defendant was sentenced to a **FIXED TERM OF FOUR (4) YEARS followed by a SUBSEQUENT INDETERMINATE TERM OF SIX (6) YEARS with the court retaining jurisdiction for a period of up to 180 days**.

3. On the 20th day of October, 2006, upon successful completion of the retained jurisdiction program, the Defendant's sentence was **SUSPENDED**, and the Defendant was placed on supervised probation for a period of **FOUR (4) YEARS** with the imposition of certain terms and conditions of probation.

4. On the 5th day of November, 2009, a Report of Violation (dated November 3, 2009) was filed with the Court which set forth allegations that the Defendant had violated the terms and conditions of his probation.

5. The Defendant now enters admissions to the violations contained in the November 3, 2009, Report of Probation Violation.

CONCLUSIONS OF LAW

1. The Defendant has violated the terms and conditions of probation as specified and detailed in the November 3, 2009, Report of Violation filed by the Department of Probation

& Parole.

2. Since the original sentence was imposed on October 20, 2006, the Defendant has demonstrated an inability to conform his conduct to the requirements necessary to successfully complete the term of probation prescribed by the Court.

3. The Defendant's conduct and actions in violating the terms and conditions of probation require a conclusion that the Defendant is no longer entitled to the privilege afforded him by the Court's granting of probation in this case.

JUDGMENT AND ORDER

IT IS THE JUDGMENT of the Court that the Defendant has in fact violated the terms and conditions of the probation heretofore imposed on the 20th day of October, 2006, and therefore the probation in the above entitled matter be and the same is hereby **REVOKED**.

IT IS FURTHER ORDERED that the sentence which was previously suspended in this matter be and the same is hereby **REINSTATED** and the Defendant sentenced to serve a **FIXED TERM OF FOUR (4) YEARS followed by a SUBSEQUENT INDETERMINATE TERM OF SIX (6) YEARS** at the Idaho State Correctional Institution. **Said sentence to run consecutive with all other sentences.**

IT IS FURTHER ORDERED that the Defendant be given credit for any time he has served in connection with this matter. This includes any time spent on the retained jurisdiction program.

IT IS FURTHER ORDERED that the Defendant be and he is hereby **REMANDED** to the custody of the Bannock County Sheriff, to be by him delivered to the proper officer or officers and to be by said officer or officers conveyed to said site.

Defendant was advised in open Court that if he desired to appeal the foregoing sentence, said appeal must be filed with the Idaho Supreme Court no later than forty-two (42) days from the date said sentence is imposed.

COMMITMENT ORDER

Now, on this 8th day of July, 2010, the Defendant and his counsel, Douglas Dykman, appeared in Court on a Report of Probation Violation filed by the Dept. of Probation & Parole. After advising the Defendant of the allegations set forth in the Report of Violation, the Defendant admitted to the violations of the terms and conditions of probation. Following such admission, the Court determined that the Defendant's probation should be revoked and the original sentence reinstated.

It appears from the Court record that the Defendant was charged by a Prosecuting Attorney's Information with the crime of **AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b)**, committed on the 21st day of May, 2005. It further appears that the Defendant entered a plea of **GUILTY** to the charges set forth in the Prosecuting Attorney's Information on the 9th day of January, 2006.

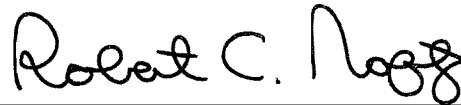
The record further reflects that the Court, after determining no legal cause existed to prevent the pronouncement of judgment against the Defendant, the Court sentenced the defendant to a **FIXED TERM OF FOUR (4) YEARS and a SUBSEQUENT INDETERMINATE TERM OF SIX (6) YEARS**, commencing from the date of his sentence, but later suspended the execution of the sentence.

NOW, THEREFORE, the said Defendant having been convicted of the crime of **AGGRAVATED BATTERY, Idaho Code §18-903 and §18-907(1)(a) and/or (b)**, it is hereby ordered, considered and adjudged that the sentence imposed by the Court be and the same is hereby **REINSTATED** and the said Defendant, **WOODROW JOHN GRANT**, is

sentenced to be imprisoned and kept at a site designated by the Idaho State Board of Corrections for a **FIXED TERM OF FOUR (4) YEARS followed by a SUBSEQUENT INDETERMINATE TERM OF SIX (6) YEARS**, commencing from the date of his sentence. Said sentence will run consecutively with any other sentences imposed by the Court.

IT IS FURTHER RECOMMENDED that the Defendant be placed into and complete the **RSAT PROGRAM OR THERAPUTIC COMMUNITY COMPLETION** while he is incarcerated.

DATED this 12 day of July, 2010.



Honorable Robert C. Naftz
District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12 day of July, 2010, I served a true and correct copy of the foregoing document upon each of the following individuals in the manner indicated.

Bannock County Prosecutor

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 236-7288

Douglas Dykman

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:

Probation & Parole


- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 237-2624

Bannock County Sheriff

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:

Records Administrator

- U.S. Mail
- E-Mail
- Hand Deliver
- Fax:



Deputy Clerk

NAME: Woodrow John Grant - DOB: [REDACTED] - SS#: [REDACTED]
DATE OF OFFENSE: May 21, 2005

STATE OF IDAHO)
)
COUNTY OF BANNOCK)

I, Dale Hatch, Clerk of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Bannock, do hereby certify the foregoing to be a full, true and correct copy of the Judgment duly made and entered on the Minutes of the said District Court in the above entitled action, and that I have compared the same with the original and the same is a correct transcript therefrom and/or the whole thereof.

ATTEST my hand and the seal of said District Court on the 12 day of July, 2010.

DALE HATCH, Clerk

By [Signature]
Deputy Clerk

Douglas K. Dykman
 Attorney At Law
 920 East Clark
 P.O. Box 4981
 Pocatello Idaho 83205-4981
 Telephone: (208) 237-8300
 Facsimile : (208) 237-8300
 E-mail : dykman@qwestoffice.net
 State Bar No. 3926

FILED
 BANNOCK COUNTY
 CLERK OF THE COURT

2010 JUL -8 PM 3:40

BY CA
 DEPUTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

| | | |
|---------------------|---|-------------------------------|
| STATE OF IDAHO, |) | Case No. : CR-2009-19451-FE |
| |) | Case No. : CR-2009-19445-FE |
| Plaintiff, |) | Case No. : CR-2005-10538-FE ✓ |
| vs. |) | |
| |) | RULE 35 MOTION |
| WOODROW JOHN GRANT, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

COMES NOW, the Defendant, Woodrow J. Grant, by and through his attorney of record, Douglas K. Dykman, and pursuant to I.C.R. 35 moves the Court to reconsider and reduce the sentence imposed against the above-named Defendant for the following reasons and good cause:

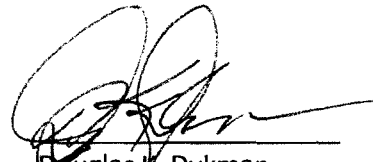
1. The Rule 35 motion applies to three different situations; first, a motion to correct an illegal sentence; second, a motion for correction of a sentence imposed in an illegal manner; and, third, a motion requesting the court to reduce a lawful sentence, that is, a plea for leniency.
2. This Rule 35 motion is a request for leniency which is addressed to the discretion of the district court. See State v. Knighton, 143 Idaho 318, 144 P.3d (2006); State v. Allbee, 115 Idaho 845, 771 P.2d 66, (Ct. App. 1989).
3. In the alternative, if the original sentence is not excessive, then the Defendant must show the court that additional facts or information make the sentence excessive in light of that additional information. See State v. Adair, Docket No. 33270 (ID Sup Ct 2007) State v. Huffman, 114 Idaho 201, 159 P.3d 838 (2007).
4. The above-named Defendant pled guilty to Possession of a Controlled Substance, Methamphetamine, I.C. Section 37-2732(c)(1) in Case No. CR-2009-19554-FE on May 3, 2010.
5. Also, the Defendant pled guilty to Domestic Battery, I.C. Section 18-918(2)(a) in Case No. CR-2009-19451-FE on May 3, 2010.
6. Further, the Defendant admitted he violated the terms and conditions of probation to the Aggravated Battery, in Case No. CR-2005-10538-FE on July 8, 2010.
7. On July 8, 2010 the Court imposed a sentence on the Defendant of two (2) years fixed and three (3) years indeterminate on the Possession of a Controlled Substance,

Methamphetamine, I.C. 37-2732(c)(1) in Case No. CR-2009-19554-FE. The Court also imposed a sentence of five (5) years fixed and five (5) years indeterminate on the Domestic Battery, I.C. Section 18-918(2)(a) in Case No. CR-2009-19451-FE. The two sentences are to run concurrent with the Defendant to receive credit for all time served.

8. On July 8, 2010 the Court revoked probation and imposed the original sentence in Case No. CR-2005-10538-FE on the Aggravated Battery, I.C. Sections 18-903 and 18-907(1)(a) and/or (b) of four (4) years fixed and six (6) years indeterminate with the Defendant to receive credit for time served. However, this sentence is to run consecutive to the sentence in the other two cases.

WHEREFORE, the undersigned attorney of record respectfully requests the Court reconsider the sentence imposed, and as part of said consideration, either: (1) suspend the sentence and retain jurisdiction to allow the Defendant to go on a second (2nd) rider; or (2) reduce the fixed and indeterminate portions of the Defendant's sentence as it would be in the best interest of justice.

DATED this 8th day of July, 2010.



Douglas K. Dykman
Attorney for Defendant


CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on this 8th day of July, 2010, a true and correct copy of the foregoing document was delivered to the following parties or entities:

Mark L. Hiedeman
Bannock County Prosecutor
624 E. Center
Pocatello ID 83201

U.S. Mail
 Hand Delivery
 Facsimile
 Hand Delivery Court House Box

DATED this 8th day of June, 2010.



Douglas K. Dykman
Attorney for Defendant

2010 SEP 30 10:54:19
TOLSON

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT IN AND
FOR THE STATE OF IDAHO, COUNTY OF BANNOCK

STATE OF IDAHO,
Plaintiff,

vs.

WOODROW JOHN GRANT,
Defendant.

Case No: CR-2009-19451-FE
CR-2009-19445-FE
CR-2005-10538-FE

MINUTE ENTRY & ORDER

The above-entitled matter came before the Honorable Robert C. Naftz on the 27th day of September, 2010, for Defendant's Rule 35 Motion. The Defendant was not present in court but represented by and through Douglas Dykman. Cleve Colson, Bannock County Deputy Prosecuting Attorney, appeared on behalf of the State of Idaho. Stephanie Davis was the Court Reporter.

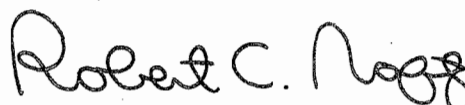
The Court notes that on the 8th day of July, 2010, on Case No. CR-2009-19451-FE, the Defendant was sentenced to a fixed term of five (5) years and subsequent indeterminate term of five (5) years. On Case No. CR-2009-19445-FE, the Defendant was sentenced to a fixed term of two (2) years and a subsequent indeterminate term of three (3) years. On Case No. CR-2005-10538-FE after the Defendant entered admissions to violating probation, the

Defendant's probation was revoked and a sentence reinstated of four (4) years fixed and six (6) years indeterminate. Case Nos. CR-2009-19451-FE and CR-2009-19445-FE are to run concurrently with each other but will run consecutive with Case No. CR-2005-10538-FE. Further, the Defendant was given credit for all time previously served.

The Court having heard argument from counsel and objection from the State and finding that no new evidence was presented,

IT IS HEREBY ORDERED that Defendant's Rule 35 Motion is DENIED. The Defendant will continue to serve his sentences as imposed by the Court on July 8, 2010.

DATED this 30 day of September, 2010.



Honorable Robert C. Naftz
District Judge

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that on the 30 day of September, 2010, I served a true and correct copy of the foregoing document upon each of the following individuals in the manner indicated.

Bannock County Prosecutor

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax: 236-7288

Douglas Dykman

- U.S. Mail
- E-Mail
- Courthouse Box
- Fax:



Deputy Clerk

Inmate Name Woodrow Grant
IDOC No. 80692
Address Po Box 70010
Boise, Id 83707

2010 NOV 12 PM 4:58
BY [Signature]
DEPUTY CLERK

Appellant

IN THE DISTRICT COURT OF THE Sixth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR Bannock COUNTY

STATE OF IDAHO,
Plaintiff-Respondent,

v.

Woodrow John Grant,
Defendant-Appellant.

CR-05-10538
CR-09-19445
CASE NO. CR-09-19451

S.C. DOCKET NO. _____

NOTICE OF APPEAL
Rule 35

TO: THE ABOVE-NAMED RESPONDENT, STATE OF IDAHO, AND THE PARTY'S ATTORNEYS, STATE OF IDAHO, PROSECUTING ATTORNEY AND THE CLERK OF THE ABOVE-ENTITLED COURT:

NOTICE IS HEREBY GIVEN THAT:

1. The above-named appellant appeals against the above-named respondent to the Idaho Supreme Court from the entered in the above-entitled action on the 9/30/2010 (DATE), the Honorable Judge Naftz (NAME OF JUDGE) presiding.
2. That the party has a right to appeal to the Idaho Supreme Court, and the judgments or orders described in paragraph 1 above are appealable orders under and pursuant to Idaho Appellate Rule (I.A.R) 11(c)(1-10).
3. A preliminary statement of the issues on appeal, which the appellant then intends to assert in the appeal, provided any such list of issues on appeal shall not prevent the appellant from asserting other issues on appeal, is/are:

(a) Did the district court err in imposing an excessive sentence?

(b) Did the district court err in denying the appellant's Idaho Criminal Rule 35 motion to reduce his sentence?

4. There is a portion of the record that is sealed. That portion of the record that is sealed is the Pre-Sentence Investigation Report (PSI).

5. The appellant requests the preparation of the entire reporter's standard transcript as defined in I.A.R. 25(a). The appellant also requests the preparation of the following portions of the reporter's transcript:

(a) Sentencing Hearing held on 7/8/10 (DATE OF HEARING); and

(b) Rule 35 Hearing held on 9/27/10 (DATE OF HEARING).

6. The appellant requests the standard clerk's record pursuant to I.A.R. 28(b)(2). The appellant requests the following documents to be included in the clerk's record, in addition to those automatically included under I.A.R. 28(b)(2):

(a) PSI, including any exhibits, attachments or addendums thereto; and

(b) Any exhibits, including but not limited to letters or victim impact statements and other addendums to the PSI or other items offered at sentencing or the Rule 35 hearing.

7. I certify:

(a) That a copy of this Notice of Appeal has been served on the reporter;

(b) That the appellant is exempt from paying the estimated fee for the preparation of the record because the appellant is indigent. (Idaho Code §§ 31-3220, 31-3220A, I.A.R. 24(e));

(c) That there is no appellate filing fee since this is an appeal in a criminal case (Idaho Code §§ 31-3220, 31-3220A, I.A.R. 23(a)(8));

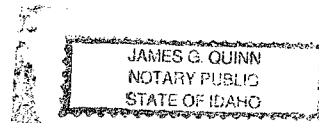
(d) That arrangements have been made with Bannock
(NAME OF COUNTY) County who will be responsible for paying for the
reporter's transcript, as the client is indigent, Idaho Code §§ 31-3220, 31-3220A,
I.A.R. 24(e);

(e) That service has been made upon all parties required to be served pursuant to
I.A.R. 20.

DATED this 9th day of November, 2010.

Woodrow Grant
Appellant

Subscribed and Sworn this 9TH day November 2010
James G. Quinn, Notary
commission expires: 9/10/13



CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 9th day of November, 2010 I mailed a true and correct copy of the attached NOTICE OF APPEAL via prison mail system for processing to the United States mail system, postage prepaid, addressed to:

Deputy Attorney General
Criminal Division
P.O. Box 83720
Boise, ID 83720-0010

*Davis - Court Rptr.
624 E. Center RM 220
Pocatello, Id 83201*

Bannock County Prosecuting Attorney
624 E. Center
Pocatello, Id 83201

Walrus Grant
Signature

CLERK OF DISTRICT COURT
 BANNOCK COUNTY
 2010 NOV 12 AM 11:24
 BY [Signature]
 DEPUTY CLERK

Inmate name Woodrow Grant
 IDOC No. 80692
 Address PO box 70010
Boise, Id 83707

Defendant-Appellant

IN THE DISTRICT COURT OF THE Sixth JUDICIAL DISTRICT
 OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Bannock

STATE OF IDAHO,)
)
 Plaintiff-Respondent,)
)
 vs.)
)
Woodrow John Grant,)
)
 Defendant-Appellant.)
)

CR-05-10538
 CR-09-19445
 Case No. CR-09-19451
**MOTION AND AFFIDAVIT IN
 SUPPORT FOR
 APPOINTMENT OF
 COUNSEL**

COMES NOW, Woodrow John Grant, Defendant-Appellant in the
 above entitled matter and moves this Honorable Court to grant Defendant-Appellant's Motion
 for Appointment of Counsel for the reasons more fully set forth herein and in the Affidavit in
 Support of Motion for Appointment of Counsel.

1. Defendant-Appellant is currently incarcerated within the Idaho Department of
 Corrections under the direct care, custody and control of Warden Timothy Wengler,
 of the Idaho Correction Center.
2. The issues to be presented in this case may become to complex for the Defendant-
 Appellant to properly pursue. Defendant-Appellant lacks the knowledge and skill needed to
 represent him/herself.

3. Defendant-Appellant required assistance completing these pleadings, as he/she was unable to do it him/herself.

4. Other: _____.

DATED this 9th day of November, 2010.

Woodrow Grant
Defendant-Appellant

AFFIDAVIT IN SUPPORT FOR APPOINTMENT OF COUNSEL

STATE OF IDAHO)
) ss
County of Ada)

Woodrow Grant, after first being duly sworn upon his/her oath, deposes and says as follows:

1. I am the Affiant in the above-entitled case;
2. I am currently residing at the Idaho Correction Center, under the care, custody and control of Warden Timothy Wengler;
3. I am indigent and do not have any funds to hire private counsel;
4. I am without bank accounts, stocks, bonds, real estate or any other form of real property;
5. I am unable to provide any other form of security;
6. I am untrained in the law;
7. If I am forced to proceed without counsel being appointed I will be unfairly handicapped in competing with trained and competent counsel of the State;

Further your affiant sayeth naught.

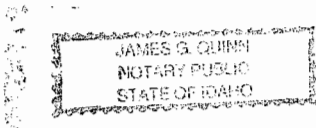
WHEREFORE, Defendant-Appellant respectfully prays that this Honorable Court issue it's Order granting Defendant-Appellant's Motion for Appointment of Counsel to represent his/her interest, or in the alternative grant any such relief to which it may appear the Defendant-Appellant is entitled to.

DATED This 9 day of November, 2010.

Woodrow Grant
Defendant-Appellant

SUBSCRIBED AND SWORN AND AFFIRMED to before me this 9TH day
of November, 2010.

(SEAL)



James G. Quinn
Notary Public for Idaho
Commission expires: 9/10/13

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 9 day of November, 2010, I mailed a copy of this MOTION AND AFFIDAVIT IN SUPPORT FOR APPOINTMENT OF COUNSEL for the purposes of filing with the court and of mailing a true and correct copy via prison mail system for processing to the U.S. mail system to:

**Deputy Attorney General
Criminal Division
P.O. Box 83720
Boise, ID 83720-0010**

Davis
624 E. Center Rm 220
Pocatello, ID 83201

Bannock County Prosecuting Attorney
624 E. Center
Pocatello, ID 83201

Woodrow Grant
Defendant-Appellant

FILED
BANNOCK COUNTY
2010 NOV 12 PM 1:59
BY [Signature]
DEPUTY CLERK

Woodrow John Grant #80692

Full Name of Party Filing This Document

P.O. Box 70010

Mailing Address (Street or Post Office Box)

Boise, Id 83707

City, State and Zip Code

Telephone Number

IN THE DISTRICT COURT OF THE Sixth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Bannock

Case No.: CR-09-19445 CR-05-10538

Woodrow John Grant

Plaintiff, Appellant

vs.

State of Idaho

Defendant, Respondent

MOTION AND AFFIDAVIT FOR
PERMISSION TO PROCEED ON PARTIAL
PAYMENT OF COURT FEES (PRISONER)

IMPORTANT NOTICE: Idaho Code § 31-3220A requires that you serve upon counsel for the county sheriff, the department of correction or the private correctional facility, whichever may apply, a copy of this motion and affidavit and any other documents filed in connection with this request. You must file proof of such service with the court when you file this document.

STATE OF IDAHO)
County of Ada) ss.

Plaintiff Defendant asks to start or defend this case on partial payment of court fees, and swears under oath

1. This is an action for (type of case) Appeal. I believe I'm entitled to get what I am asking for.

MOTION AND AFFIDAVIT FOR PERMISSION TO
PROCEED ON PARTIAL PAYMENT OF COURT FEES
(PRISONER)
CAO 1-10C 2/25/2005

PAGE 1

2. [] I have not previously brought this claim against the same party or a claim based on the same operative facts in any state or federal court. [] I have filed this claim against the same party or a claim based on the same operative facts in a state or federal court.

3. I am unable to pay all the court costs now. I have attached to this affidavit a current statement of my inmate account, certified by a custodian of inmate accounts, that reflects the activity of the account over my period of incarceration or for the last twelve (12) months, whichever is less.

4. I understand I will be required to pay an initial partial filing fee in the amount of 20% of the greater of: (a) the average monthly deposits to my inmate account or (b) the average monthly balance in my inmate account for the last six (6) months. I also understand that I must pay the remainder of the filing fee by making monthly payments of 20% of the preceding month's income in my inmate account until the fee is paid in full.

5. I verify that the statements made in this affidavit are true. I understand that a false statement in this affidavit is perjury and I could be sent to prison for an additional fourteen (14) years.

Do not leave any items blank. If any item does not apply, write "N/A". Attach additional pages if more space is needed for any response.

IDENTIFICATION AND RESIDENCE:

Name: Woodrow Grant Other name(s) I have used: Woody Grant

Address: I.C.C. P.O. Box 70010 Boise, Id 83707

How long at that address? 2 months Phone: NA

Date and place of birth: [REDACTED] Silverton, Id

DEPENDENTS:

I am [] single [] married. If married, you must provide the following information:

Name of spouse: _____

My other dependents (including minor children) are: NA

INCOME:

Amount of my income: \$ 0 per [] week [] month

Other than my inmate account I have outside money from: NA

My spouse's income: \$ NA per [] week [] month.

ASSETS:

List all real property (land and buildings) owned or being purchased by you.

| Your Address | City | State | Legal Description | Value | Equity |
|--------------|------|-------|-------------------|-------|--------|
| <u>NA</u> | | | | | |

List all other property owned by you and state its value.

| Description (provide description for each item) | Value |
|--|-----------|
| Cash | <u>NA</u> |
| Notes and Receivables | <u>NA</u> |
| Vehicles: | <u>NA</u> |
| Bank/Credit Union/Savings/Checking Accounts | <u>NA</u> |
| Stocks/Bonds/Investments/Certificates of Deposit | <u>NA</u> |
| Trust Funds | <u>NA</u> |
| Retirement Accounts/IRAs/401(k)s | <u>NA</u> |
| Cash Value Insurance | <u>NA</u> |
| Motorcycles/Boats/RVs/Snowmobiles: | <u>NA</u> |
| Furniture/Appliances | <u>NA</u> |
| Jewelry/Antiques/Collectibles | <u>NA</u> |

Description (provide description for each item)

Value

TVs/Stereos/Computers/Electronics

NA

Tools/Equipment

NA

Sporting Goods/Guns

NA

Horses/Livestock/Tack

NA

Other (describe)

NA

NA

EXPENSES: List all of your monthly expenses.

Expense

**Average
Monthly Payment**

Rent/House Payment

NA

Vehicle Payment(s)

NA

Credit Cards: (list each account number)

None

Loans: (name of lender and reason for loan)

None

Electricity/Natural Gas

NA

Water/Sewer/Trash

NA

Phone

NA

Groceries

NA

Clothing

NA

Auto Fuel

NA

Auto Maintenance

NA

Cosmetics/Haircuts/Salons

NA

Entertainment/Books/Magazines

NA

Home Insurance

NA

| Expense | Average Monthly Payment |
|-------------------|-------------------------|
| Auto Insurance | None |
| Life Insurance | None |
| Medical Insurance | None |
| Medical Expense | None |
| Other | None |

MISCELLANEOUS:

How much can you borrow? \$ 0 From whom? NA

When did you file your last income tax return? 2008 Amount of refund: \$ 400.00

PERSONAL REFERENCES: (These persons must be able to verify information provided)

| Name | Address | Phone | Years Known |
|--------------|--|--------------|-------------|
| Eunice Grant | Grant Pocatello, Id | 208 220 4135 | 25 |
| Eric Grant | Grant 490 Johnson Am. Falls, Id 82211 | 208-680-7352 | 25 |

Woodrow Grant

Signature

Woodrow Grant

Typed or Printed Name

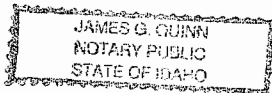
SUBSCRIBED AND SWORN TO before me this 9th day of November, 2010.

James G. Quinn

Notary Public for Idaho

Residing at _____

My Commission expires 9/10/13



= IDOC TRUST ===== OFFENDER BANK BALANCES ===== 11/09/2010 =

Doc No: 80692 Name: GRANT, WOODROW JOHN
Account: CHK Status: ACTIVE

ICC/UNIT H PRES FACIL
TIER-2 CELL-7

Transaction Dates: 11/09/2009-11/09/2010

| | | | |
|-------------------|---------------|----------------|-----------------|
| Beginning Balance | Total Charges | Total Payments | Current Balance |
| 0.00 | 625.97 | 627.90 | 1.93 |

| ===== TRANSACTIONS ===== | | | | | |
|--------------------------|---------------|--------------------|-----------|----------|---------|
| Date | Batch | Description | Ref Doc | Amount | Balance |
| 08/03/2010 | HQ0509116-001 | 950-REINCARCERATED | IBSUSPCHK | 0.00 | 0.00 |
| 08/03/2010 | HQ0509126-012 | 013-RCPT RDU | RDU | 1.03 | 1.03 |
| 08/05/2010 | HQ0509592-010 | 011-RCPT MO/CC | RTCP MO | 50.00 | 51.03 |
| 08/09/2010 | II0510207-936 | 099-COMM SPL | | 14.97DB | 36.06 |
| 08/09/2010 | II0510207-937 | 099-COMM SPL | | 12.13DB | 23.93 |
| 08/16/2010 | II0510956-754 | 099-COMM SPL | | 10.20DB | 13.73 |
| 08/16/2010 | II0510956-755 | 099-COMM SPL | | 5.59DB | 8.14 |
| 08/16/2010 | II0511009-014 | 071-MED CO-PAY | 383325 | 5.00DB | 3.14 |
| 08/23/2010 | II0511745-724 | 099-COMM SPL | | 1.86DB | 1.28 |
| 08/24/2010 | HQ0511936-017 | 011-RCPT MO/CC | RTCP MO | 40.00 | 41.28 |
| 08/25/2010 | II0512197-025 | 100-CR INM CMM | | 1.86 | 43.14 |
| 08/30/2010 | II0512627-710 | 099-COMM SPL | | 19.27DB | 23.87 |
| 08/30/2010 | II0512627-711 | 099-COMM SPL | | 6.80DB | 17.07 |
| 08/31/2010 | II0512849-010 | 071-MED CO-PAY | 397008 | 7.00DB | 10.07 |
| 09/03/2010 | IC0513396-338 | 099-COMM SPL | | 10.00DB | 0.07 |
| 09/23/2010 | HQ0515727-018 | 011-RCPT MO/CC | 289942 | 340.00 | 340.07 |
| 09/28/2010 | IC0516314-557 | 099-COMM SPL | | 85.75DB | 254.32 |
| 09/30/2010 | HQ0516504-018 | 011-RCPT MO/CC | 171930 | 100.00 | 354.32 |
| 10/01/2010 | IC0516678-013 | 078-MET MAIL | 114549 | 0.17DB | 354.15 |
| 10/05/2010 | IC0516897-517 | 099-COMM SPL | | 78.22DB | 275.93 |
| 10/06/2010 | IC0517382-020 | 078-MET MAIL | 116152 | 1.73DB | 274.20 |
| 10/08/2010 | HQ0517870-008 | 011-RCPT MO/CC | 056586 | 50.00 | 324.20 |
| 10/12/2010 | IC0517927-561 | 099-COMM SPL | | 22.30DB | 301.90 |
| 10/13/2010 | IC0518343-029 | 078-MET MAIL | 115978 | 1.73DB | 300.17 |
| 10/19/2010 | IC0518919-688 | 099-COMM SPL | | 280.23DB | 19.94 |
| 10/20/2010 | HQ0519092-009 | 022-PHONE TIME | 116547 | 17.00DB | 2.94 |
| 10/29/2010 | HQ0520042-014 | 011-RCPT MO/CC | 879315 | 25.01 | 27.95 |
| 11/02/2010 | IC0520360-526 | 099-COMM SPL | | 21.48DB | 6.47 |
| 11/03/2010 | IC0520671-012 | 078-MET MAIL | 117188 | 2.75DB | 3.72 |
| 11/04/2010 | HQ0520724-017 | 011-RCPT MO/CC | 521575 | 20.00 | 23.72 |
| 11/09/2010 | IC0521439-557 | 099-COMM SPL | | 21.79DB | 1.93 |

STATE OF IDAHO

Idaho Department of Correction

I hereby certify that the foregoing is a full, true, and correct copy of an instrument as the same now remains on file and of record in my office.

WITNESS my hand hereto affixed this 9TH

day of November A.D., 2010

By [Signature]

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

| | | |
|-----------------------|---|---------------------|
| STATE OF IDAHO, |) | |
| |) | |
| Plaintiff-Respondent, |) | Supreme Court No. |
| |) | |
| vs. |) | |
| |) | CLERK'S CERTIFICATE |
| WOODROW JOHN GRANT, |) | OF |
| |) | APPEAL |
| Defendant-Appellant, |) | |
| |) | |
| |) | |
| |) | |

Appealed from: Sixth Judicial District, Bannock County

Honorable Judge Robert C. Naftz presiding

Bannock County Case No: CR-2005-10538-FE

Order of Judgment Appealed from: Minute Entry and Order filed the 30th day of September, 2010.

Attorney for Appellant: Woodrow John Grant, motion to appoint State Appellate Public Defender pending.

Attorney for Respondent: Lawrence G. Wasden, Attorney General, Boise

Appealed by: Woodrow John Grant

Appealed against: State of Idaho

Notice of Appeal filed: November 12, 2010

Notice of Cross-Appeal filed: No

Appellate fee paid: No, exempt

Request for additional records filed: No

Request for additional reporter's transcript filed: No

Name of Reporter: Stephanie Davis

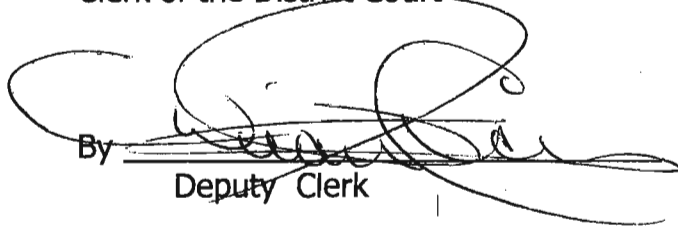
Was District Court Reporter's transcript requested? Yes

Estimated Number of Pages: More than 100 pages



Dated December 1, 2010

DALE HATCH,
Clerk of the District Court

By 
Deputy Clerk

Inmate name Woodrow Grant
IDOC No. 80692
Address I.C.C. Pobox 70010
Boise, Id 83707

2010 DEC 2 10:10
WTT

IN THE DISTRICT COURT OF THE 6th JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Bannock

STATE OF IDAHO,)
)
Plaintiff-Respondent,)
)
vs.)
)
Woodrow Grant,)
)
Defendant-Appellant.)

CR-05-10538
CR-09-19445
Case No. CR-09-19451
**ORDER GRANTING
MOTION FOR
APPOINTMENT
OF COUNSEL**

IT IS HEARBY ORDERED that the Defendant-Appellant's Motion for Appointment of Counsel is granted and STATE APPELLATE P.D. (attorney's ~~name~~), a duly licensed attorney in the State of Idaho, is hereby appointed to represent said defendant in all proceedings involving the ~~Idaho Criminal Rule 35 motion~~.
CRIMINAL APPEAL

DATED this 2 day of December, 2010.

Robert C. Noss
District Judge

BANYON
2010 DEC -3 AM 10:38
DEPUTY CLERK

Woodrow John Grant #80090
Full Name of Party Submitting This Document

I.C.C. P.O. box 70010
Mailing Address (Street or Post Office Box)

Boise, Id 83707
City, State and Zip Code

Telephone Number

IN THE DISTRICT COURT OF THE Sixth JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Bannock

Woodrow John Grant
Plaintiff, Appellant
vs.
State of Id
Defendant, Respondent

CR-09-19445
Case No.: CR-09-19451 CR-05-10538

ORDER RE: PARTIAL PAYMENT OF
COURT FEES (PRISONER)

Having reviewed the [] Plaintiff's [] Defendant's Motion and Affidavit for Partial Payment of Court Fees,

THIS COURT FINDS AND ORDERS:

[] The average monthly deposits in the prisoner's inmate account total \$ 50.00, the average monthly balance in the prisoner's inmate account during the last six months has been \$ 0; 20% of the greater of these amounts is \$ 10.00 and must be paid as a partial initial fee at the time of filing. The prisoner shall make monthly payments of not less than 20% of the preceding month's income credited to the prisoner's inmate account until the remainder of the court filing fees in the amount of \$ _____ are paid in full. The agency or entity having custody of the prisoner shall forward payments from the prisoner's inmate account to the clerk of the court each time the amount in the prisoner's inmate account exceeds ten dollars (\$10.00) until the full amount is paid

or [] The prisoner has no assets and need not pay any fee at this time. The prisoner shall make monthly payments of not less than 20% of the preceding month's income credited to the prisoner's inmate account until the court filing fees in the amount of \$ _____ are paid in

full. The agency or entity having custody of the prisoner shall forward payments from the prisoner's inmate account to the clerk of the court each time the amount in the prisoner's inmate account exceeds ten dollars (\$10.00) until the full amount is paid.

or THIS COURT DENIES the motion because

the prisoner did not comply with all the requirements of Idaho Code §31-3220A, or

the Court finds the prisoner has the ability to pay the full filing fee at this time.

Date: 12/2/10 Robert C. Noss
Judge

CLERK'S CERTIFICATE OF SERVICE

I certify that a copy was served:

To Prisoner:

Name: _____

Hand-delivery

Address: _____

Mailing

City, State, Zip: _____

Fax to (number) _____

To counsel for the county sheriff the department of correction or the private correctional facility:

Name: _____

Hand-delivery

Address: _____

Mailing

City, State, Zip: _____

Fax to (number) _____

Date: 12-3-10 WMD
Deputy Clerk

ORIGINAL

FILED
BANNOCK COUNTY
CLERK OF THE COURT

2009 NOV 3 AM 11:50

BY CH
DEPUTY CLERK

MARK L. HIEDEMAN
BANNOCK COUNTY PROSECUTOR
P.O. BOX P
POCATELLO, ID 83205-0050
(208) 236-7280

CLEVE B. COLSON
Assistant Chief Criminal Deputy Prosecuting Attorney
ISB #7234

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,)
)
Plaintiff,)
)
vs.)
)
WOODROW JOHN GRANT,)
518-13-0042)
02/17/85)
)
Defendant.)
_____)

COMPLAINT - CRIMINAL
CR - 2009 - 19445

Personally appeared before me this 3rd day of November, 2009, VIC A.

PEARSON in the County of Bannock, who, first being duly sworn, complains of
WOODROW JOHN GRANT and charges the defendant with the public offense of
POSSESSION OF A CONTROLLED SUBSTANCE, METHAMPHETAMINE, Idaho Code
§37-2732(c)(1), committed as follows, to-wit:

That the said WOODROW JOHN GRANT in Pocatello, in the County of Bannock,
State of Idaho, on or about the 2nd day of November, 2009, did possess a Schedule II
controlled substance, Methamphetamine.

All of which is contrary to the form of the statute in said State made and provided and against the peace and dignity of the State of Idaho.

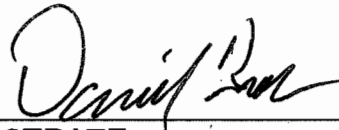
Said complainant prays that the said defendant WOODROW JOHN GRANT may be dealt with according to law.



VIC A. PEARSON

SUBSCRIBED AND SWORN to before me this 3rd day of November,

2009.



MAGISTRATE

Case History

Bannock

5 Cases Found.

State of Idaho vs. Woodrow John Grant
No hearings scheduled

Case: CR-2008-0020444-MD Magistrate Judge: Steven A Thomsen Amount due: \$0.00 Closed

Charges: Violation Date Charge Citation Disposition
11/21/2008 I49-1232 {M} Insurance-Fail To Provide Proof Of Insurance 9266135 Finding: Dismissed By Court
Arresting Officer: Shutes, Matthew, 3000 Disposition date: 12/09/2008
Fines/fees: \$0.00

State of Idaho vs. Woodrow John Grant
No hearings scheduled

Case: CR-2005-0018113-FE Magistrate Judge: Gaylen L. Box Amount due: \$0.00 Closed

Charges: Violation Date Charge Citation Disposition
10/25/2005 I37-2732(C)(1) Controlled Substance-possession Of 2000 Finding: Dismissed By Prosecutor
Arresting Officer: Foltz, Tom F., 2000 Disposition date: 01/04/2006
Fines/fees: \$0.00

Pending bonds: Entered Type Amount
10/28/2005 Surety \$20,000.00

State of Idaho vs. Woodrow John Grant
No hearings scheduled

Case: CR-2005-0013404-MD Magistrate Judge: Robert C. Naftz (Magistrate) Amount due: \$0.00 Closed

Charges: Violation Date Charge Citation Disposition
08/04/2005 I49-1232 {M} Insurance-fail To Provide Proof Of Insurance 1105750 Finding: Dismissed By Prosecutor
Arresting Officer: Idaho State Police,, 1000 Disposition date: 12/22/2005
Fines/fees: \$104.00

State of Idaho vs. Woodrow John Grant
No hearings scheduled

Case: CR-2005-0010538-FE District Judge: Peter D. McDermott Amount due: \$5,430.68 Closed pending clerk action

Charges: Violation Date Charge Citation Disposition
05/21/2005 I18-907 Battery-aggravated 3000 Finding: Guilty
Arresting Officer: Higbee, Chad, 3000 Disposition date: 06/19/2006
Fines/fees: \$1,236.50
Other Confinement: 6 months
Det Penitentiary: 4 years
Indet Penitentiary: 6 years

Probation: Type:Sup. Term: 4 years
To be completed by: 10/20/2010
Probation completed on:

| Victims: | Name | Restitution Assessed | Restitution Paid |
|----------------|--|----------------------|------------------|
| | Idaho Crime Victims Compensation Fund | \$2,717.18 | \$-672.50 |
| | 6th District Narcotics Enforcement c/o PPD | \$875.00 | \$0.00 |
| | Idaho State Police Forensic Services | \$200.00 | \$0.00 |
| | Pocatello Police Department Training Fund | \$350.00 | \$0.00 |
| | District Court Fund | \$850.00 | \$0.00 |
| Pending bonds: | Entered | Type | Amount |
| | 07/11/2005 | Surety | \$5,000.00 |
| | 12/28/2005 | Surety | \$5,000.00 |

State of Idaho vs. Woodrow John Grant
No hearings scheduled

| Case: | CR-2005-0009875-IN | Magistrate Judge: | Magistrate Court Clerk | Amount due: | \$0.00 | Closed |
|----------|---------------------------|--|-------------------------------|--|---------------|---------------|
| Charges: | Violation Date | Charge | Citation | Disposition | | |
| | 06/02/2005 | 149-1232 Insurance-fail To Provide Proof Of Insurance Arresting Officer: Rausch, Robert, 1000 | 1102367 | Finding: Guilty Disposition date: 07/19/2005 Fines/fees: \$107.50 | | |
| | 06/02/2005 | 149-673(3) Safety Restraint-Operator +18/Occupant -18 Arresting Officer: Rausch, Robert, 1000 | 1102367 | Finding: Guilty Disposition date: 06/29/2005 Fines/fees: \$10.00 | | |

Connection: Secure

Case History

Power

15 Cases Found.

**State of Idaho vs. Woody Grant
No hearings scheduled**

Case: **CR-2005-0001013** Magistrate Judge: **Mark A. Beebe** Amount due: **\$0.00** **Closed pending clerk action**

| | | | | |
|----------|----------------|--|----------|-------------------------------------|
| Charges: | Violation Date | Charge | Citation | Disposition |
| | 03/27/2005 | 118-903 Battery | | Finding: Guilty |
| | | Arresting Officer: Cunningham, Darrell 2p8, 1000 | | Disposition date: 05/23/2006 |
| | | | | Fines/fees: \$7.00 |
| | | | | Jail: 6 months |
| | | | | Suspended Jail: 3 months |

**Probation: Type:Supervised Term: 2 years
To be completed by: 05/23/2008
Probation completed on: 05/23/2008 Probation completed**

| | | | |
|----------------|----------------|----------------------|------------------|
| Victims: | Name | Restitution Assessed | Restitution Paid |
| | Gohl, Joshua W | \$225.53 | \$-225.53 |
| Pending bonds: | Entered | Type | Amount |
| | 01/04/2006 | Surety | \$10,000.00 |

**State of Idaho vs. Woody Grant
No hearings scheduled**

Case: **CR-2005-0000532** Magistrate Judge: **Mark A. Beebe** Amount due: **\$0.00** **Closed**

| | | | | |
|----------|----------------|--|----------|---|
| Charges: | Violation Date | Charge | Citation | Disposition |
| | 04/30/2005 | 118-903 Battery | 19577 | Finding: Dismissed By Prosecutor |
| | | Arresting Officer: Cunningham, Darrell 2p8, 1000 | | Disposition date: 07/12/2005 |
| | | | | Fines/fees: \$0.00 |

**State of Idaho vs. Woody Grant
No hearings scheduled**

Case: **CR-2005-0000480** Magistrate Judge: **Mark A. Beebe** Amount due: **\$0.00** **Closed**

| | | | | |
|----------|----------------|-------------------------------------|----------|---|
| Charges: | Violation Date | Charge | Citation | Disposition |
| | 04/14/2005 | 118-903 Battery | 19382 | Finding: Dismissed By Prosecutor |
| | | Arresting Officer: King, Gary, 1000 | | Disposition date: 07/12/2005 |
| | | | | Fines/fees: \$0.00 |

| | | | |
|----------------|------------|--------|----------|
| Pending bonds: | Entered | Type | Amount |
| | 04/18/2005 | Surety | \$300.00 |

**State of Idaho vs. Woody Grant
No hearings scheduled**

Case: **CR-2004-0001319** Magistrate Judge: **Mark A. Beebe** Amount due: **\$0.00** **Closed**

Charges: Violation Date Charge Citation Disposition

07/15/2004 I18-7001 {M} Property-malicious Injury To Property
 Arresting Officer: Christensen, Mark, 2000
 Finding: Guilty
 Disposition date: 02/09/2005
 Fines/fees: \$192.50

Probation: Type:Supervised Term: 2 years
 To be completed by: 02/09/2007
 Probation completed on: 06/19/2006 Probation completed

State of Idaho vs. Woody Grant
 No hearings scheduled

Case: CR-2004-0001292 Magistrate Judge: Mark A. Beebe Amount due: \$0.00 Closed

Charges: Violation Date Charge Citation Disposition

07/19/2004 I36-1201(C) License-fail To Carry On Person/exhibit On Request
 Arresting Officer: Wright, Scott, 5000
 Finding: Dismissed By Court
 Disposition date: 07/29/2004
 Fines/fees: \$0.00

State of Idaho vs. Woody Grant
 No hearings scheduled

Case: CR-2003-0000969 Magistrate Judge: Magistrate Court Clerks Amount due: \$0.00 Closed

Charges: Violation Date Charge Citation Disposition

11/17/2003 I49-319 Drivers License-driving With Expired License
 Arresting Officer: Evans, Cliff 2p5, 1000
 Finding: Dismissed By Court
 Disposition date: 12/08/2003
 Fines/fees: \$0.00

State of Idaho vs. Woody Grant
 No hearings scheduled

Case: CR-2003-0000518 Magistrate Judge: Mark A. Beebe Amount due: \$0.00 Closed pending clerk action

Charges: Violation Date Charge Citation Disposition

10/07/2003 Original: I18-903 Battery Amended: I18-6409 Disturbing The Peace
 Arresting Officer: King, Gary, 1000
 Finding: Guilty
 Disposition date: 03/09/2004
 Fines/fees: \$167.50
 Jail: 6 months
 Suspended Jail: 5 months

Probation: Type:Supervised Term: 2 years
 To be completed by: 03/09/2006
 Probation completed on: 03/09/2006 Probation completed

Pending bonds: Entered Type Amount

11/20/2003 Surety \$300.00

State of Idaho vs. Woody Grant
 No hearings scheduled

Case: CR-2002-0001332 Magistrate Judge: **Magistrate Court Clerks** Amount due: **\$0.00** Closed

| Charges: Violation Date | Charge | Citation | Disposition |
|-------------------------|--|----------|---|
| 06/29/2002 | 149-654(2) Speed-exceed Maximum Speed Limit Arresting Officer: Hillier, Barrett, 1000 | 17422 | Finding: Guilty Disposition date: 08/09/2002 Fines/fees: \$53.00 |
| 06/29/2002 | 149-673 Safety Restraint-fail To Use Arresting Officer: Hillier, Barrett, 1000 | 17422 | Finding: Guilty Disposition date: 08/09/2002 Fines/fees: \$5.00 |

State of Idaho vs. Woody Grant
No hearings scheduled

Case: CR-2002-0001287 Magistrate Judge: **Magistrate Court Clerks** Amount due: **\$0.00** Closed

| Charges: Violation Date | Charge | Citation | Disposition |
|-------------------------|---|----------|---|
| 06/23/2002 | 149-654(1) Speed-basic Rule Arresting Officer: Macleod, Connor, 1000 | 17324 | Finding: Guilty Disposition date: 08/09/2002 Fines/fees: \$53.00 |

In The Interest Of Woody Grant
No hearings scheduled

Case: JV-2002-0000008
(Case Sealed) Magistrate Judge: **Mark A. Beebe** Amount due: **\$0.00** Closed

| Charges: Violation Date | Charge | Citation | Disposition |
|-------------------------|-------------------------|----------|---|
| 01/22/2002 | M6-6-1 Curfew Violation | | Finding: Dismissed By Prosecutor Disposition date: 01/23/2002 Fines/fees: \$0.00 |

In The Interest Of Woody Grant
No hearings scheduled

Case: JV-2001-0000168
(Case Sealed) Magistrate Judge: **Mark A. Beebe** Amount due: **\$0.00** Closed

| Charges: Violation Date | Charge | Citation | Disposition |
|-------------------------|--|----------|--|
| 10/22/2001 | Original: 118-907(A) Battery-aggravated(cause Great Bodily Harm) Amended: 118-903 Battery | | Finding: Upon Compliance Disposition date: 03/03/2003 Fines/fees: \$20.00 |

State of Idaho vs. Woody Grant
No hearings scheduled

Case: CR-2001-0001873 Magistrate Judge: **Magistrate Court Clerks** Amount due: **\$0.00** Closed

| Charges: Violation Date | Charge | Citation | Disposition |
|-------------------------|--|----------|---|
| 09/20/2001 | 149-654(2) Speed-exceed Maximum Speed Limit Arresting Officer: King, Gary, 1000 | 16962 | Finding: Guilty Disposition date: 10/19/2001 Fines/fees: \$53.00 |

**State of Idaho vs. Woody Grant
No hearings scheduled**

Case: **CR-2000-0002035** Magistrate Judge: **Magistrate Court Clerks** Amount due: **\$0.00** **Closed**

Charges: Violation Date Charge Citation Disposition

08/24/2000 **I49-317 Drivers License-violation Of Restricted License** **16147** **Finding: Guilty
Disposition
date: 02/27/2001
Fines/fees: \$83.00**

Arresting Officer: Hillier, Barrett, 1000

**In The Interest Of Woody Grant
No hearings scheduled**

Case: **JV-2000-000093**
(Case Sealed) Magistrate Judge: **Mark A. Beebe** Amount due: **\$0.00** **Closed**

Charges: Violation Date Charge Citation Disposition

06/01/2000 **I33-206 Truant-habitual** **Finding: Dismissed By
Court
Disposition
date: 07/10/2000
Fines/fees: \$0.00**

**In The Interest Of Woody Grant
No hearings scheduled**

Case: **JV-1995-000081**
(Case Sealed) Magistrate Judge: **Mark A. Beebe** Amount due: **\$0.00** **Closed**

Charges: Violation Date Charge Citation Disposition

05/16/1995 **I33-202 School Attendance Violation** **Finding: Dismissed By
Prosecutor
Disposition
date: 06/06/1995
Fines/fees: \$0.00**

Connection: Secure

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

FILED
BANNOCK COUNTY
CLERK OF THE COURT

2009 NOV -3 AM 11:50

STATE OF IDAHO,

Plaintiff,

vs.

WOODROW JOHN GRANT,
518-13-0042
02/17/85

Defendant.

BY)

DEPUTY CLERK

CASE NO.

AFFIDAVIT OF PROBABLE
CAUSE

CR-2009-19445

STATE OF IDAHO,)

) ss

COUNTY OF BANNOCK)

VIC A. PEARSON, being first duly sworn, deposes and says that:

I am the Chief Criminal Deputy Prosecutor for the Bannock County Prosecuting Attorney's Office. I have conducted an investigation regarding WOODROW JOHN GRANT. Based on that investigation, I have requested a Sixth District Magistrate Judge to make a determination of probable cause to hold or set bond on the above-named defendant for the public offense of POSSESSION OF A CONTROLLED SUBSTANCE, METHAMPHETAMINE, Idaho Code §37-2732(c)(1).

The basis for the request is the information set forth in a supplementary police report which is designated as Exhibit "A" attached hereto. I further depose and say that I have read Exhibit "A" and all the contents are true to the best of my knowledge, and that I personally know the author of that report to be a law enforcement officer whom I believe to be credible and reliable.

DATED this 3 day of November, 2009.


VIC A. PEARSON

STATE OF IDAHO)

) ss

COUNTY OF BANNOCK)

VIC A. PEARSON, known to me to be the person whose name is subscribed to the within instrument, acknowledged to me that he has executed the same and that he read the same and that the same was true to the best of his knowledge.

DATED this 3rd day of November, 2009.


NOTARY/MAGISTRATE
185

11/03/09
08:29

Bannock County Sheriff's Office
Detail Incident Report

FILED
BANNOCK COUNTY
CLERK OF THE COURT

649
1

2009 NOV -3 AM 11:50

Page:

Incident #: 09-P23813

LAW INCIDENT:

BY _____
DEPUTY CLERK

Nature: WANTED PERSON Address: HILINE RD; mtn park
Location: City: Pocatello ST: ID Zip: 83201

Offense Codes: WRWA
Received By: BIRCH,S How Received: Telephone Agency: PPD
Rspndg Officers: DIEKEMPER,N BUCK,J SHUTES,M VANDERSC
Rspnsbl Officer: DIEKEMPER,N Disposition: Active on 11/02/09
When Reported: 19:43:00 11/02/09
Occurred: Between 19:43:00 11/02/09 and 19:43:00 11/02/09

SUSPECTS:

NAME: GRANT, WOODROW J. Name Number: 181085
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Height: 5'09" Weight: 185 Hair: BLN Eyes: BLU
Address: [REDACTED] AMERICAN FALLS, ID 83211
Home Telephone: [REDACTED] Work Telephone: () -

NAME: HENDERSON, LONNI Name Number: 196565
Race: W Sex: F DOB: [REDACTED] SSN: [REDACTED]
Height: 5'02" Weight: 160 Hair: BLN Eyes: GRN
Address: [REDACTED] Pocatello, ID 83201
Home Telephone: [REDACTED] Work Telephone: () -

ARRESTEE

NAME: HENDERSON, LONNI Name Number: 196565
Race: W Sex: F DOB: [REDACTED] SSN: [REDACTED]
Height: 5'02" Weight: 160 Hair: BLN Eyes: GRN
Address: [REDACTED] Pocatello, ID 83201
Home Telephone: [REDACTED] Work Telephone: () -

ARREST Date: 20:02:00 11/02/09 Agency: Pocatello Police Department
Type: Jailed on wrnt or commitment Arresting Officer: SHUTES,M
Disp: Location: Hiline & Mtn. Park
Judicial Age Status: A

OFFENSE: WARRANT ARREST Time/Date: 20:02:00 11/02/09
Statute: WARRANT ARREST Type: State Statute
Class: MISDEMEANOR Court: Magistrate Court
Location: Hiline & Mtn. Park Law: Idaho State Statute

ARRESTEE

NAME: GRANT, WOODROW J. Name Number: 181085
Race: W Sex: M DOB: [REDACTED] SSN: [REDACTED]
Height: 5'09" Weight: 185 Hair: BLN Eyes: BLU
Address: [REDACTED] AMERICAN FALLS, ID 83211
Home Telephone: [REDACTED] Work Telephone: () -

11/03/09
08:29

Bannock County Sheriff's Office
Detail Incident Report

Page: 649
2

Incident #: 09-P23813

ARREST Date: 19:53:00 11/02/09
Type: INCARCERATED W/NO WARNT
Disp:
Judicial Age Status: A

Agency: Pocatello Police Department
Arresting Officer: WILLIAMS, T
Location: Hiline & Mt. Park

OFFENSE: Weapons Offense
Statute: UNLAWFUL POSS OF FIREARM
Class: FELONY
Location: Hiline & Mt. Park

Time/Date: 19:53:00 11/02/09
Type: State Statute
Court: Magistrate Court
Law: Idaho State Statute

OFFENSE:
Statute: Aggravated Assault
Class: FELONY
Location: Hiline & Mt. Park

Time/Date: 19:53:00 11/02/09
Type: State Statute
Court: Magistrate Court
Law: Idaho State Statute

OFFENSE:
Statute: Domestic Battery
Class: FELONY
Location: Hiline & Mt. Park

Time/Date: 19:53:00 11/02/09
Type: State Statute
Court: Magistrate Court
Law: Idaho State Statute

ARREST Date: 19:53:00 11/02/09
Type: INCARCERATED W/NO WARNT
Disp:
Judicial Age Status: A

Agency: Pocatello Police Department
Arresting Officer: SHUTES, M
Location: Hiline & MT Park

OFFENSE:
Statute: Manuf/Deliver/Poss Contr Sub
Class: FELONY
Location: Hiline & MT Park

Time/Date: 19:53:00 11/02/09
Type: State Statute
Court: Magistrate Court
Law: Idaho State Statute

PROPERTY INFORMATION:

Item Type: VIAL
Item/Brand: METH
Serial Number:
Characteristics:

Property Number: P119936
Model: RESIDUE
Color: WHI /

Quantity: 1 Meas: Total Value: 5.00
Local Status: Evidence in Storage
Owner ID Number: 181085 Owner Name: GRANT, WOODROW

SMALL METAL VIAL WITH A WHITE RESIDUE WHICH NEEDS TO GO TO THE STATE LAB FOR TESTING AND CONFIRMATION OF A PRESUMPTIVE POSITIVE METH RESULT.

NARRATIVE:

11/03/09
08:29

Bannock County Sheriff's Office
Detail Incident Report

Page: 649
3

Incident #: 09-P23813

SUPPLEMENTAL NARRATIVE:

ARREST: AFFIDAVIT OF PROBABLE CAUSE
ARREST REPORT

Date:11/02/209 Time:2130 Officer:M.SHUTES #5213

Arrestees Name:GRANT, WOODROW
Charge:POSSESSION METHAMPHETAMINE
Citation #:NONE
Bond:NONE
LI#: 09-P23813

SYNOPSIS:

On 11/02/2009 at 1947 hours a traffic stop was initiated with a white 1999 GMC Yukon bearing Idaho License plate 1BF1953 on Hiline at Flandro Dr. Initially the vehicle did not stop and after a short pursuit the vehicle came to a stop on Mountain Park just east of Hiline. Officers had been advised of probable cause to take WOODROW GRANT into custody, for Aggravated Assault, Felony Domestic Battery, and Felon in possession of a firearm reference LI 09-P23558. I had received information regarding GRANT and was advised by Bannock County Probation Officer GRAYSON that GRANT was in this vehicle in the company of one of his probationers, LONNI HENDERSON. GRANT was taken into custody and a small metal vile was located on his person during a search incident to arrest. The vile contained a white residue I recognized through my training and experience as being consistent with methamphetamine. I field tested the residue and received a presumptive positive result for methamphetamine. The field test was witnessed by CPL. BUCK of the Pocatello Police Department. GRANT was incarcerated for possession of methamphetamine as well as charges related to LI 09-P23558. Nothing further.

State of Idaho)
) ss
County of Bannock)

MATTHEW SHUTES being first duly sworn, deposes and says that I am a law enforcement officer with POCATELLO POLICE DEPARTMENT. I have conducted an investigation regarding WOODROW GRANT. Based on that investigation, I request a Sixth District Judge to make a determination of probable cause to arrest, hold or set bond on the above named defendant for the public offense of POSSESSION OF METHAMPHETAMINE, a violation of I.C.37-2732(c)(1). The basis for this request is the information set forth in a police report which is designated as Exhibit "A" attached or within hereto. I further depose and say that I have read Exhibit "A" and all the contents are true to the best of my knowledge, and that I personally know the author of that report to be a law enforcement officer whom I believe to be credible and reliable.

Dated this 2nd day of November, 2009

11/03/09
08:29

Bannock County Sheriff's Office
Detail Incident Report

Page: 649
4

Incident #: 09-P23813

Officer signature _____ Pocatello Police Dept.

State of Idaho)
) ss
County of Bannock)

_____, known to me to be the person whose name is subscribed to this Affidavit of Probable Cause, acknowledged to me that s/he has read and executed the document/s and the contents are true to the best of her/his knowledge.

Subscribed and sworn before me this _____ day of _____, 20__

Notary Public
Commission expires on _____

Detailed Report to follow.

SUPPLEMENTAL NARRATIVE:

SUPPLEMENTAL NARRATIVE:

OFFICER: SHUTES #5213 DICTATED: 11/02/09 @ 2213 HOURS

INVESTIGATIVE TIME: 2 HOURS
LAW INCIDENT #: 09-P23813
STENO INITIALS: MLW
DATE & TIME
TRANSCRIBED: 11/03/09 @ 0739 HOURS

1. DOCUMENTS OF EVIDENCE TO BE FILED IN RECORDS:
(STATEMENTS, RIGHTS FORMS, LATENTS, PHOTOS, ETC.)

None

2. NARRATIVE:

On 11/02/09 at 1947 hours, officers of the Pocatello Police Department conducted a traffic stop with a white 1999 GMC Yukon bearing Idaho license plate 1BF1953. I was in contact with Bannock County Probation Officer RYAN GRAYSON in reference to a subject by the name of WOODROW GRANT. GRANT was wanted by the Investigations Division of the Pocatello Police Department in reference to 09-P23558. The charges pending in that case were Aggravated Assault, Felony

11/03/09
08:29

Bannock County Sheriff's Office
Detail Incident Report

Page: 649
5

Incident #: 09-P23813

Domestic Battery, and Felony Possession of a Firearm.

On 11/02/09, in my contact with Probation Officer GRAYSON, he had informed me that he observed GRANT in this vehicle and the vehicle belongs to one of his probation officers LONNIE HENDERSON.

Corporal BUCK, Sergeant DIEKEMPER, officers with the Chubbuck Police Department, other officers at the Pocatello Police Department, and I conducted at traffic stop of the vehicle. Both parties were taken into custody. HENDERSON was transported to the Bannock County Jail by Officer JASON WEINHEIMER on an Agent's Warrant through the Bannock County Probation Office. GRANT was taken into custody and taken to the Pocatello Police Department pending an interview with Detective WILLIAMS.

Prior to GRANT being transported to the Pocatello Police Department, a search of his person incident to arrest was conducted. A small metal vial was located on his person. The small metal vial had a white residue substance inside of it consistent with methamphetamine.

At the Pocatello Police Department, Corporal BUCK and I conducted a field test using a Narco pouch receiving a presumptive positive result for methamphetamine. GRANT was incarcerated under this report number, 09-P23813, for Possession of Methamphetamine as well as the charges under report number 09-P23558.

End of report.

ARREST:

AFFIDAVIT OF PROBABLE CAUSE
ARREST REPORT

Date:11/02/209 Time:2130 Officer:M.SHUTES #5213

Arrestees Name:GRANT, WOODROW
Charge:POSSESSION METHAMPHETAMINE
Citation #:NONE
Bond:NONE
LI #:09-P23813

SYNOPSIS:

On 11/02/2009 at 1947 hours a traffic stop was initiated with a white 1999 GMC Yukon bearing Idaho License plate 1BF1953 on Hiline at Flandro Dr. Initially the vehicle did not stop and after a short pursuit the vehicle came to a stop on Mountain Park just east of Hiline. Officers had been advised of probable cause to take WOODROW GRANT into custody, for Aggravated Assault, Felony Domestic Battery, and Felon in possession of a firearm reference LI 09-P23558. I had received information regarding GRANT and was advised by Bannock County Probation Officer GRAYSON that GRANT was in this vehicle in the company of one of his probationers, LONNI HENDERSON. GRANT was taken into custody and a small metal vile was located on his person during a search incident to arrest. The vile contained a white residue I recognized through my training and experience as being consistent with methamphetamine. I field tested the residue and received a presumptive positive result for methamphetamine. The field test was witnessed by CPL. BUCK of the Pocatello Police Department. GRANT was incarcerated for possession of methamphetamine as well as charges related to LI 09-P23558. Nothing further.

State of Idaho)
) ss
County of Bannock)

MATTHEW SHUTES being first duly sworn, deposes and says that I am a law enforcement officer with POCATELLO POLICE DEPARTMENT. I have conducted an investigation regarding WOODROW GRANT. Based on that investigation, I request a Sixth District Judge to make a determination of probable cause to arrest, hold or set bond on the above named defendant for the public offense of POSSESSION OF METHAMPHETAMINE, a violation of I.C.37-2732(c)(1). The basis for this request is the information set forth in a police report which is designated as Exhibit "A" attached or within hereto. I further depose and say that I have read Exhibit "A" and all the contents are true to the best of my knowledge, and that I personally know the author of that report to be a law enforcement officer whom I believe to be credible and reliable.

Dated this 2nd day of November, 2009

Officer signature MS #5213 Pocatello Police Dept.

State of Idaho)
)
County of Bannock) ss

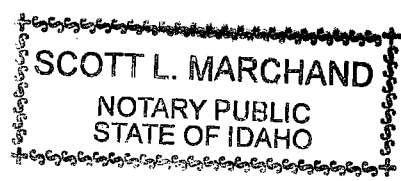
M. SMUTES, known to me to be the person whose name is subscribed to this Affidavit of Probable Cause, acknowledged to me that s/he has read and executed the document/s and the contents are true to the best of her/his knowledge.

Subscribed and sworn before me this 2 day of November, 2009

Scott L. Marchand
Notary Public

Commission expires on 10-27-12

Detailed Report to follow.



ORIGINAL

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

FILED
BANNOCK COUNTY
CLERK OF THE COURT
2009 NOV -3 AM 11:51

MAGISTRATE DIVISION

STATE OF IDAHO)

Plaintiff)

vs.)

WOODROW JOHN GRANT)

518-13-0042)

02/17/85)

Defendant.)

Case No. _____

BY CH
DEPUTY CLERK

PROBABLE CAUSE MINUTE
ENTRY AND ORDER

CR-2009-19445

An Affidavit of Probable Cause having been presented to the undersigned magistrate on this date charging the defendant with the crime(s) of:

POSSESSION OF A CONTROLLED SUBSTANCE, METHAMPHETAMINE, Idaho Code §37-2732(c)(1)

The defendant, having been incarcerated without a warrant, the court finds Probable Cause to believe the defendant committed the crime(s) set forth above.

The defendant is released O.R.

The defendant shall remain incarcerated in lieu of bond(s) /arein the amount of \$ _____

The defendant shall remain incarcerated in lieu of bond(s) /arein the amount set by the (s)/arebond schedule.

The defendant shall remain incarcerated and bond(s) shall/are be determined at arraignment.

This affidavit is made in support of an application for an arrest warrant.

An arrest warrant was issued setting bond(s) in the amount of _____

The court does not find Probable Cause to believe the defendant committed the crime(s) set forth above. determination was made The defendant shall be released within 48 hours of arrest.

IT IS SO ORDERED,

Dated this 3rd day of Nov, 2009 and signed at 10:30 o'clock A.M.

Donna B...

SIXTH DISTRICT MAGISTRATE JUDGE

Probable Cause Minute Entry and Order
Revised 04-13-06

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE OF
 TEXAS, IN AND FOR THE COUNTY OF DALLAS
 COURT ARRAIGNMENT MINUTES

FILED
 CLERK OF DISTRICT COURT
 DALLAS, TEXAS

NAME OF DEFENDANT

BY 11-19-09-1944/5
 Case # 11-3-09

Date

Age

Woodrow Grant

Richard W. [unclear]
methamphetamine

Age 2:29 2:37

AFFIDAVIT

Defendant is informed of the charges against him/her and all legal rights, including the right to counsel.
 Defendant is informed that if he/she cannot afford an attorney, one will be appointed for him/her if the court so orders.
 Defendant is informed that if he/she is indigent, the court will appoint a public defender.

Defendant has been advised of the charges against him/her and all legal rights, including the right to counsel.
 Defendant is informed that if he/she cannot afford an attorney, one will be appointed for him/her if the court so orders.
 Defendant is informed that if he/she is indigent, the court will appoint a public defender.

1:30P November 14, 09
315

Defendant has been advised of the charges against him/her and all legal rights, including the right to counsel.
 Defendant is informed that if he/she cannot afford an attorney, one will be appointed for him/her if the court so orders.
 Defendant is informed that if he/she is indigent, the court will appoint a public defender.

Defendant has been advised of the charges against him/her and all legal rights, including the right to counsel.
 Defendant is informed that if he/she cannot afford an attorney, one will be appointed for him/her if the court so orders.
 Defendant is informed that if he/she is indigent, the court will appoint a public defender.

3, 09

David [unclear]
 Judge

Woodrow Grant
 Defendant

| | | |
|---|--------|--|
| <input checked="" type="checkbox"/> Defendant | Mailed | <input checked="" type="checkbox"/> Hand Delivered |
| <input checked="" type="checkbox"/> Attorney (or Defendant) | Mailed | <input checked="" type="checkbox"/> Hand Delivered |
| <input checked="" type="checkbox"/> Prosecuting Attorney | Mailed | <input checked="" type="checkbox"/> Hand Delivered |

3
 I HEREBY CERTIFY that I served a copy of the foregoing Court Arraignment Minutes on the [unclear] day of [unclear] at [unclear].
[unclear]
 Equity Clerk

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE OF MISSOURI
COUNTY OF HANCOCK

FILED
2009 NOV -2 AM 10:35

BY Charles Case No. CR-09-194/15
DEPUTY CLERK

Wesley Grant
Defendant

ORDER TO MEET WITH
PUBLIC DEFENDER
FELONY CHARGE(S)

YOU ARE HEREBY ORDERED to meet with the Public Defender.

Monday, at _____, 200 at _____ p.m.

Tuesday, at _____, 200 at _____ p.m.

Friday, at _____, 200 at 2:30 p.m. IF
YOU GO OUT OF TOWN.

The Public Defender's office is located in the brick building found on the northeast corner of the parking lot of the Courthouse facing Clark Street.

When you appear for your appointment, you are ordered to bring the following:

- The date and time of your preliminary hearing.
 - The name of the judge who will be hearing your preliminary hearing.
 - Any information regarding the specific felony charge that has been filed against you.
 - The name and address of witnesses who can help you in your defense.
- If you do not appear for this scheduled appointment, the Court will revoke your bond. The Court will revoke your bond and will issue a warrant for your arrest.

The secretary in the Public Defender's office is ordered to notify the Court in writing if you fail to appear for this scheduled appointment.

IT IS ORDERED that _____, 200

Judge

RECEIVED

I HEREBY ACKNOWLEDGE that I have read and received this Order to Appear this

3 day of Nov 2009

Wesley Grant
Defendant

Bower/B

RANDALL D. SCHULTHIES
Chief Public Defender
P. O. Box 4147
Pocatello, Idaho 83205
(208) 236-7040
ISB 1784

FILED
BANNOCK COUNTY
CLERK OF THE COURT.

2009 NOV -9 PM 4: 13

BY _____
DEPUTY CLERK

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK**

STATE OF IDAHO,)

Plaintiff.)

vs.)

WOODROW JOHN GRANT,)

Defendant.)
_____)

Case No: CR-2009-0019445-FE

**MOTION TO WITHDRAW DUE TO
CONFLICT OF INTEREST**

COMES NOW, Randall D. Schulthies, Chief Public Defender of the Bannock County

Public Defender's Office, and hereby moves the Court for an Order, as follows:

(1) That the Bannock County Public Defenders Office was appointed as counsel of record for the Defendant.

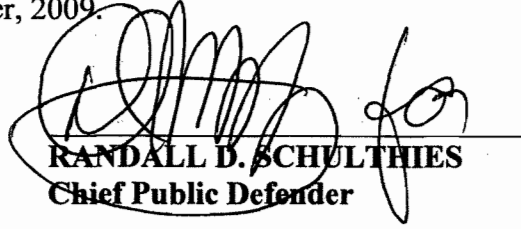
(2) That a conflict of interest in the above case, has been determined for the following reasons:

We represented the co-defendant Lonni Henderson on a misdemeanor charge. Lonni will be on probation until 2011.

(3) This Motion is made pursuant to Rule 44.1 of the Idaho Criminal Rules.

(4) That based upon all of the above factors, counsel of record requests an order to withdraw.

DATED this 9th day of November, 2009.


RANDALL D. SCHULTHIES
Chief Public Defender

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of November, 2009, a true and correct copy of the foregoing **MOTION TO WITHDRAW** was served upon the Bannock County Prosecuting Attorney, by depositing a copy of the same into the Prosecutor's in-box, Bannock County Courthouse, Pocatello, Idaho.


RANDALL D. SCHULTHIES

FILED
BANNOCK COUNTY
CLERK OF THE COURT

2009 NOV 12 AM 10:04

BY 
DEPUTY CLERK

RANDALL D. SCHULTHIES
Chief Public Defender
P. O. Box 4147
Pocatello, Idaho 83205
(208) 236-7040
ISB 1784

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

STATE OF IDAHO,)
)
Plaintiff.)
)
vs.)
)
WOODROW JOHN GRANT,)
)
Defendant.)
)
_____)

Case No: CR-2009-0019445-FE

ORDER ON MOTION TO WITHDRAW

Pursuant to the Motion to Withdraw Due to Conflict of Interest filed in this matter, the motion is hereby:

GRANTED DENIED

IT IS SO ORDERED.

DATED this 12 day of November, 2009


NEW MAGISTRATE REPLACES NAFTZ
SIXTH DISTRICT JUDGE

Douglas K. Dykman
 Attorney At Law
 920 East Clark
 P.O. Box 4981
 Pocatello Idaho 83205-4981
 Telephone: (208) 237-8300
 Facsimile : (208) 237-8300
 E-mail : dykman@qwestoffice.net
 State Bar No. 3926

FILED
 BANNOCK COUNTY
 CLERK OF THE COURT

2009 NOV 13 PM 2:05

BY  DEPUTY CLERK

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

| | | |
|--------------------|---|---------------------------------------|
| STATE OF IDAHO, |) | |
| |) | Case No. CR-2009-19445-FE |
| Plaintiff, |) | |
| vs. |) | REQUEST FOR CRIMINAL DISCOVERY |
| |) | AND INSPECTION |
| WOODROW JOHN GRNT, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

TO: Bannock County Prosecutor, 624 E. Center, Pocatello, Idaho 83201.

PLEASE TAKE NOTICE that the above-named Defendant, Woodrow J. Grant, by and through his attorney of record, Douglas K. Dykman of Dykman Law Office, pursuant to Rule 16 of the Idaho Criminal Rules requests discovery and inspection of the following information, evidence and materials:

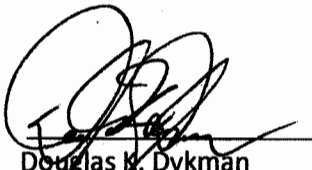
- 1. STATEMENT OF DEFENDANT:** Inspection and copying or photographing any relevant written or recorded statements made by the Defendant, or copies thereof, within the possession, custody or control of the State, the existence of which is known or is available to the prosecuting attorney by the exercise of due diligence; and, also the substance of any relevant, oral statement made by the Defendant whether before or after arrest to a peace officer, prosecuting attorney or his agent; and, the recorded testimony of the Defendant before a grand jury which relates to the offense charged.
- 2. STATEMENT OF CO-DEFENDANT(S):** Inspection and copying or photographing any written or recorded statements made by any Co-Defendant(s); and, also the substance of any relevant oral statement made by any Co-Defendant(s) whether before or after arrest in response to interrogation by any person known by the Co-Defendant(s) to be a peace officer or agent of the prosecuting attorney.

3. **DEFENDANT'S PRIOR RECORD:** Furnishing of such copy of Defendant's prior criminal record, if any, as is now or may become available to the prosecuting attorney.
4. **DOCUMENTS AND TANGIBLE OBJECTS:** Inspecting and copying or photographing books, papers, documents, photographs, tangible objects, buildings, or places, or copies or portions thereof, which are in the possession, custody or control of the prosecuting attorney; and, which are material to the preparation of the defense, or intended for use by the prosecuting attorney as evidence at the trial, or obtained from or belonging to the Defendant or Co-Defendant(s).
5. **REPORTS OF EXAMINATIONS AND TESTS:** Inspecting and copying or photographing any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with this case, or copies thereof, within the possession, custody or control of the prosecuting attorney, the existence of which is known or is available to the prosecuting attorney by the exercise of due diligence.
6. **STATE WITNESSES:** Furnishing of a written list of the names and addresses of all persons having knowledge of relevant facts who may be called by the State as witnesses at the trial, together with any record of prior felony or misdemeanor convictions of any such person which is within the knowledge of the prosecuting attorney. Furnishing the statements made by the prosecuting witnesses or prospective prosecuting witnesses to the prosecuting attorney or his/her agents or to any official involved in the investigation process or the above-named case, unless a protective order is issued as provided in I.C.R. 16(k).
7. **EXPERT WITNESSES:** Furnishing of a written summary or report of any testimony that the State intends to introduce pursuant to Rules 702, 703 or 705 of the Idaho Rules of Evidence at trial or hearing. The summary provided must describe the witness's opinions, the facts and data for those opinions, and the witness's qualifications. Disclosure of expert opinions regarding mental health shall also comply with the requirements of I.C. Sections 18-207. The prosecution is not required to produce any materials not subject to the disclosure under paragraph (f) of this criminal rule. This subsection does not require disclosure of expert witnesses, their opinions, the facts and data for those opinions, or the witness's qualifications, intended only to rebut evidence or theories that have not been disclosed under this criminal rule prior to trial.
8. **POLICE PROCEDURE:** The prosecuting attorney shall set forth in detail the acts, conduct and procedures followed by any peace officer or agent of the prosecuting attorney at the time of any contact with the Defendant or Co-Defendant(s); specifically, indicating warnings against self incrimination, right to counsel, or any advice, threats, promises, or statements made to the Defendant or Co-Defendant(s) which includes the date, time, place, names and addresses of all persons present.

9. **POLICE REPORTS:** The State shall furnish all police reports, documents and memoranda in the prosecuting attorney's possession which were made by a police officer or investigator in connection with the investigation and/or prosecution of the above-named Defendant or Co-Defendant(s).
10. **DISCLOSURE BY ORDER OF THE COURT:** Upon motion by the Defendant showing substantial need in the preparation of the Defendant's case for additional material or information not otherwise covered by I.C.R. 16(b) and that the Defendant is unable without undue hardship to obtain the substantial equivalent by other means, the Court in its discretion may order the additional material or information to be made available to the Defendant. The Court may, upon the request of any person affected by the order, vacate or modify the order if compliance would be unreasonable or oppressive.
11. **EXCULPATORY EVIDENCE:** The Defendant requests to inspect and copy or photograph, or otherwise be furnished, any information, documents or material known to the State or its agents or investigators, or the prosecuting attorney or available to the State through due diligence, which could or may be exculpatory with regard to the guilt of the Defendant; or which could or may be favorable to the Defendant on the issue of the criminal charges or punishment.
12. **EVIDENCE:** The State shall furnish any and all Information admitted from such responses and from supplemental responses which shall be offered or admitted into evidence at trial of this matter except for good cause shown to satisfaction of the Court. If the matter so admitted was not known to or available to the prosecuting attorney by the exercise of due diligence and the offering thereof, or the admitting thereof, of the evidence will not constitute undue surprise to the Defendant or prejudice the right of the Defendant to a fair trial, it may be admitted into evidence based upon the Court's discretion.
13. **CONTINUING REQUEST FOR DISCOVERY:** This is a continuing request for discovery and the prosecuting attorney shall file supplemental responses and serve the same upon the Defendant's attorney of record as may from time to time be required to correctly set forth all further and different information obtained by the prosecuting attorney.

WHEREFORE, the undersigned attorney of record respectfully requests the responses and copies of all documents by 1:00 p.m. on or before November 27, 2009, to be delivered at POB 4981, Pocatello, Idaho 83205-4981. The Defendant further provides notice to the State pursuant to I.C.R. 16 that the State has a continuing duty to supplement the discovery requests and responses. Finally, the State has a continuing duty to exercise due diligence in the gathering and discovering of the requested evidence.

DATED this 13th day of November, 2009.


Douglas K. Dykman
Attorney for Defendant


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of November, 2009, a true and correct copy of the foregoing document was served upon the following parties or entities:

Mark L. Hiedeman
Bannock County Prosecutor
624 E. Center POB P
Pocatello ID 83201

- U.S. Mail
- Hand Delivery
- Facsimile
- E-mail
- Hand Delivery Court House Box

DATED this 13th day of November, 2009.



Douglas K. Dylman
Attorney for Defendant