

2-11-2015

## State v. Taylor Clerk's Record Dckt. 42774

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IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,  
  
Plaintiff-Respondent,  
vs.  
  
LANCE TYRELL TAYLOR AKA  
GREEN,  
  
Defendant-Appellant.

Supreme Court Case No. 42774

CLERK'S RECORD ON APPEAL

Appeal from the District Court of the Fourth Judicial District, in and for the County of Ada.

HONORABLE RICHARD GREENWOOD

STATE APPELLATE PUBLIC DEFENDER

ATTORNEY FOR APPELLANT

BOISE, IDAHO

LAWRENCE G. WASDEN

ATTORNEY FOR RESPONDENT

BOISE, IDAHO

State of Idaho vs. Lance Tyrell Taylor

Date	Code	User		Judge
8/29/2012	NCRF	PRSCHOKF	New Case Filed - Felony	Magistrate Court Clerk
	PROS	PRSCHOKF	Prosecutor assigned Julianne Meehan	Magistrate Court Clerk
	CRCO	TCMCCOSL	Criminal Complaint	Magistrate Court Clerk
	HRSC	TCMCCOSL	Hearing Scheduled (Video Arraignment 08/29/2012 01:30 PM)	Michael Oths
	ARRN	TCGARDKM	Hearing result for Video Arraignment scheduled on 08/29/2012 01:30 PM: Arraignment / First Appearance	Michael Oths
	ORPD	TCGARDKM	Order Appointing Public Defender Ada County Public Defender	Magistrate Court Clerk
	CRNC	TCGARDKM	No Contact Order: Criminal No Contact Order Filed Comment: DR#12-218534, No exceptions Expiration Days: 730 Expiration Date: 8/29/2014	Magistrate Court Clerk
	CHGA	TCGARDKM	Judge Change: Administrative	Cawthon / Irby
	HRSC	TCGARDKM	Hearing Scheduled (Preliminary 09/11/2012 08:30 AM)	Cawthon / Irby
	BSET	TCGARDKM	BOND SET: at 10000.00 - (118-2403(1) {F} Theft-Grand)	Cawthon / Irby
	ORPD	MADEFRJM	Order Appointing Public Defender	Cawthon / Irby
8/31/2012	PHRD	TCTONGES	Preliminary Hearing Response to Request for Discovery and Objections	Cawthon / Irby
9/4/2012	MFBR	TCCHRIKE	Motion For Bond Reduction	Cawthon / Irby
	NOHG	TCCHRIKE	Notice Of Hearing	Cawthon / Irby
	RQDD	TCCHRIKE	Defendant's Request for Discovery	Cawthon / Irby
9/10/2012	PHRD	TCCHRIKE	Preliminary Hearing Response to Request for Discovery and Objections / Second	Cawthon / Irby
9/11/2012	HRHD	CCMANLHR	Hearing result for Preliminary scheduled on 09/11/2012 08:30 AM: Hearing Held	Cathleen Macgregor-Irby
	BOUN	CCMANLHR	Hearing result for Preliminary scheduled on 09/11/2012 08:30 AM: Bound Over (after Prelim)	Cathleen Macgregor-Irby
	HRSC	CCMANLHR	Hearing Scheduled (Arraignment 09/18/2012 02:00 PM)	Cathleen Macgregor-Irby
	AMCO	CCMANLHR	Amended Complaint Filed	Cathleen Macgregor-Irby
	COMT	CCMANLHR	Commitment	Cathleen Macgregor-Irby
	NOTH	CCMANLHR	Notice Of Hearing	Cathleen Macgregor-Irby
9/13/2012	INFO	TCCHRIKE	Information	Richard D. Greenwood
9/18/2012	DCHH	TCJOHNKA	Hearing result for Arraignment scheduled on 09/18/2012 02:00 PM: District Court Hearing Held Court Reporter: Fran Morris Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard D. Greenwood

State of Idaho vs. Lance Tyrell Taylor

Date	Code	User		Judge
9/18/2012	HRSC	TCJOHNKA	Hearing Scheduled (Entry of Plea 10/02/2012 02:00 PM)	Richard D. Greenwood
9/25/2012	MOTN	TCTONGES	Motion for Leave to File Information Part II	Richard D. Greenwood
10/2/2012	DCHH	TCJOHNKA	Hearing result for Entry of Plea scheduled on 10/02/2012 02:00 PM: District Court Hearing Held Court Reporter: Fran Morris Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard D. Greenwood
	HRSC	TCJOHNKA	Hearing Scheduled (Pretrial Conference 12/18/2012 01:30 PM)	Richard D. Greenwood
	PLEA	TCJOHNKA	A Plea is entered for charge: - NG (I18-2403(1) {F} Theft-Grand)	Richard D. Greenwood
	HRSC	TCJOHNKA	Hearing Scheduled (Jury Trial 01/07/2013 09:00 AM)	Richard D. Greenwood
	PLEA	TCJOHNKA	A Plea is entered for charge: - NG (I19-2514 Enhancement-Persistent Violator)	Richard D. Greenwood
10/5/2012	INFO	TCJOHNKA	Information Part II	Richard D. Greenwood
10/18/2012	RSDS	TCTONGES	State/City Response to Discovery/ Third Addendum	Richard D. Greenwood
10/22/2012	ORDR	TCJOHNKA	Scheduling Order	Richard D. Greenwood
12/14/2012	MFBR	TCCHRIKE	Motion For Bond Reduction	Richard D. Greenwood
	NOHG	TCCHRIKE	Notice Of Hearing	Richard D. Greenwood
12/18/2012	DCHH	TCJOHNKA	Hearing result for Pretrial Conference scheduled on 12/18/2012 01:30 PM: District Court Hearing Held Court Reporter: Fran Morris Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard D. Greenwood
	HRSC	TCJOHNKA	Hearing Scheduled (Pretrial Conference 12/19/2012 09:00 AM)	Richard D. Greenwood
12/19/2012	DCHH	TCJOHNKA	Hearing result for Pretrial Conference scheduled on 12/19/2012 09:00 AM: District Court Hearing Held Court Reporter: Fran Morris Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard D. Greenwood
12/20/2012	WITN	TCJOHNKA	State's List of Potential Trial Witnesses	Richard D. Greenwood
	GPA	TCJOHNKA	Guilty Plea Advisory [entered in error]	Richard D. Greenwood
	PSSA1	TCJOHNKA	Order for Presentence Investigation Report and Substance Abuse Assessment [entered in error]	Richard D. Greenwood
12/28/2012	HRSC	TCJOHNKA	Hearing Scheduled (Change of Plea 01/03/2013 10:00 AM)	Richard D. Greenwood



State of Idaho vs. Lance Tyrell Taylor

Date	Code	User	Judge
1/3/2013	DCHH	TCJOHNKA	Hearing result for Change of Plea scheduled on 01/03/2013 10:00 AM: District Court Hearing Held Court Reporter: Fran Morris Number of Transcript Pages for this hearing estimated: less than 50 pages
	HRSC	TCJOHNKA	Hearing Scheduled (Sentencing 02/26/2013 09:00 AM)
	PLEA	TCJOHNKA	A Plea is entered for charge: - GT (I18-2403(1) {F} Theft-Grand)
	DISM	TCJOHNKA	Dismissed on Motion of the Prosecutor (I19-2514 Enhancement-Persistent Violator)
	HRVC	TCJOHNKA	Hearing result for Jury Trial scheduled on 01/07/2013 09:00 AM: Hearing Vacated 3 days
1/7/2013	GPA	TCJOHNKA	Guilty Plea Advisory
	PSMH1	TCJOHNKA	Order for Pre-Sentence Investigation Report and Mental Health Assessment
	PSSA1	TCJOHNKA	Order for Presentence Investigation Report and Substance Abuse Assessment
2/26/2013	DCHH	TCJOHNKA	Hearing result for Sentencing scheduled on 02/26/2013 09:00 AM: District Court Hearing Held Court Reporter: Fran Morris Number of Transcript Pages for this hearing estimated: less than 50 pages
	HRSC	TCJOHNKA	Hearing Scheduled (Sentencing 03/05/2013 09:00 AM)
3/5/2013	DCHH	TCJOHNKA	Hearing result for Sentencing scheduled on 03/05/2013 09:00 AM: District Court Hearing Held Court Reporter: Fran Morris Number of Transcript Pages for this hearing estimated: less than 50 pages
	FIGT	TCJOHNKA	Finding of Guilty (I18-2403(1) {F} Theft-Grand)
	STAT	TCJOHNKA	STATUS CHANGED: closed pending clerk action
	HRSC	TCJOHNKA	Hearing Scheduled (Hearing Scheduled 03/07/2013 03:00 PM)
	HRSC	TCJOHNKA	Hearing Scheduled (Sentencing 03/19/2013 09:00 AM)
	JAIL	TCJOHNKA	Sentenced to Jail or Detention (I18-2403(1) {F} Theft-Grand) Confinement terms: Credited time: 211 days. Penitentiary determinate: 2 years. Penitentiary indeterminate: 8 years.
	PROB	TCJOHNKA	Probation Ordered (I18-2403(1) {F} Theft-Grand) Probation term: 10 years 0 months 0 days. (Felony Probation & Parole)

State of Idaho vs. Lance Tyrell Taylor

Date	Code	User		Judge
3/5/2013	JAIL	TCPATAKA	Sentenced to Jail or Detention (I18-2403(1) {F} Theft-Grand) Confinement terms: Credited time: 292 days. Penitentiary determinate: 2 years. Penitentiary indeterminate: 5 years.	Richard Greenwood(Drug Court)
	JAIL	TCPATAKA	Sentenced to Jail or Detention (I18-2403(1) {F} Theft-Grand) Confinement terms: Credited time: 318 days. Penitentiary determinate: 2 years. Penitentiary indeterminate: 5 years.	Richard Greenwood(Drug Court)
	JAIL	TCPATAKA	Sentenced to Jail or Detention (I18-2403(1) {F} Theft-Grand) Confinement terms: Credited time: 333 days. Penitentiary determinate: 2 years. Penitentiary indeterminate: 5 years.	Richard Greenwood(Drug Court)
3/7/2013	DCHH	CCAMESLC	Hearing result for Hearing Scheduled scheduled on 03/07/2013 03:00 PM: District Court Hearing Held Court Reporter: Fran Morris Number of Transcript Pages for this hearing estimated: Less than 10	Richard Greenwood(Drug Court)
3/11/2013	ORDR	CCMASTLW	Order to Make Defendant Available for Drug Court Assessment	Richard D. Greenwood
3/19/2013	DCHH	TCJOHNKA	Hearing result for Sentencing scheduled on 03/19/2013 09:00 AM: District Court Hearing Held Court Reporter: Fran Morris Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard D. Greenwood
	HRSC	TCJOHNKA	Hearing Scheduled (Sentencing 03/26/2013 09:00 AM)	Richard D. Greenwood
3/21/2013	DCAP	CCAMESLC	Applicant Accepted To Proceed	Richard D. Greenwood
3/26/2013	DCHH	TCJOHNKA	Hearing result for Sentencing scheduled on 03/26/2013 09:00 AM: District Court Hearing Held Court Reporter: Fran Morris Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard D. Greenwood
	CHTR	TCJOHNKA	Change Judge Treatment Diversion Program	Richard Greenwood(Drug Court)
	HRSC	TCJOHNKA	Hearing Scheduled (Review 03/28/2013 03:00 PM)	Richard Greenwood(Drug Court)
	SNPF	TCJOHNKA	Sentenced To Pay Fine 240.50 charge: I18-2403(1) {F} Theft-Grand	Richard Greenwood(Drug Court)
	ORDR	TCJOHNKA	Order for Restitution and Judgment	Richard Greenwood(Drug Court)
	RESR	TCJOHNKA	Restitution Recommended by the Prosecutor's office. 598.00 victim # 1	Richard Greenwood(Drug Court)

State of Idaho vs. Lance Tyrell Taylor

Date	Code	User		Judge
3/26/2013	GPA	TCJOHNKA	Drug Court Guilty Plea Advisory Form	Richard Greenwood(Drug Court)
	MISC	TCJOHNKA	Phase I Contract	Richard Greenwood(Drug Court)
	ORDR	TCJOHNKA	Order Relating to Problem Solving Court Participation	Richard Greenwood(Drug Court)
	MISC	TCJOHNKA	Consent to Future Contact	Richard Greenwood(Drug Court)
3/28/2013	HRHD	CCAMESLC	Hearing result for Review scheduled on 03/28/2013 03:00 PM: Hearing Held	Richard Greenwood(Drug Court)
	HRSC	CCAMESLC	Hearing Scheduled (Review 04/04/2013 03:00 PM)	Richard Greenwood(Drug Court)
4/1/2013	JCOP	DCTAYLME	Judgment Of Conviction & Order Of Probation	Richard Greenwood(Drug Court)
4/4/2013	HRHD	CCAMESLC	Hearing result for Review scheduled on 04/04/2013 03:00 PM: Hearing Held	Richard Greenwood(Drug Court)
	HRSC	CCAMESLC	Hearing Scheduled (Review 04/11/2013 03:00 PM)	Richard Greenwood(Drug Court)
4/9/2013	APPL	CCAMESLC	Application to REvoke OR Release or Release on Bond	Richard Greenwood(Drug Court)
	WARB	CCAMESLC	Warrant Issued - Bench Bond amount: .00 Hold Without Bond Defendant: Taylor, Lance Tyrell	Richard Greenwood(Drug Court)
	STAT	CCAMESLC	STATUS CHANGED: Inactive	Richard Greenwood(Drug Court)
4/11/2013	HRHD	TCJOHNKA	Hearing result for Review scheduled on 04/11/2013 03:00 PM: Hearing Held	Richard Greenwood(Drug Court)
7/22/2013	WART	TCMCCOSL	Warrant Returned Hold Without Bond Defendant: Taylor, Lance Tyrell	Richard Greenwood(Drug Court)
	STAT	TCMCCOSL	STATUS CHANGED: Pending	Richard Greenwood(Drug Court)
	BOOK	TCMCCOSL	Booked into Jail on:	Richard Greenwood(Drug Court)

State of Idaho vs. Lance Tyrell Taylor

Date	Code	User		Judge
7/22/2013	HRSC	TCMCCOSL	Hearing Scheduled (Video Arraignment 07/22/2013 01:30 PM)	John Hawley Jr.
	HRSC	TCMCCOSL	Hearing Scheduled (Arraignment 08/01/2013 03:00 PM)	Richard Greenwood(Drug Court)
	ARRN	TCFINNDE	Hearing result for Video Arraignment scheduled on 07/22/2013 01:30 PM: Arraignment / First Appearance	John Hawley Jr.
	ORPD	MADEFRJM	Order Appointing Public Defender	Richard Greenwood(Drug Court)
8/1/2013	HRHD	CCAMESLC	Hearing result for Review scheduled on 08/01/2013 03:00 PM: Hearing Held	Richard Greenwood(Drug Court)
8/2/2013	ORDR	CCAMESLC	Order for Jail Programs (SAP)	Richard Greenwood(Drug Court)
8/26/2013	HRSC	CCAMESLC	Hearing Scheduled (Review 09/05/2013 02:00 PM)	Richard Greenwood(Drug Court)
9/5/2013	HRHD	CCAMESLC	Hearing result for Review scheduled on 09/05/2013 02:00 PM: Hearing Held	Melissa Moody
	HRSC	CCAMESLC	Hearing Scheduled (Review 09/12/2013 02:00 PM)	Richard Greenwood(Drug Court)
9/12/2013	HRHD	CCAMESLC	Hearing result for Review scheduled on 09/12/2013 02:00 PM: Hearing Held	Richard Greenwood(Drug Court)
	HRSC	CCAMESLC	Hearing Scheduled (Review 09/19/2013 02:00 PM)	Richard Greenwood(Drug Court)
9/19/2013	HRHD	CCAMESLC	Hearing result for Review scheduled on 09/19/2013 02:00 PM: Hearing Held	Richard Greenwood(Drug Court)
	HRSC	CCAMESLC	Hearing Scheduled (Review 09/20/2013 09:00 AM)	Richard Greenwood(Drug Court)
9/20/2013	HRHD	CCAMESLC	Hearing result for Review scheduled on 09/20/2013 09:00 AM: Hearing Held	Richard Greenwood(Drug Court)
	HRSC	CCAMESLC	Hearing Scheduled (Review 10/03/2013 02:00 PM)	Richard Greenwood(Drug Court)
10/1/2013	APPL	DCDANSEL	Verified Application to Revoke O.R. Release or Release on Bond	Richard Greenwood(Drug Court)

State of Idaho vs. Lance Tyrell Taylor

Date	Code	User		Judge
10/3/2013	WARB	TCTURNJM	Warrant Issued - Bench Bond amount: Hold without Bond. Failing to comply with a court order Defendant: Taylor, Lance Tyrell	Richard Greenwood(Drug Court)
	STAT	TCTURNJM	STATUS CHANGED: Inactive	Richard Greenwood(Drug Court)
	DCHH	TCJOHNKA	Hearing result for Review scheduled on 10/03/2013 02:00 PM: District Court Hearing Held Court Reporter: None Number of Transcript Pages for this hearing estimated:	Richard Greenwood(Drug Court)
2/27/2014	WART	TCMEREKV	Warrant Returned Failing to comply with a court order Defendant: Taylor, Lance Tyrell	Richard Greenwood(Drug Court)
	STAT	TCMEREKV	STATUS CHANGED: Pending	Richard Greenwood(Drug Court)
	BOOK	TCMEREKV	Booked into Jail on:	Richard Greenwood(Drug Court)
	HRSC	TCPATAKA	Hearing Scheduled (Review 02/27/2014 02:00 PM)	Richard Greenwood(Drug Court)
3/12/2014	CONT	TCPATAKA	Continued (Review 03/13/2014 02:00 PM)	Richard Greenwood(Drug Court)
3/13/2014	HRHD	CCMASTLW	Hearing result for Review scheduled on 03/13/2014 02:00 PM: Hearing Held	Richard Greenwood(Drug Court)
	HRSC	CCMASTLW	Hearing Scheduled (Drug Court 03/20/2014 02:00 PM) Mo/Discharge	Richard Greenwood(Drug Court)
3/20/2014	DCHH	TCPATAKA	Hearing result for Drug Court scheduled on 03/20/2014 02:00 PM: District Court Hearing Held Court Reporter: Fran Casey Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard Greenwood(Drug Court)
	HRSC	TCPATAKA	Hearing Scheduled (Admit/Deny Hearing 03/27/2014 02:00 PM)	Richard Greenwood(Drug Court)
3/24/2014	MOTN	TCPATAKA	Motion for Discharge from Ada County Drug Court Program	Richard Greenwood(Drug Court)
3/27/2014	DCHH	TCPATAKA	Hearing result for Admit/Deny Hearing scheduled on 03/27/2014 02:00 PM: District Court Hearing Held Court Reporter: Fran Casey Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard Greenwood(Drug Court)

State of Idaho vs. Lance Tyrell Taylor

Date	Code	User		Judge
3/27/2014	HRSC	TCPATAKA	Hearing Scheduled (Hearing Scheduled 04/15/2014 11:00 AM) discharge hearing	Richard D. Greenwood
4/15/2014	DCHH	TCPATAKA	Hearing result for Hearing Scheduled scheduled on 04/15/2014 11:00 AM: District Court Hearing Held Court Reporter: Fran Casey Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard D. Greenwood
	HRSC	TCPATAKA	Hearing Scheduled (Disposition 06/12/2014 02:00 PM)	Richard Greenwood(Drug Court)
	ORDR	TCPATAKA	Order for Discharge from Ada Cuonty Drug Court	Richard Greenwood(Drug Court)
	PSIO1	TCPATAKA	Pre-Sentence Investigation Evaluation Ordered	Richard Greenwood(Drug Court)
6/12/2014	DCHH	TCPATAKA	Hearing result for Disposition scheduled on 06/12/2014 02:00 PM: District Court Hearing Held Court Reporter: Tiffany Fisher Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard Greenwood(Drug Court)
	AMJD	TCPATAKA	Amended Judgment Sentence modified on 6/12/2014. (I18-2403(1) {F} Theft-Grand)	Richard Greenwood(Drug Court)
6/13/2014	ORDR	TCPATAKA	Amended Order for Restitution and Judgment	Richard Greenwood(Drug Court)
6/19/2014	ORDR	DCRUDZES	Order Revoking Probation, Imposing and Reducing Sentence, and Commitment	Richard Greenwood(Drug Court)
6/20/2014	MORE	TCLANGAJ	Motion For Reconsideration of Sentence and for Leave	Richard Greenwood(Drug Court)
7/2/2014	RULE35	TCLANGAJ	Addendum to Defendant's Motion Pursuant to ICR 35	Richard Greenwood(Drug Court)
7/7/2014	MOTN	CCJOHNLE	Motion For Credit For Time Served	Richard Greenwood(Drug Court)
	AFFD	CCJOHNLE	Affidavit Of Defendant	Richard Greenwood(Drug Court)
8/1/2014	MOAM	TCLANGAJ	Motion To Amend Judgement	Richard Greenwood(Drug Court)

State of Idaho vs. Lance Tyrell Taylor

Date	Code	User		Judge
8/1/2014	NOHG	TCLANGAJ	Notice Of Hearing (8/19/14)	Richard Greenwood(Drug Court)
	HRSC	TCLANGAJ	Hearing Scheduled (Hearing Scheduled 08/19/2014 02:00 PM)	Richard Greenwood(Drug Court)
8/5/2014	ORDR	TCPATAKA	Order Granting in Part and Denying in Part Rule 35 Motion	Richard Greenwood(Drug Court)
8/6/2014	ORDR	DCRUDZES	Amended Order Revoking Probation, Imposing and Reducing Sentence, and Commitment	Richard Greenwood(Drug Court)
8/19/2014	DCHH	TCPATAKA	Hearing result for Hearing Scheduled scheduled on 08/19/2014 02:00 PM: District Court Hearing Held Court Reporter: Fran Casey Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard D. Greenwood
9/8/2014	RESR	PRSCHMAN	Restitution Recommended by the Prosecutor's office. 130.00 victim # 2	Richard Greenwood(Drug Court)
9/18/2014	ORDR	TCPATAKA	Order Re: Motion for Additional Credit for Time Served - Denied [Date Stamped 9/17/14	Richard Greenwood(Drug Court)
9/22/2014	MOTN	TCCHRIKE	Motion to Amend Judgment	Richard Greenwood(Drug Court)
	NOHG	TCCHRIKE	Notice Of Hearing(10/07/14@2PM)	Richard Greenwood(Drug Court)
	HRSC	TCCHRIKE	Hearing Scheduled (Hearing Scheduled 10/07/2014 02:00 PM)	Richard Greenwood(Drug Court)
10/6/2014	MOTN	TCCHRIKE	Motion for Credit for Time Served	Richard Greenwood(Drug Court)
	AFFD	TCCHRIKE	Affidavit of Defendnat	Richard Greenwood(Drug Court)
	RSPN	TCPATAKA	Response to Defendant's Motion to Amend Judgment	Richard Greenwood(Drug Court)
10/7/2014	DCHH	TCPATAKA	Hearing result for Hearing Scheduled scheduled on 10/07/2014 02:00 PM: District Court Hearing Held Court Reporter: Fran Casey Number of Transcript Pages for this hearing estimated: less than 50 pages	Richard D. Greenwood

State of Idaho vs. Lance Tyrell Taylor

Date	Code	User		Judge
11/24/2014	ORDR	TCPATAKA	Order Re Motion to Amend Judgment	Richard Greenwood(Drug Court)
11/25/2014	ORDR	DCABBOSM	Second Amended Order Revoking Probation, Imposing and Reducing Sentence, and Commitment	Richard Greenwood(Drug Court)
12/5/2014	NOTC	TCPATAKA	Notice of Correspondence	Richard Greenwood(Drug Court)
	NOTA	TCKEENMM	NOTICE OF APPEAL	Richard Greenwood(Drug Court)
	APSC	TCKEENMM	Appealed To The Supreme Court	Richard Greenwood(Drug Court)
12/8/2014	ORDR	DCJOHNSI	Order Appointing SAPD	Richard Greenwood(Drug Court)
2/11/2015	NOTC	TCWEGEKE	Notice of Transcript Lodged - Supreme Court No. 42774	Richard Greenwood(Drug Court)



10:50

AUG 29 2012

CHRISTOPHER D. HORN, CLERK  
BY STORMY MOOREHEAD, DEPUTY

DR # 12-218534

**GREG H. BOWER**  
Ada County Prosecuting Attorney

Kari L Higbee  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Telephone: (208) 287-7700

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

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
LANCE TYRELL TAYLOR AKA GREEN, )  
)  
Defendant. )  
\_\_\_\_\_ )

Case No. CR-FE-2012-0012658

**COMPLAINT**

Taylor Aka Green's [REDACTED]

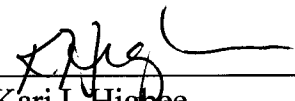
PERSONALLY APPEARED Before me this 29 day of August 2012, Kari L Higbee, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, who, being first duly sworn, complains and says: that LANCE TYRELL TAYLOR AKA GREEN, on or about the 7th day of August, 2012, in the County of Ada, State of Idaho, did commit the crime of GRAND THEFT, FELONY, I.C. §18-2403(1), 2407(1)(b), 2409 as follows:

SM


That the Defendant, LANCE TYRELL TAYLOR AKA GREEN, on or about the 7th day of August, 2012, in the County of Ada, State of Idaho, did wrongfully take a purse containing financial transaction cards from the owner, Em Lang, with the intent to appropriate to himself certain property of another.

All of which is contrary to the form, force and effect of the statute in such case and against the peace and dignity of the State of Idaho.

**GREG H. BOWER**  
Ada County Prosecutor

  
\_\_\_\_\_  
Kari L Higbee  
Deputy Prosecuting Attorney

SUBSCRIBED AND Sworn to before me this 29 day of August 2012.

  
\_\_\_\_\_  
Magistrate

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

STATE OF IDAHO, ADA COUNTY, MAGISTRATE DIVISION

PROBABLE CAUSE FORM

STATE OF IDAHO

CASE NO. FE 2012-12658

vs. Lance Tynelle Taylor <sup>ATA</sup> Green

CLERK H. Manley

DATE 8/29/2012 TIME 1035

PROSECUTOR K. Higbee

CASE ID. Swain 082912 BEG. 103541

COMPLAINING WITNESS \_\_\_\_\_

COURTROOM 204 END 103610

JUDGE

STATUS

- |                          |            |                                     |                |
|--------------------------|------------|-------------------------------------|----------------|
| <input type="checkbox"/> | BERECZ     | <input type="checkbox"/>            | MacGREGOR-IRBY |
| <input type="checkbox"/> | BIETER     | <input type="checkbox"/>            | MANWEILER      |
| <input type="checkbox"/> | CAWTHON    | <input type="checkbox"/>            | McDANIEL       |
| <input type="checkbox"/> | COMSTOCK   | <input type="checkbox"/>            | MINDER         |
| <input type="checkbox"/> | DAY        | <input type="checkbox"/>            | OTHS           |
| <input type="checkbox"/> | GARDUNIA   | <input type="checkbox"/>            | REARDON        |
| <input type="checkbox"/> | HARRIGFELD | <input type="checkbox"/>            | STECKEL        |
| <input type="checkbox"/> | HAWLEY     | <input checked="" type="checkbox"/> | SWAIN          |
| <input type="checkbox"/> | HICKS      | <input type="checkbox"/>            | WATKINS        |
| <input type="checkbox"/> | _____      |                                     |                |
| <input type="checkbox"/> | _____      |                                     |                |

- STATE SWORN
- PC FOUND
- COMPLAINT SIGNED
- AMENDED COMPLAINT SIGNED
- AFFIDAVIT SIGNED
- JUDICIAL NOTICE TAKEN
- NO PC FOUND
- EXONERATE BOND
- SUMMONS TO BE ISSUED
- WARRANT ISSUED
- BOND SET \$ \_\_\_\_\_
- NO CONTACT
- \_\_\_\_\_
- D.R. # \_\_\_\_\_
- DISMISS CASE
- IN CUSTODY

COMMENTS

- AGENT'S WARRANT
- RULE 5(B) Refite
- FUGITIVE
- MOTION & ORDER TO CONSOLIDATE
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

ADA COUNTY MAGISTRATE MINUTES

Lance Tyrell Taylor CR-FE-2012-0012658

Scheduled Event: Video Arraignment Wednesday, August 29, 2012 01:30 PM

Judge: Michael Oths

Clerk: KY

Interpreter:

Prosecuting Agency: (AC) BC EA GC MC

Pros: R. Baessard

PD/Attorney: ( ) Stallings

• 1 118-2403(1) F Theft-Grand F

30081 Case Called Defendant: X Present        Not Present X In Custody

X Advised of Rights        Waived Rights (X) PD Appointed        Waived Attorney

       Guilty Plea / PV Admit        N/G Plea        Advise Subsequent Penalty

X Bond \$ 10,000        ROR        Pay / Stay        Payment Agreement

       In Chambers        PT Memo        Written Guilty Plea X No Contact Order

w/victim

PH 9 / 11 / 12 @ 830

w/ Caution / ir by

Finish ( ) Release Defendant



NO. \_\_\_\_\_  
A.M. \_\_\_\_\_ FILED P.M. 3:06

AUG 29 2012

CHRISTOPHER D. RICH, Clerk  
By KELLE WEGENER  
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA  
MAGISTRATE DIVISION

STATE OF IDAHO,  
Plaintiff.

vs.

Lance Tyrell Taylor  
21 Lucky Lane  
Horsebend, ID 83629  
Defendant.

Case No: CR-FE-2012-0012658

NOTICE OF APPOINTMENT OF PUBLIC DEFENDER  
AND SETTING CASE FOR HEARING

Ada  Boise  Eagle  Garden City  Meridian

TO: Ada County Public Defender

**YOU ARE HEREBY NOTIFIED** that you are appointed to represent the defendant in this cause, or in the District Court until relieved by court order. The case is continued for:

Preliminary .... Tuesday, September 11, 2012 .... 08:30 AM  
Judge: Cawthon / Irby

**BOND AMOUNT:** \_\_\_\_\_ The Defendant is:  In Custody  Released on Bail  ROR

TO: The above named defendant

**IT HAS BEEN ORDERED BY THIS COURT** that the defendant is to contact the Ada County Public Defender's Office at 200 W. Front Street, Room 1107, Boise, Idaho 83702. Telephone: (208) 287-7400. If the defendant is unable to post bond and obtain his/her release from jail, that the proper authorities allow the defendant to make a phone call to the Ada County Public Defender.

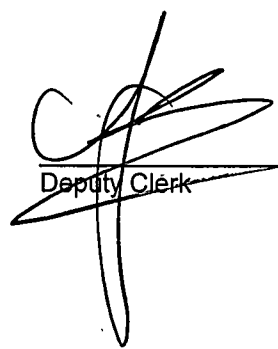
**IT HAS BEEN FURTHER ORDERED:** That the parties, prior to the pre-trial conference, complete and comply with Rule 16 I.C.R. and THAT THE DEFENDANT BE **PERSONALLY PRESENT** AT BOTH THE PRE-TRIAL CONFERENCE AND / OR THE JURY TRIAL: FAILURE TO APPEAR AT EITHER THE PRE-TRIAL CONFERENCE OR THE JURY TRIAL WILL RESULT IN A **BENCH WARRANT** FOR THE DEFENDANT'S ARREST.

I hereby certify that copies of this Notice were served as follows on this date Wednesday, August 29, 2012

Defendant: Mailed \_\_\_\_\_ Hand Delivered \_\_\_\_\_  
Clerk / date

Signature Served in custody Lincoln  
Phone ( \_\_\_\_\_ ) #812  
8-29-12

Prosecutor: Interdepartmental Mail   
Public Defender: Interdepartmental Mail

  
Deputy Clerk

400  
PH  
9/11  
8:30

NO. \_\_\_\_\_  
A.M. \_\_\_\_\_ FILED \_\_\_\_\_ P.M. 2

AUG 31 2012

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**Julianne Meehan**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702-5954  
Telephone: (208) 287-7700

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

THE STATE OF IDAHO,	)	
	)	<b>Case No. CR-FE-2012-0012658</b>
Plaintiff,	)	
vs.	)	<b>PRELIMINARY HEARING</b>
	)	<b>RESPONSE TO REQUEST FOR</b>
LANCE TYRELL TAYLOR AKA GREEN,	)	<b>DISCOVERY AND OBJECTIONS</b>
	)	
Defendant.	)	
_____	)	

COMES NOW, Julianne Meehan, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, and submits the following Preliminary Hearing Response to the Request for Discovery and Objections and informs the Court that the State has complied with the Defendant's Request for Discovery as outlined below.

**I. DISCLOSURES**

**16-A Brady-Agurs Disclosure:** The prosecution is unaware of any evidence that is exculpatory on its face relating to the offense charged.

With regard to evidence that may be exculpatory as used or interpreted, the prosecution requests that the defense counsel submit, in writing, the defense to be asserted in this case so the prosecution can review its file to determine if any facts, evidence or witnesses may be material to the preparation of that defense. In the alternative, the prosecution offers to defense counsel an open

E

file policy to review those documents in the control and possession of the prosecution that may be exculpatory in some manner to the offense charged.

**16-B Stipulation - Request Disclosure:**

**1. Statement of Defendant:** The State has complied with discovery by providing the known statements of the Defendant that are contained in documents and items the State currently has in its possession and will comply with discovery as more information becomes available, as follows:

- a. Audio Taped Confession/Statement, if any exists
- b. Video Taped Confession/Statement, if any exists
- c. Written Confession/Statement, if any exists
- d. As reflected in Police Reports
- e. As reflected in booking sheets

**2. Statement of Co-Defendant:** See disclosed police reports for statements of Co-Defendant, if any exists.

**3. Defendant's Prior Record:** The Defendant's prior record disclosed in the following:

- a. NCIC report

**4A. Documents and Tangible Objects:** Police Reports, Witness Statements, Medical records and/or other tangible documents in possession of the Ada County Prosecutor's Office as of the date of filing of this document disclosed as State's pages 1 through 44. Pursuant to I.C.R. 16(d), the State has provided an unredacted discovery packet for defense counsel and a redacted packet of discovery for the defendant. The unredacted packet of discovery is not to be disclosed to the defendant or to the defendant's family pursuant to I.C.R. 16(d) without the consent of the prosecuting attorney or an order of the court upon a showing of need.

**i. Audio/video recordings:** The State will provide audio and/or video recordings when they are received, if any exists, in this case. The State will provide unredacted audio and/or video to defense counsel marked "Confidential," which are not to be shared with the defendant or the defendant's family pursuant to I.C.R. 16(d) without the consent of the prosecuting attorney or an order of the court upon a showing of need. At the preliminary hearing level, upon request, the State will provide redacted audio/video to defense counsel so that redacted audio/video may be shared with the defendant.

**B. Photographs:** The State will comply with such request as it receives photographs, maps, charts or diagrams, if any exist, in this case.



**5. Reports of Examinations and Tests:**

- The State will comply with such request as it receives reports of examinations and tests, if any exist, in this case.
- These documents are specifically identified in subsection 4A above.

**6. Witnesses:** A list of names identifying witnesses and protected contact information has been provided to defense counsel in a letter under separate cover, which is not to be disclosed to the defendant or to the defendant's family pursuant to I.C.R. 16(d) without the consent of the prosecuting attorney or an order of the court upon a showing of need. The State has provided to defense counsel a separate redacted witness list excluding protected information that can be shared with the defendant.

**7. Expert Witnesses:** The State will comply with such request as it identifies expert witnesses, if any exist, in this case.

- The State will comply with such request as it receives reports of examinations and tests, if any exist, in this case.
- These witnesses have been identified in a letter to defense counsel as described above in subparagraph 6 above.

**8. Police Reports:** The State possesses police reports, witness statements and other documents which are available upon request. These documents are specifically identified in subparagraph 4(A) above.

**II. OBJECTIONS**

A. The State has excluded the identity of the Confidential Informant from this Discovery Response. The grounds for this objection is/are as follows. Pursuant to I.C.R. 16(g)(2) and I.R.E. 509, the identity of a Confidential Informant is excluded unless said Informant is to be produced as a witness at a hearing or trial, subject to any protective order under I.C.R. 16(l) or a disclosure order under Rule 16(b)(9).

B. The State objects to any items in the defendant's request for discovery that would be in violation of state or federal law as follows and requests that if this Court rules that disclosure is required, that this Court also issue a protective order pursuant to I.C.R. 16(l):

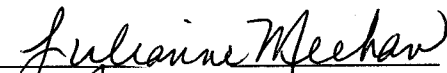
- NCIC criminal history for all witnesses. The State is not permitted to use NCIC for this purpose pursuant to federal law and hereby objects to providing this material.

A police officer(s)' internal affairs files and/or other personnel documents. Personnel documents are confidential matters pursuant to State law. The State hereby objects to providing this material.

Other

RESPECTFULLY SUBMITTED this 30 day of August 2012.

**GREG H. BOWER**  
Ada County Prosecuting Attorney

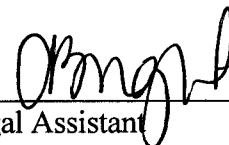
  
Julianne Meehan  
Deputy Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 31<sup>st</sup> day of August 2012, I caused to be served, a true and correct copy of the foregoing Preliminary Hearing Response to Request for Discovery and Objections upon the individual(s) named below in the manner noted:

**Richard Toothman, 200 W. Front Street, Room 1107, Boise, ID 83702**

- By depositing copies of the same in the United States mail, postage prepaid, first class.
- By depositing copies of the same in the Interdepartmental Mail.
- By hand delivering copies of the same to defense counsel.
- By informing the office of said individual(s) that said copies were available for pickup at the Office of the Ada County Prosecutor.
- By faxing copies of the same to said attorney(s) at the facsimile number: \_\_\_\_\_

  
\_\_\_\_\_  
Legal Assistant

400  
PH  
9/11  
8:30

**ADA COUNTY PUBLIC DEFENDER**  
Attorneys for Defendant  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

NO. \_\_\_\_\_  
A.M. \_\_\_\_\_ FILED P.M. 3:50

**SEP 04 2012**

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
DEPUTY

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

**STATE OF IDAHO,**  
**Plaintiff**

vs.

**LANCE TYRELL TAYLOR,**  
**Defendant.**

**Case No. CR-FE-2012-0012658**

**MOTION FOR BOND REDUCTION**

COMES NOW, LANCE TYRELL TAYLOR, the above-named defendant, by and through counsel RICHARD D TOOTHMAN, Ada County Public Defender's office, and moves this Court for its ORDER reducing bond in the above-entitled matter upon the grounds that the bond is so unreasonably high that the defendant, who is an indigent person without funds, cannot post such a bond, and for the reason that the defendant has thereby been effectively denied their right to bail.

DATED, Tuesday, September 04, 2012.

*Richard D. Toothman*

**RICHARD D TOOTHMAN**  
**Attorney for Defendant**

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY, that on Tuesday, September 04, 2012, I mailed a true and correct copy of the within instrument to:

JULIANNE MEEHAN  
Counsel for the State of Idaho

by placing said same in the Interdepartmental Mail.

*Julianne Meehan*

MOTION FOR BOND REDUCTION

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ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

NO. \_\_\_\_\_ FILED 280  
A.M. \_\_\_\_\_ P.M. \_\_\_\_\_

SEP 04 2012

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
DEPUTY

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

STATE OF IDAHO,

Plaintiff

vs.

LANCE TYRELL TAYLOR,

Defendant.

Case No. CR-FE-2012-0012658

NOTICE OF HEARING

TO: THE STATE OF IDAHO, Plaintiff, and to JULIANNE MEEHAN:

YOU, AND EACH OF YOU, are hereby notified that the defendant will call for a hearing on MOTION FOR BOND REDUCTION, now on file in the above-entitled matter, on Tuesday, September 11, 2012, at the hour of 08:30 AM, in the courtroom of the above-entitled court, or as soon thereafter as counsel may be heard.

DATED, Tuesday, September 04, 2012.

*Richard D. Toothman*

RICHARD D TOOTHMAN  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on Tuesday, September 04, 2012, I mailed a true and correct copy of the within instrument to:

JULIANNE MEEHAN  
Counsel for the State of Idaho

by placing said same in the Interdepartmental Mail.

*Quinn Harris*

NOTICE OF HEARING

000023

ke

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

NO. \_\_\_\_\_  
A.M. \_\_\_\_\_ FILED 3:50 P.M.

SEP 04 2012

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
DEPUTY

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

STATE OF IDAHO,

Plaintiff

vs.

LANCE TYRELL TAYLOR,

Defendant.

Case No. CR-FE-2012-0012658

REQUEST FOR DISCOVERY

TO: THE STATE OF IDAHO, Plaintiff, and to ADA COUNTY PROSECUTOR:


PLEASE TAKE NOTICE, that the undersigned, pursuant to ICR 16, requests discovery and photocopies of the following information, evidence, and materials:

- 1) All **unredacted** material or information within the prosecutor's possession or control, or which thereafter comes into his possession or control, which tends to negate the guilt of the accused or tends to reduce the punishment thereof. ICR 16(a).
- 2) Any **unredacted**, 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 the prosecuting attorney's agent; and the recorded testimony of the defendant before a grand jury which relates to the offense charged.
- 3) Any **unredacted**, written or recorded statements of a co-defendant; and the substance of any relevant oral statement made by a 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.
- 4) Any prior criminal record of the defendant and co-defendant, if any.
- 5) All **unredacted** documents and tangible objects as defined by ICR 16(b)(4) in the possession or control of the prosecutor, which are material to the defense, intended for use by the prosecutor or obtained from or belonging to the defendant or co-defendant.

- 6) All reports of physical or mental examinations and of scientific tests or experiments within the possession, control, or knowledge of the prosecutor, the existence of which is known or is available to the prosecutor by the exercise of due diligence.
- 7) A written list of the names, addresses, records of prior felony convictions, and written or recorded statements of all persons having knowledge of facts of the case known to the prosecutor and his agents or any official involved in the investigatory process of the case.
- 8) 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; including the witness' opinions, the facts and data for those opinions, and the witness' qualifications.
- 9) All reports or memoranda made by police officers or investigators in connection with the investigation or prosecution of the case, including what are commonly referred to as "ticket notes."
- 10) Any writing or object that may be used to refresh the memory of all persons who may be called as witnesses, pursuant to IRE 612.
- 11) Any and all audio and/or video recordings made by law enforcement officials during the course of their investigation.
- 12) Any evidence, documents, or witnesses that the state discovers or could discover with due diligence after complying with this request.

The undersigned further requests written compliance within 14 days of service of the within instrument.

**DATED**, Tuesday, September 04, 2012.



---

**RICHARD D TOOTHMAN**  
**Attorney for Defendant**

**CERTIFICATE OF MAILING**

I **HEREBY CERTIFY**, that on Tuesday, September 04, 2012, I mailed a true and correct copy of the within instrument to:

**ADA COUNTY PROSECUTOR**  
**Counsel for the State of Idaho**

by placing said same in the Interdepartmental Mail.



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400  
PH  
9/11  
8:30

SEP 10 2012

CHRISTOPHER D. RICH, Clerk  
By ELAINE TONG  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**Julianne Meehan**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702-5954  
Telephone: (208) 287-7700

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF

THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
LANCE TYRELL TAYLOR AKA GREEN, )  
)  
Defendant. )  
\_\_\_\_\_ )

**Case No. CR-FE-2012-0012658**

**PRELIMINARY HEARING  
SECOND RESPONSE TO  
REQUEST FOR DISCOVERY AND  
OBJECTIONS**

COMES NOW, Julianne Meehan, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, and submits the following Preliminary Hearing Response to the Request for Discovery and Objections and informs the Court that the State has complied with the Defendant's Request for Discovery as outlined below.

**I. DISCLOSURES**

**16-A Brady-Agurs Disclosure:** The prosecution is unaware of any evidence that is exculpatory on its face relating to the offense charged.

With regard to evidence that may be exculpatory as used or interpreted, the prosecution requests that the defense counsel submit, in writing, the defense to be asserted in this case so the prosecution can review its file to determine if any facts, evidence or witnesses may be material to the preparation of that defense. In the alternative, the prosecution offers to defense counsel an open

xe

file policy to review those documents in the control and possession of the prosecution that may be exculpatory in some manner to the offense charged.

**16-B Stipulation - Request Disclosure:**

1. **Statement of Defendant:** The State has complied with discovery by providing the known statements of the Defendant that are contained in documents and items the State currently has in its possession and will comply with discovery as more information becomes available, as follows:

- a. Audio Taped Confession/Statement, if any exists
- b. Video Taped Confession/Statement, if any exists
- c. Written Confession/Statement, if any exists
- d. As reflected in Police Reports
- e. As reflected in booking sheets

2. **Statement of Co-Defendant:** See disclosed police reports for statements of Co-Defendant, if any exists.

3. **Defendant's Prior Record:** The Defendant's prior record disclosed in the following:

- a. NCIC report

4A. **Documents and Tangible Objects:** Police Reports, Witness Statements, Medical records and/or other tangible documents in possession of the Ada County Prosecutor's Office as of the date of filing of this document disclosed as State's pages 45 through 77. Pursuant to I.C.R. 16(d), the State has provided an unredacted discovery packet for defense counsel and a redacted packet of discovery for the defendant. The unredacted packet of discovery is not to be disclosed to the defendant or to the defendant's family pursuant to I.C.R. 16(d) without the consent of the prosecuting attorney or an order of the court upon a showing of need.

i. **Audio/video recordings:** The State will provide audio and/or video recordings when they are received, if any exists, in this case. The State will provide unredacted audio and/or video to defense counsel marked "Confidential," which are not to be shared with the defendant or the defendant's family pursuant to I.C.R. 16(d) without the consent of the prosecuting attorney or an order of the court upon a showing of need. At the preliminary hearing level, upon request, the State will provide redacted audio/video to defense counsel so that redacted audio/video may be shared with the defendant.

**B. Photographs:** The State will comply with such request as it receives photographs, maps, charts or diagrams, if any exist, in this case.



**5. Reports of Examinations and Tests:**

The State will comply with such request as it receives reports of examinations and tests, if any exist, in this case.

These documents are specifically identified in subsection 4A above.

**6. Witnesses:** A list of names identifying witnesses and protected contact information has been provided to defense counsel in a letter under separate cover, which is not to be disclosed to the defendant or to the defendant's family pursuant to I.C.R. 16(d) without the consent of the prosecuting attorney or an order of the court upon a showing of need. The State has provided to defense counsel a separate redacted witness list excluding protected information that can be shared with the defendant.

**7. Expert Witnesses:** The State will comply with such request as it identifies expert witnesses, if any exist, in this case.

The State will comply with such request as it receives reports of examinations and tests, if any exist, in this case.

These witnesses have been identified in a letter to defense counsel as described above in subparagraph 6 above.

**8. Police Reports:** The State possesses police reports, witness statements and other documents which are available upon request. These documents are specifically identified in subparagraph 4(A) above.

**II. OBJECTIONS**

A. The State has excluded the identity of the Confidential Informant from this Discovery Response. The grounds for this objection is/are as follows. Pursuant to I.C.R. 16(g)(2) and I.R.E. 509, the identity of a Confidential Informant is excluded unless said Informant is to be produced as a witness at a hearing or trial, subject to any protective order under I.C.R. 16(l) or a disclosure order under Rule 16(b)(9).

B. The State objects to any items in the defendant's request for discovery that would be in violation of state or federal law as follows and requests that if this Court rules that disclosure is required, that this Court also issue a protective order pursuant to I.C.R. 16(l):

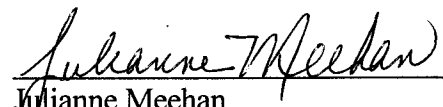
NCIC criminal history for all witnesses. The State is not permitted to use NCIC for this purpose pursuant to federal law and hereby objects to providing this material.

A police officer(s)' internal affairs files and/or other personnel documents. Personnel documents are confidential matters pursuant to State law. The State hereby objects to providing this material.

Other

RESPECTFULLY SUBMITTED this 7 day of September 2012.

**GREG H. BOWER**  
Ada County Prosecuting Attorney

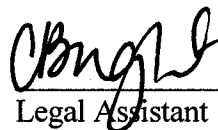
  
Julianne Meehan  
Deputy Prosecuting Attorney

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7<sup>th</sup> day of September 2012, I caused to be served, a true and correct copy of the foregoing Preliminary Hearing Response to Request for Discovery and Objections upon the individual(s) named below in the manner noted:

**Richard Toothman, 200 W. Front Street, Room 1107, Boise, ID 83702**

- By depositing copies of the same in the United States mail, postage prepaid, first class.
- By depositing copies of the same in the Interdepartmental Mail.
- By hand delivering copies of the same to defense counsel.
- By informing the office of said individual(s) that said copies were available for pickup at the Office of the Ada County Prosecutor.
- By faxing copies of the same to said attorney(s) at the facsimile number: \_\_\_\_\_

  
Legal Assistant

<u>Time</u>	<u>Speaker</u>	<u>Note</u>
<u>1:35:48 PM</u>	Defendant	Lance Tyrell Taylor FE-202-12658
<u>1:35:55 PM</u>	State	Julieanne Meehan AC Prosecutor
<u>1:35:57 PM</u>	Defense	Richard Toothman Attorney for the Defense
<u>1:36:01 PM</u>	Judge	Judge Cathleen MacGregor-Irby
<u>1:36:03 PM</u>	Defendant	Lance Tyrell Taylor Present in Custody
<u>1:36:05 PM</u>	Julieanne Meehan AC Prosecutor	Files an amended complaint - corrects name
<u>1:36:38 PM</u>	Witness #1	Charlene Hill, Sworn
<u>1:37:27 PM</u>	Julieanne Meehan AC Prosecutor	Direct Examination of the Witness
<u>1:37:27 PM</u>	Charlene Hill	older sister lives in washington, Mary Lynn Lang is 74 with health issues
<u>1:38:01 PM</u>	Charlene Hill	sister was here visiting me
<u>1:38:19 PM</u>	Charlene Hill	went to dinner and Walmart
<u>1:38:48 PM</u>	Charlene Hill	our purses were in the shopping cart
<u>1:39:51 PM</u>	Charlene Hill	Lynn's purse was still in the shopping cart
<u>1:40:14 PM</u>	Charlene Hill	the person that was sitting on the cart is in front of me in white
<u>1:40:37 PM</u>	Charlene Hill	about 45 minutes into shopping she realized we didn't have her purse
<u>1:41:05 PM</u>	Charlene Hill	went to the service center and no one had turned it in
<u>1:43:46 PM</u>	Charlene Hill	Banner Bank, Bank of America, Wells Fargo
<u>1:45:09 PM</u>	Charlene Hill	made the police report the next day
<u>1:45:22 PM</u>	Richard Toothman Attorney for the Defense	Cross Examination of the Witness
<u>1:45:22 PM</u>	Charlene Hill	It was about 8:45 when we discovered the purse was missing
<u>1:47:45 PM</u>	Charlene Hill	Nothing further, witness steps down
<u>1:47:49 PM</u>	Witness #2	Detective Brad Thorne, Sworn
<u>1:48:29 PM</u>	Richard Toothman Attorney for the Defense	stip to Education training and experience of detective
<u>1:48:48 PM</u>	Julieanne Meehan AC Prosecutor	Direct Examination of the Witness
<u>1:48:49 PM</u>	Detective Brad Thorne	Police officer for 13 years, detective for 9
<u>1:49:17 PM</u>	Detective Brad Thorne	call to come out and assist patrol with financial crimes
<u>1:49:36 PM</u>	Detective Brad Thorne	Male in custody was Mr. Taylor
<u>1:49:59 PM</u>	Detective Brad Thorne	advised of how he got there, they were on a different call at the time

<u>1:50:37 PM</u>	Detective Brad Thorne	he waived his Miranda rights
<u>1:50:52 PM</u>	Detective Brad Thorne	He told me that he had taken the purse from the cart, looked for the owner of it and his girlfriend told him to take it so he took it
<u>1:51:54 PM</u>	Detective Brad Thorne	he advised that they had went through it, he was aware that there were credit cards
<u>1:53:12 PM</u>	Detective Brad Thorne	Purse was recovered, Taylor told me where he knew it was
<u>1:53:43 PM</u>	Richard Toothman Attorney for the Defense	Cross Examination of the Witness
<u>1:53:43 PM</u>	Detective Brad Thorne	audio tape of the interview with Mr. Taylor
<u>1:54:10 PM</u>	Detective Brad Thorne	Nothing further, witness steps down
<u>1:54:14 PM</u>	Richard Toothman Attorney for the Defense	state rests
<u>1:54:20 PM</u>	Judge Cathleen MacGregor-Irby	Finds Pc
<u>1:55:01 PM</u>	Judge Cathleen MacGregor-Irby	Judge Finds PC, Case Bound Over to Judge Greenwood 9-18-12 at 2:00 PM. Commitment Signed
<u>1:55:36 PM</u>		End of Case

DR # 12-218534

SEP 11 2012

CHRISTOPHER D. RICH, Clerk  
By HEIDI MANLEY  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**Julianne Meehan**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Telephone: (208) 287-7700

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

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
LANCE TYRELL TAYLOR AKA GREEN, )  
)  
Defendant. )  
\_\_\_\_\_ )

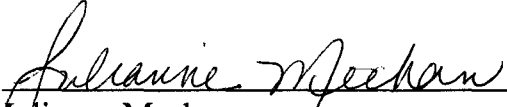
Case No. CR-FE-2012-0012658  
**A M E N D E D**  
**C O M P L A I N T**  
Taylor Aka Green's [REDACTED]

PERSONALLY APPEARED Before me this 11 day of September 2012, Julianne Meehan, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, who, being first duly sworn, complains and says: that LANCE TYRELL TAYLOR AKA GREEN, on or about the 7th day of August, 2012, in the County of Ada, State of Idaho, did commit the crime of GRAND THEFT, FELONY, I.C. §18-2403(1), 2407(1)(b), 2409 as follows:

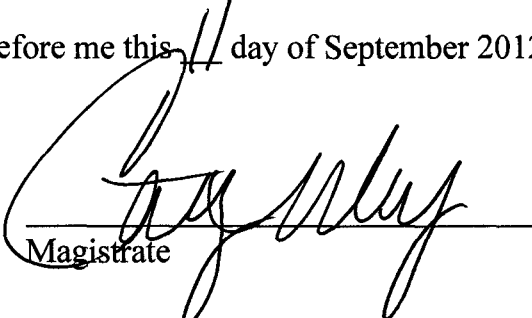
That the Defendant, LANCE TYRELL TAYLOR AKA GREEN, on or about the 7th day of August, 2012, in the County of Ada, State of Idaho, did wrongfully take a purse containing financial transaction cards from the owner, Mary Lynn Lang, with the intent to appropriate to himself certain property of another.

All of which is contrary to the form, force and effect of the statute in such case and against the peace and dignity of the State of Idaho.

**GREG H. BOWER**  
Ada County Prosecutor

  
Julianne Meehan  
Deputy Prosecuting Attorney

SUBSCRIBED AND Sworn to before me this 11 day of September 2012.

  
Magistrate


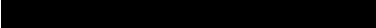
SEP 11 2012

CHRISTOPHER D. RICH, Clerk  
By HEIDI MANLEY  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**Julianne Meehan**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Phone: 287-7700

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

STATE OF IDAHO,	)	
	)	
Plaintiff,	)	Case No. CR-FE-2012-0012658
	)	
vs.	)	COMMITMENT
	)	
LANCE TYRELL TAYLOR AKA GREEN,	)	Defendant's 
	)	
Defendant.	)	
_____	)	

**THE ABOVE NAMED DEFENDANT, LANCE TYRELL TAYLOR AKA GREEN,** having been brought before this Court for a Preliminary Examination on the 11 day of September 2012, on a charge that the Defendant on or about the 7<sup>th</sup> day of August 2012, in the County of Ada, State of Idaho, did commit the crime of: GRAND THEFT, FELONY, I.C. §18-2403(1), 2407(1)(b), 2409 as follows:

That the Defendant, LANCE TYRELL TAYLOR AKA GREEN, on or about the 7th day of August, 2012, in the County of Ada, State of Idaho, did wrongfully take a

*hm*

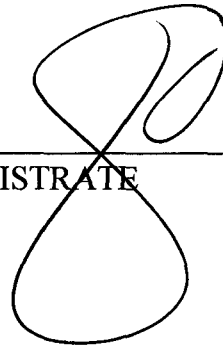
purse containing financial transaction cards from the owner, Mary Lynn Lang, with the intent to appropriate to himself certain property of another.

The Defendant having so appeared and having had/having waived preliminary examination, the Court sitting as a Committing Magistrate finds that the offense charged as set forth has been committed in Ada County, Idaho, and that there is sufficient cause to believe that the Defendant is guilty of committing the offense as charged.

**WHEREFORE, IT IS ORDERED** that the Defendant be held to answer to the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, to the charge herein set forth. Bail is set in the sum of \$ 10,000.

**DATED** this 11 day of September, 2012.

\_\_\_\_\_  
MAGISTRATE





FILED 9-11-12 AT 1:58 P.M.  
 CHRISTOPHER D. RICH,  
 CLERK OF THE DISTRICT COURT  
 BY Brandy  
 Deputy

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

STATE OF IDAHO, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
Lance Tyrrell Taylor )  
 Defendant. AKA green )

PRELIMINARY HEARING NOTICE / MINUTE SHEET

Case Number FE 2012 12658  
 Case Called Trby  
 Ada  Special J. Meehan  
 PD Attorney R. Toothman

- Defendant:  Present  Not Present  In Custody \_\_\_\_\_  PD Appointed  Waived Attorney
- Advised of Rights  Waived Rights  In Chambers  Interpreter \_\_\_\_\_
- Bond \$ \_\_\_\_\_  Motion for Bond Reduction Denied / Granted \_\_\_\_\_
- Amended Complaint Filed  Complaint Amended by Interlineation  Reading of Complaint Waived
- State / Defense / Mutual Request for Continuance \_\_\_\_\_
- State / Defense Objection / No Objection to Continuance \_\_\_\_\_
- Case continued to \_\_\_\_\_ at \_\_\_\_\_ am/pm for \_\_\_\_\_
- Defendant Waives Preliminary Hearing  Hearing Held  Commitment Signed
- Case Bound Over to Judge Greenwood on 9-18-12 at 2:00 am/pm
- Case Dismissed after Preliminary Hearing / On State's Motion  Release Defendant, This Case Only

ADA COUNTY COURTHOUSE, 200 W. FRONT ST., BOISE, ID 83702

You must appear as scheduled above. Failure to do so will result in a warrant being issued for your arrest.

DATED 9-11-12

CHRISTOPHER D. RICH, Clerk of the District Court  
 By: Brandy  
 Deputy Clerk

I hereby certify that copies of this notice were served as follows:

- Defendant  Hand Delivered  
 Defense Attorney  Hand Delivered  
 Public Defender  Hand Delivered  
 Prosecutor  Hand Delivered

Signature Lance Taylor

Clerk An Date 9-11-12


107  
ARR  
9/18  
2:00

NO. 10 FILED  
A.M. \_\_\_\_\_ P.M. \_\_\_\_\_

SEP 13 2012  
CHRISTOPHER D. RICH, Clerk  
By MAURA OLSON  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Phone: 287-7700  
Fax: 287-7709

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

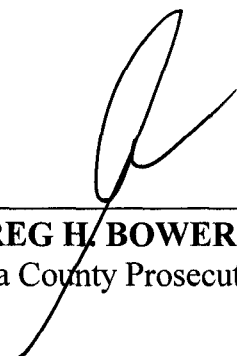
STATE OF IDAHO,	)	
	)	
Plaintiff,	)	Case No. CR-FE-2012-0012658
	)	
vs.	)	INFORMATION
	)	
LANCE TYRELL TAYLOR AKA GREEN,	)	Defendant's 
	)	
Defendant.	)	
_____	)	

**GREG H. BOWER**, Prosecuting Attorney, in and for the County of Ada, State of Idaho, who in the name and by the authority of the State, prosecutes in its behalf, comes now into District Court of the County of Ada, and states that LANCE TYRELL TAYLOR AKA GREEN is accused by this Information of the crime of: GRAND THEFT, FELONY, I.C. §18-2403(1), 2407(1)(b), 2409 which crime was committed as follows:

KC

That the Defendant, LANCE TYRELL TAYLOR AKA GREEN, on or about the 7th day of August, 2012, in the County of Ada, State of Idaho, did wrongfully take a purse containing financial transaction cards from the owner, Mary Lynn Lang, with the intent to appropriate to himself certain property of another.

All of which is contrary to the form, force and effect of the statute in such case and against the peace and dignity of the State of Idaho.



---

**GREG H. BOWER**  
Ada County Prosecuting Attorney

Ada County Mugshot - Prosecutor's Office



User: PRBRIGCA



Photo Taken: 2012-08-13 22:01:00

Name: TAYLOR, LANCE TYRELL

Case #: ---

LE Number: 636135



Height: 602

Weight: 190

Drivers License Number:

Drivers License State:

Sex: M Race: W Eye Color: HAZ Hair Color: BRO Facial Hair:

Marks: FOREARM, LEFT

Scars:

Tattoos:

Time	Speaker	Note
2:23:28 PM		Takes rolls of the arraignments. All deft are present.
2:23:36 PM	Court	Advises the deft of their arraignment rights.
2:28:13 PM	End.	
2:28:13 PM		

<u>Time</u>	<u>Speaker</u>	<u>Note</u>
<u>2:28:19 PM</u>		CRFE12.12658 State v. Lance Taylor
<u>2:28:21 PM</u>	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Brent Ferguson.
<u>2:28:40 PM</u>	Defendant	Waives formal reading. True name spelled correctly.
<u>2:29:10 PM</u>	Court	Advises the deft of the charges and the possible penalties.
<u>2:29:26 PM</u>	Defendant	Understands the penalties and his rights.
<u>2:29:36 PM</u>	Public Defender	Requests set over.
<u>2:29:42 PM</u>	Court	EOP October 2, 2012 at 2:00 pm.
<u>2:30:04 PM</u>	Court	Addresses the deft.
<u>2:30:07 PM</u>	End.	
<u>2:30:08 PM</u>		

107  
HS.  
10/2  
ZP

NO. 10  
A.M. FILED P.M.

SEP 25 2012

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**Julianne Meehan**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702-5954  
Telephone: (208) 287-7700

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF

THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
LANCE TYRELL TAYLOR aka GREEN, )  
)  
Defendant. )  
\_\_\_\_\_ )

Case No. CR-FE-2012-0012658

**MOTION FOR LEAVE TO FILE  
INFORMATION  
PART II**

COMES NOW, Julianne Meehan, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho and moves this Court for its order allowing the State to file an Information, Part II, in the above-matter based on what the State believes is the defendant's prior record as set out below.

**I.**

That the defendant, LANCE TYRELL TAYLOR aka GREEN, was convicted of the crime of Grand Theft, a Felony, on or about the 19<sup>th</sup> day of July 2007 in Custer County Case

No. CR-2007-28.

**MOTION FOR LEAVE TO FILE INFORMATION PART II (TAYLOR aka GREEN**

), Page 1

2

And/or,

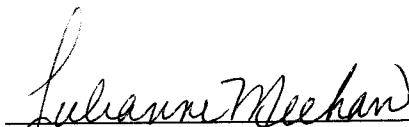
II.

That the defendant, LANCE TYRELL TAYLOR aka GREEN, was convicted of the crime of Grand Theft, a Felony, on or about the 6<sup>th</sup> day of December 2006 in Ada County Case No. H0601311.

The State's information as to the defendant's prior record is based on a state or national records check.

**RESPECTFULLY SUBMITTED** this 11 day of September 2012.

**GREG H. BOWER**  
Ada County Prosecuting Attorney

  
By: Julianne Meehan  
Deputy Prosecuting Attorney



<u>Time</u>	<u>Speaker</u>	<u>Note</u>
<u>3:48:21 PM</u>		CRFE12.12658 State v. Lance Taylor
<u>3:48:22 PM</u>	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Brent Ferguson.
<u>3:48:42 PM</u>	Public Defender	Not guilty. No objection to the Information Part II.
<u>3:49:15 PM</u>	Court	Will allow the filing of the Information Part II
<u>3:49:24 PM</u>	Court	Advises the deft regarding the Information Part II - persistent violator.
<u>3:50:38 PM</u>	State Attorney	3 days.
<u>3:50:41 PM</u>	Court	JT January 7, 2013 at 9:00 am PT December 18, 2012 at 1:30 pm.
<u>3:51:30 PM</u>	Court	Addresses the deft.
<u>3:51:32 PM</u>	End.	


OCT 05 2012

CHRISTOPHER D. RICH, Clerk  
By KATHY JOHNSON  
DEPUTY

RECEIVED  
SEP 25 2012  
Ada County Clerk

**GREG H. BOWER**  
Ada County Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Phone: 287-7700  
Fax: 287-7709

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

STATE OF IDAHO,	)	
	)	
Plaintiff,	)	Case No. CR-FE-2012-0012658
	)	
vs.	)	INFORMATION
	)	
LANCE TYRELL TAYLOR aka GREEN,	)	PART II
	)	
Defendant.	)	
_____	)	

**GREG H. BOWER**, Prosecuting Attorney in and for the County of Ada, State of Idaho, who, in the name of and by the authority of said State, prosecutes in its behalf, in proper person, comes now before the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, and given the Court to understand and to be further informed that, as PART II of the Information on file herein, the Defendant, LANCE TYRELL TAYLOR aka GREEN, is a PERSISTENT VIOLATOR OF THE LAW, in that the Defendant has heretofore been convicted of two or more of the following felonies, to-wit: I. GRAND THEFT, CASE NO. CR-2007-28 and II. GRAND THEFT, FELONY, CASE NO. H0601311.

**I.**

That the said Defendant, LANCE TYRELL TAYLOR aka GREEN, on or about the 19<sup>th</sup> day of July 2007, was convicted of the crime of Grand Theft, a FELONY, in the County of Custer, State of Idaho, by virtue of that certain Judgment of Conviction made and entered by Honorable Judge Ted V. Wood in case number CR-2007-28.

**and/or,**

**II.**

That the said Defendant, LANCE TYRELL TAYLOR aka GREEN, on or about the 6<sup>th</sup> day of December 2006, was convicted of the crime of Grand Theft, a FELONY, in the County of Ada, State of Idaho, by virtue of that certain Judgment of Conviction made and entered by Honorable Judge Michael R. McLaughlin in case number H0601311.

**WHEREFORE**, the said Defendant, having been convicted previously of two (2) or more felonies, should be considered a persistent violator of the law, and should be sentenced accordingly pursuant to Idaho Code §19-2514, upon conviction of the charge(s) contained in PART I of the Information.

**DATED** This 24<sup>th</sup> day of September 2012.



---

**GREG H. BOWER**  
Ada County Prosecuting Attorney

107

**CCT 18 2012**

**CHRISTOPHER D. RICH, Clerk**  
By **ELAINE TONG**  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**Jonathan M. Medema**  
Deputy Prosecuting Attorney  
200 West Front Street, Room 3191  
Boise, ID 83702  
Telephone: (208) 287-7700

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

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
LANCE TYRELL TAYLOR aka GREEN, )  
)  
Defendant. )  
)  
\_\_\_\_\_ )

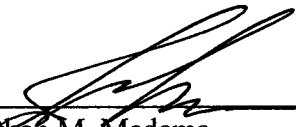
**Case No. CR-FE-2012-0012658**

**THIRD ADDENDUM TO  
DISCOVERY RESPONSE TO  
COURT**

**COMES NOW**, Jonathan M. Medema, Deputy Prosecuting Attorney in and for Ada County, State of Idaho, and informs the Court that the State has submitted an Addendum to Response to Discovery.

**RESPECTFULLY SUBMITTED** this 17 day of October 2012.

**GREG H. BOWER**  
Ada County Prosecuting Attorney

  
\_\_\_\_\_  
Jonathan M. Medema  
Deputy Prosecuting Attorney

**THIRD ADDENDUM TO DISCOVERY RESPONSE TO COURT (TAYLOR aka GREEN), Page 1**

*h*

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

OCT 22 2012  
CHRISTOPHER D. RICH, Clerk  
By KATHY JOHNSON  
DEPUTY

THE STATE OF IDAHO,  
  
Plaintiff,  
  
vs.  
  
LANCE TYRELL TAYLOR,  
  
Defendant.

Case No. CR-FE-2012-0012658

SCHEDULING ORDER

This matter came before the court on October 2, 2012 for entry of plea and with the defendant pleading not guilty the Court set this matter for Tuesday, December 18, 2012 at 01:30 PM for a Pretrial Conference and Monday, January 07, 2013 at 09:00 AM for a/an Jury Trial of the above named Defendant, LANCE TYRELL TAYLOR. The attorneys present were:

- For the State: Jonathan Medema
- For the Defendant: Charlene W Davis

The Defendant entered a plea of not guilty and requested a jury trial. The court instructed the clerk to enter the plea of not guilty into the court minutes.

Pursuant to ICR 12 and ICR 18 the court hereby orders that the attorneys and Defendant shall comply with the following scheduling order:

- 1) **JURY TRIAL DATE:** The 3 day jury trial of this action shall commence before this court on **January 7, 2013**, at 9:00 a.m.
- 2) Notice is hereby given, pursuant to I.C.R. 25(a)(6) that an alternate judge may be assigned to preside over the trial of this case. The following is a list of potential alternate judges:

- Hon. G. D. Carey
- Hon. Gregory M. Culet
- Hon. Dennis Goff
- Hon. Daniel C. Hurlbutt, Jr.
- Hon. James Judd
- Hon. Duff McKee
- Hon. Michael McLaughlin
- Hon. James C. Morfitt

- Justice Gerald Schroeder
- Hon. Kathryn A. Sticklen
- Justice Linda Copple Trout
- Hon. Darla Williamson
- Hon. W. H. Woodland

**All Sitting Fourth District Judges**

Unless a party has previously exercised their right to disqualification without cause under Rule 25(a)(1), each party shall have the right to file one (1) motion for disqualification without cause as to any alternate judge not later than fourteen (14) days after service of this written notice listing the alternate judge.

- 3) **PRE-TRIAL CONFERENCE:** Counsel for the parties and the Defendant shall appear before this court on **December 18, 2012**, at 1:30 p.m. for the pre-trial conference. Counsel shall be prepared to discuss settlement possibilities pursuant to ICR 18. Failure of the Defendant to appear at this pre-trial conference will result in a forfeiture of bail and a bench warrant shall be issued by the court.

Each party shall be required to serve on all other parties and file with the Court a complete list of exhibits and witnesses in accordance with I.R.C.P. 16(h). Exhibit and witness lists shall also be submitted to the Court via email at [kajohnson@adaweb.net](mailto:kajohnson@adaweb.net).

- 4) **JURY INSTRUCTIONS:** The parties shall submit all proposed jury instructions to the court on or before the pre-trial conference. Requested instructions shall also be submitted to the Court via email at [mtaylor@adaweb.net](mailto:mtaylor@adaweb.net). It is sufficient for the parties to identify unmodified pattern instructions by number.
- 5) **SANCTIONS:** Failure to comply with this order will subject a party or its attorney to appropriate sanctions, including but not limited to, costs, and reasonable attorney fees and jury costs. A party may be excused from strict compliance with any provisions of this Order only upon showing good cause.
- 6) **CONTINUANCES:** The court will not grant continuances unless good cause exists and all the parties waive their right to speedy trial.

DATED this 9 day of October, 2012.

  
\_\_\_\_\_  
RICHARD D. GREENWOOD  
District Judge

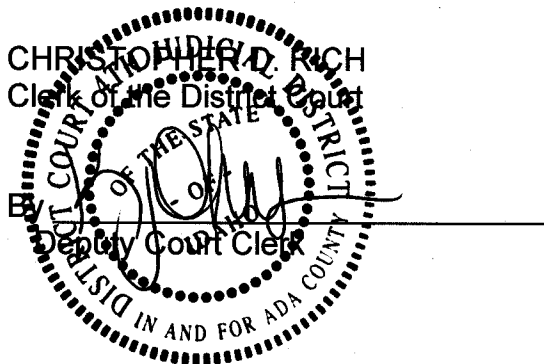
**CERTIFICATE OF MAILING**

I hereby certify that on this 22<sup>nd</sup> day of October, 2012, I mailed (served) a

true and correct copy of the within instrument to:

ADA COUNTY PROSECUTING ATTORNEY  
INTERDEPARTMENTAL MAIL

ADA COUNTY PUBLIC DEFENDER  
INTERDEPARTMENTAL MAIL



**EXHIBIT LIST**

Before the date set for the pretrial conference, the parties shall contact the clerk for assignment of exhibit numbers.

**Richard D. Greenwood, DISTRICT JUDGE**  
Kathy Johnson, DEPUTY CLERK  
Fran Morris, COURT REPORTER

CASE NO: **CR-FE-2012-0012658**

DATE(S): \_\_\_\_\_

**STATE OF IDAHO**

**vs.**

**LANCE TYRELL TAYLOR**

NO	DESCRIPTION	DATE	ID	OFFD	OBJ	ADMIT
1						
2						
3						

Exhibit 1



107  
R18  
1.30

NO. \_\_\_\_\_  
A.M. \_\_\_\_\_ FILED \_\_\_\_\_ P.M. \_\_\_\_\_

DEC 14 2012

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
DEPUTY

**ADA COUNTY PUBLIC DEFENDER**  
Attorneys for Defendant

**CHARLENE W. DAVIS, ISB #71557155**  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

**STATE OF IDAHO,**  
Plaintiff,

vs.

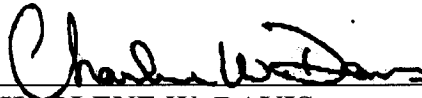
**LANCE T. TAYLOR,**  
Defendant.

Case No. CR-FE-2012-0012658

**MOTION FOR BOND REDUCTION**

COMES NOW, Lance T. Taylor, Defendant above-named, by and through counsel, CHARLENE W. DAVIS, Ada County Public Defender's office, and moves this Court for its ORDER reducing bond in the above-entitled matter upon the grounds that the bond is so unreasonably high that the defendant, who is an indigent person without funds, cannot post such a bond, and for the reason that the defendant has thereby been effectively denied their right to bail.

DATED Thursday, December 13, 2012.

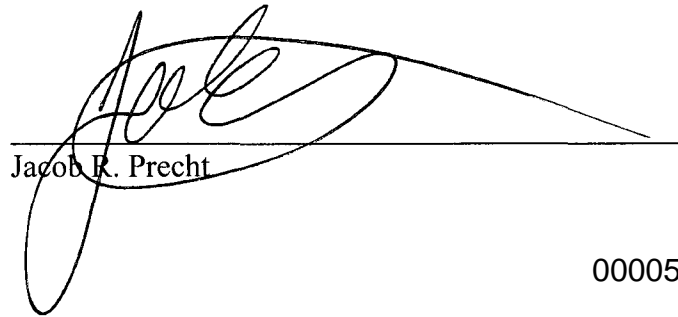


CHARLENE W. DAVIS  
Attorney for Defendant

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY, that on Thursday, December 13, 2012, I mailed (served) a true and correct copy of the within instrument to:

**JONATHAN M. MEDEMA**  
Ada County Prosecutor's office  
Interdepartmental Mail



Jacob R. Precht

MOTION FOR BOND REDUCTION

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K

NO. \_\_\_\_\_ FILED \_\_\_\_\_  
A.M. \_\_\_\_\_ P.M. \_\_\_\_\_

DEC 14 2012

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
DEPUTY

**ADA COUNTY PUBLIC DEFENDER**  
Attorneys for Defendant

**CHARLENE W. DAVIS, ISB #7155**  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

**STATE OF IDAHO,**

**Plaintiff,**

vs.

**LANCE T. TAYLOR,**

**Defendant.**

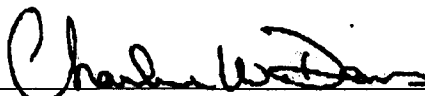
**Case No. CR-FE-2012-0012658**

**NOTICE OF HEARING  
(Motion for Bond Reduction)**

**TO: THE STATE OF IDAHO, Plaintiff, and to JONATHAN M. MEDEMA, Ada County Prosecutor's office:**

**YOU, AND EACH OF YOU,** are hereby notified that Defendant will call on for hearing Motion for Bond Reduction. Said hearing shall take place on December 18, 2012, at the hour of 1:30 p.m., in the courtroom of the above-entitled court, or as soon thereafter as counsel may be heard.

**DATED** Thursday, December 13, 2012.

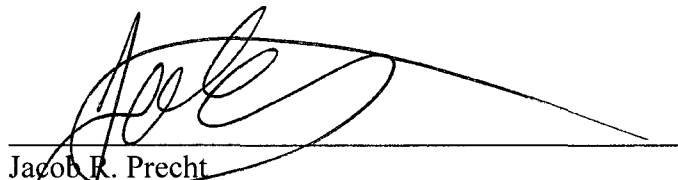


**CHARLENE W. DAVIS**  
Attorney for Defendant

**CERTIFICATE OF MAILING**

**I HEREBY CERTIFY,** that on Thursday, December 13, 2012, I mailed (served) a true and correct copy of the within instrument to:

**JONATHAN M. MEDEMA**  
Ada County Prosecutor's office  
Interdepartmental Mail



Jacob R. Precht

**NOTICE OF HEARING (MOTION FOR BOND REDUCTION)**

000053

16

Time	Speaker	Note
<u>2:02:21 PM</u>		CRFE12.12658 State v. Lance Taylor
<u>2:02:23 PM</u>	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Jonathan Medema.
<u>2:02:48 PM</u>	Public Defender	Asking for a continuance - possible 18-207 defense. Mental health issues.
<u>2:04:30 PM</u>	State Attorney	Ready for trial. Has statements of the deft on tape admitting.
<u>2:05:04 PM</u>	Court	Addresses counsel regarding the request to continue.
<u>2:05:17 PM</u>	Public Defender	Response to the statements of counsel and the Court.
<u>2:05:32 PM</u>	Court	Addresses counsel.
<u>2:05:48 PM</u>	Public Defender	States hospitalizations throughout his life.
<u>2:06:33 PM</u>	Court	Addresses counsel - continuing this to tomorrow morning at 9:00 am. Wants a list of the hospitalizations when and where.
<u>2:07:13 PM</u>	Court	Will take this up tomorrow.
<u>2:07:23 PM</u>	End.	
<u>2:07:23 PM</u>		

<u>Time</u>	<u>Speaker</u>	<u>Note</u>
<u>8:07:27 AM</u>		CRFE12.12658 State v. Lance Taylor
<u>9:01:05 AM</u>	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Jonathan Medema.
<u>9:01:20 AM</u>	Court	Motion to continue trial.
<u>9:01:29 AM</u>	Public Defender	Response regarding the medical history of the deft.
<u>9:03:11 AM</u>	Public Defender	Further argument on mental health defense.
<u>9:03:41 AM</u>	State Attorney	Argument on motion.
<u>9:04:18 AM</u>	Court	No inclined to continue the trial at this time. Addresses the parties.
<u>9:06:10 AM</u>	Court	Motion to continue is denied.
<u>9:06:16 AM</u>	Court	Addresses counsel. Will go to trial as scheduled.
<u>9:06:28 AM</u>	State Attorney	Provides witness list to the Court.
<u>9:07:43 AM</u>	Court	Discussion between the Court and counsel regarding potential witnesses that wil be called at trial.
<u>9:10:07 AM</u>	Court	Discussion between the Court and counsel regarding prior theft charges of the deft.
<u>9:11:00 AM</u>	Public Defender	Motion for bond reduction.
<u>9:11:05 AM</u>	Court	Argument on motion for bond reduction. OR release with GPS device.
<u>9:12:41 AM</u>	State Attorney	Argument on bond reduction. Bond is appropriately set.
<u>9:14:07 AM</u>	Public Defender	Nothing further.
<u>9:14:11 AM</u>	Court	Addresses the parties regarding the bond amount.
<u>9:14:43 AM</u>	Court	Bond is properly set. Motion to reduce bond is denied.
<u>9:15:28 AM</u>	End.	
<u>9:15:28 AM</u>		
<u>9:15:28 AM</u>		
<u>9:15:28 AM</u>		

DEC 20 2012

CHRISTOPHER D. RICH, Clerk  
By KATHY JOHNSON  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**Jonathan M. Medema**  
Deputy Prosecuting Attorney  
200 W. Front St., Room 3191  
Boise Idaho 83702  
Telephone: 208-287-7700

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

THE STATE OF IDAHO,	)	
	)	
Plaintiff,	)	<b>Case No. CR-FE-2012-0012658</b>
vs.	)	
	)	<b>STATE'S LIST OF POTENTIAL</b>
LANCE TYRELL TAYLOR AKA GREEN,	)	<b>TRIAL WITNESSES</b>
	)	
Defendant.	)	
	)	
	)	
	)	

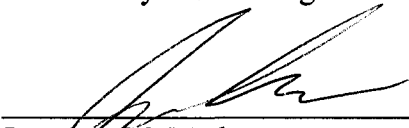
**COMES NOW**, Jonathan M. Medema, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, and does hereby provide the following list of potential trial witnesses:

1. Officer Brian Jones, Boise Police Department
- ~ 2. Detective Brad Thorne, Boise Police Department
3. Officer Jacob Norman, Boise Police Department
4. Carol "Sue" Adams, Boise Police Department
5. Officer Cory Turner, Boise Police Department
6. Officer Carly Bock, Boise Police Department
7. Officer Zachary Powell, Boise Police Department
8. Officer Mike Miraglia, Boise Police Department

- 9. Mary Lang
- 10. Matt Havener
- 11. Jade Jones
- 12. Steven Olsen
- 13. Charlene Hill

DATED this 10<sup>th</sup> day of December 2012

**GREG H. BOWER**  
Ada County Prosecuting Attorney

  
\_\_\_\_\_  
Jonathan M. Medema  
Deputy Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 18 day of December 2012, I caused to be served, a true and correct copy of the foregoing State's List of Potential Trial Witnesses upon the individual named below in the manner noted:

**Charlene Davis**  
**Ada County Public Defender**  
**200 W. Front Street, Rm. 1107**  
**Boise, ID 83702**

- By depositing copies of the same in the United States mail, postage prepaid, first class.
- By hand delivering said document to defense counsel.
- By depositing copies of the same in the Interdepartmental Mail.
- By informing the office of said individual(s) that said copies were available for pickup at the Office of the Ada County Prosecutor.
- By faxing copies of the same to said attorney(s) at the facsimile number: \_\_\_\_\_

  
\_\_\_\_\_  
Legal Assistant

Time	Speaker	Note
9:48:49 AM		CRFE12.12658 State v. Lance Taylor
9:48:49 AM	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Jonathan Medema.
9:55:37 AM	Public Defender	Pleading guilty.
9:55:41 AM	Defendant	Pleading guilty.
9:55:43 AM	Court	Addresses the deft.
9:56:25 AM	Court	Deft sworn and examined on his own behalf.
9:57:45 AM	Public Defender	Deft guilty to Grand Theft 2+8=10 yrs with prison. No habitual. Court costs, fees, fines, PD reimbursement. No restitution. Comply with PSI. Defense free to argue for less.
10:17:36 AM	State Attorney	Satisfied with the allocution.
10:17:40 AM	Court	Accepts the guilty plea and directs that it be entered.
10:18:09 AM	Court	Orders PSI, 19-2524 mental health and substance abuse evaluation.
10:18:27 AM	Public Defender	Will be asking for mental health court or drug court.
10:18:40 AM	Court	Wants to look at the materials first before mental health or drug court.
10:19:09 AM	Court	Sentencing February 26, 2013 at 9:00 am.
10:19:25 AM	Court	Addresses the deft regarding the PSI investigator.
10:19:38 AM	Court	Advises the deft to get in touch with investigator if bonds out.
10:19:51 AM	End.	

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

JAN 07 2013  
CHRISTOPHER D. RICH, Clerk  
By KATHY JOHNSON  
DEPUTY

GUILTY PLEA ADVISORY AND FORM (JUDGE RICHARD D. GREENWOOD)

TO BE FILLED OUT BY THE DEFENDANT

Defendant's Name: Lance Taylor Signature [Signature]

Date: 1-3-12 Case Number: FE-12-12658

Date of Birth: 1-25-85 Age: 27

Nature of Charge(s): Grand Theft Minimum & Maximum Possible Penalty:  
\$10,000 max 20 years max  
1 year minimum

**STATEMENT OF RIGHTS & EXPLANATION OF WAIVERS BY PLEA OF GUILTY  
(PLEASE INITIAL EACH RESPONSE)**

1. You have the right to remain silent. You do not have to say anything about the crime(s) you are accused of committing. If you choose to have a trial, the State cannot require you to testify. If you do decide to testify, however, the State will be permitted to ask you questions on cross examination and anything you say can be used as evidence against you in court.

I understand that by pleading guilty I am waiving my right to remain silent before and during trial. LT

2. The waiver of your right to remain silent only applies to your plea of guilty to the crime(s) in this case. Even after pleading guilty, you will still have the right to refuse to answer any question or to provide any information that might tend to show you committed some other crime(s). You can also refuse to answer or provide any information that might tend to increase the punishment for the crime(s) to which you are pleading guilty.

I understand that by pleading guilty to the crime(s) in this case, I still have the right to remain silent with respect to any other crime(s) and with respect to answering questions or providing information that may increase my sentence. LT



3. You have the right to be represented by an attorney. If you want an attorney and cannot pay for one, you can ask the judge for an attorney who will be paid by the county.   X  .

4. You are presumed to be innocent. You would be found guilty if: 1) you plead guilty in front of the judge, or 2) you are found guilty at a jury trial.

I understand that by pleading guilty I am waiving my right to be presumed innocent.   X  .

5. You have the right to a speedy and public jury trial. A jury trial is a court hearing to determine whether you are guilty or not guilty of the charge(s) brought against you. In a jury trial, you have the right to present evidence in your defense and to testify in your own defense. The state must convince each and every one of the jurors of your guilt beyond a reasonable doubt.

I understand that by pleading guilty I am waiving my right to a speedy and public jury trial.   X  .

6. You have the right to confront the witnesses called against you. This occurs during a jury trial where the state must prove its case by calling witnesses to testify under oath in front of you, the jury, and your attorney. Your attorney could then cross-examine (question) each witness. You could also call your own witnesses of your choosing to testify concerning your guilt or innocence. If you do not have the funds to bring those witnesses to court, the state will pay the cost of bringing your witnesses to court.

I understand that by pleading guilty, I am waiving my right to confront the witnesses against me, to present witnesses on my own behalf and to present evidence in my defense.   X  .

7. The State has the burden of proving you guilty beyond a reasonable doubt.

I understand that by pleading guilty, I am waiving my right to require the State to prove my guilt beyond a reasonable doubt.   X  .

### QUESTIONS REGARDING PLEA

(Please answer every question. If you do not understand a question consult your attorney before answering.)

PLEASE CIRCLE ONE

1. Do you read and write the English language?

YES  NO

If not, have you been provided with an interpreter to help you fill out this form?

YES  NO  N/A

2. What is your true and legal name? Lance Taylor
3. What was the highest grade you completed? 12<sup>f</sup>

If you did not complete high school, have you received either a GED or HSE?

YES NO N/A

4. Are you currently under the care of a mental health professional?  YES  NO

If you answered "yes," what is the mental health professional's name? \_\_\_\_\_

getting back on meds for Bipolar/ADHD

5. Have you ever been diagnosed with a mental health disorder?  YES  NO

If you answered "yes," what was the diagnosis and when was it made?

Bipolar, ADHD

6. Are you currently prescribed any medication? YES  NO

If you answered "yes," what medications are you taking at this time?

\_\_\_\_\_  
\_\_\_\_\_

If you answered "yes," have you taken your prescription medication during the past 24 hours?

YES NO N/A

7. In the last 24 hours, have you taken any medications or drugs, **INCLUDING over the counter drugs**, or drunk any alcoholic beverages?

YES  NO

If "yes," what have you taken? \_\_\_\_\_

Do you believe this affects your ability to understand these questions, and make a reasoned and informed decisions in this case?

YES  NO N/A

8. Is there any other reason that you would be unable to make a reasoned and informed decision in this case?

YES  NO

If "yes," what is the reason? \_\_\_\_\_

9. Is your guilty plea the result of a plea agreement?

YES  NO

If you answered "yes," what are the terms of that plea agreement? (If available, a written plea agreement should be attached hereto as "Addendum 'A'")

Δ PG to Grand Theft - 218 = 10  
Prison, No habitual, fines + Court costs,  
Public defender reimbursement, Restitution?,  
Δ free to argue less

10. There are two types of plea agreements. Please initial the **ONE** paragraph below which describes the type of plea you are entering:

- a. I understand that the court is **NOT** bound by the plea agreement or any sentencing recommendations, and may impose any sentence authorized by law, including the maximum sentence stated above. Because the court is not bound by the agreement, if the district court chooses not to follow the agreement, I will not have the right to withdraw my guilty plea. LT.
- b. I understand that my plea agreement is a binding plea agreement. This means that if the district court does not impose the specific sentence as recommended by both parties, I will be allowed to withdraw my plea of guilty pursuant to Rule 11(d)(4) of the Idaho Criminal Rules and proceed to a jury trial. \_\_\_\_\_.

11. As a term of your plea agreement, are you pleading guilty to more than ~~one~~ crime?  
YES  NO

If you answered "yes," do you understand that your sentence for each crime could be ordered to be served either concurrently (at the same time) or consecutively (one after the other)?  
YES NO N/A

12. Is this a conditional guilty plea in which you are reserving your right to appeal any pre-trial issues?  
YES  NO

If you answered "yes," what issue are you reserving the right to appeal?  
\_\_\_\_\_  
\_\_\_\_\_

13. Have you waived your right to appeal your judgment of conviction as part of your plea agreement?  
YES  NO

14. Have any other promises been made to you which have influenced your decision to plead guilty?  
YES  NO

If you answered "yes," what are those promises?

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---

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15. Do you feel you have had sufficient time to discuss your case with your attorney?

YES  NO

16. Have you told your attorney everything you know about the crime?

YES  NO

17. Is there anything you have requested your attorney to do that has not been done?

YES  NO

If you answered "yes," please explain. \_\_\_\_\_

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---

---

18. Your attorney can get various items from the prosecutor relating to your case. This may include police reports, witness statements, tape recordings, photographs, reports of scientific testing, etc. This is called discovery. Have you reviewed the evidence provided to your attorney during discovery?

YES  NO

19. Are there any witnesses who could show your innocence?

YES  NO

If you answered "yes," have you told your attorney who those witnesses are?

YES  NO  N/A

20. Do you understand that by pleading guilty you waive any defenses, both factual and legal, that you believe you may have in this case?

YES  NO

21. Are there any motions or other requests for relief that you believe should still be filed in this case?

YES  NO

If you answered "yes," what motions or requests? Mental Health & Drug eval

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---

22. Do you understand that if you enter an unconditional guilty plea in this case you will not be able to challenge any rulings that came before the guilty plea including:

- 1) any searches or seizures that occurred in your case,
- 2) any issues concerning the method or manner of your arrest, and
- 3) any issues about any statements you may have made to law enforcement?

YES  NO

23. Do you understand that when you plead guilty, you are admitting the truth of each and every allegation contained in the charge(s) to which you plead guilty?

YES  NO

24. Are you currently on probation or parole?

YES  NO

If you answered "yes", do you understand that a plea of guilty in this case could be the basis of a violation of that probation or parole and additional punishment?

YES  NO  N/A

25. As a result of your plea in this case, have you been advised that you may be required pay restitution to any victim in this case pursuant to I.C. §19-5304?

YES  NO

If "yes", to whom? \_\_\_\_\_

26. As a result of your plea in this case, have you been advised that you may be required to pay restitution to any other party as a condition of your plea agreement?

YES  NO

If "yes", to whom? \_\_\_\_\_

27. As a result of your plea in this case, will you be required to pay the costs of prosecution and investigation? (I.C. § 37-2732A(K))

YES  NO

28. As a result of your plea in this case, will you be required to submit a DNA sample to the state? (I.C. § 19-5506)

YES  NO

29. As a result of your plea in this case, can the court impose a fine for a crime of violence of up to \$5,000, payable to the victim of the crime? (I.C. § 19-5307)

YES  NO

30. As a result of your plea in this case, is there a **mandatory** driver's license suspension?

YES  NO

If "yes", for how long must your license be suspended? \_\_\_\_\_.

31. As a result of your plea in this case, is there a mandatory domestic violence, substance abuse, or psychosexual evaluation? (I.C. §§ 18-918(7)(a),-8005(9),-8317)

YES  NO

32. Have you discussed with your attorney the fact the Court will order a pre-sentence investigation, psychosexual evaluation, anger evaluation and/or domestic violence evaluation and that anything you say during any of those examinations may be used against you in sentencing?

YES  NO

33. Has your attorney explained the fact that you have a constitutional right to remain silent during any of those examinations but that you may give up that right and voluntarily participate in those examinations?  YES  NO

34. Do you understand that by pleading guilty to a felony, you run the risk that if you have new felony charges in the future, you could be charged as a Persistent Violator? (I.C. § 19-2514)  YES  NO

Do you understand that if you are convicted as a Persistent Violator, the court in that new case could sentence you to an enhanced sentence which could include life imprisonment?  YES  NO

35. As a result of your plea in this case, will you be required to register as a sex offender? (I.C. § 18-8304) YES  NO

If you answered "yes" to Question No. 35, do you understand that if you are found guilty or plead guilty to another charge that requires you to register as a sex offender in the future, you could be charged in the new crime under I.C. § 19-2520G requiring a mandatory sentence of fifteen (15) years to run consecutive to any other sentence imposed by the court? YES NO N/A

36. Do you understand that if you plead guilty to a felony, you will lose your right to vote in Idaho during the period of your sentence? (ID. CONST. art. 6, § 3)  YES  NO

37. Do you understand that if you plead guilty to a felony, you will lose your right to hold public office in Idaho during the period of your sentence? (ID. CONST. art. 6, § 3)  YES  NO

38. Do you understand that if you plead guilty to a felony, you will lose your right to perform jury service in Idaho during the period of your sentence? (ID. CONST. art. 6, § 3)  YES  NO

39. Do you understand that if you plead guilty to a felony you will lose your right to purchase, possess, or carry firearms? (I.C. § 18-310)  YES  NO

40. Do you understand that no one, including your attorney, can force you to plead guilty in this case?  YES  NO

41. Are you pleading guilty freely and voluntarily?  YES  NO

42. Are you pleading guilty because you committed the acts alleged in the information or indictment?  YES  NO

43. If you were provided with an interpreter to help you fill out this form, have you had any trouble understanding your interpreter? YES NO  N/A

44. Has any person (including a law enforcement officer or police office) threatened you or done anything to make you enter this plea against your will? YES  NO

If your answer is "yes," what threats have been made and by whom?

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---

45. **Other than in the plea agreement**, has any person promised you that you will receive any special sentence, reward, favorable treatment, or leniency with regard to the plea you are about to enter? YES NO

If your answer is "yes," what promises have been made and by whom?

---

---

46. Do you understand that the only person who can promise what sentence you will actually receive is the Judge? YES NO

47. Are you satisfied with your attorney? YES NO

48. Have you answered all questions on this Questionnaire truthfully and of your own free will? YES NO

49. Have you had any trouble answering any of the questions in this form which you could *not* work out by discussing the issue with your attorney? YES NO

50. **IF YOU ARE NOT A CITIZEN OF THE UNITED STATES**, do you understand that by pleading guilty you could be deported or removed from the United States, lose your ability to obtain legal status in the United States, or be denied an application for United States citizenship? YES NO N/A

51. Do you swear under penalty of perjury that your answers to these questions are true and correct? YES NO

I have answered the questions on pages 1-8 of this Guilty Plea Advisory form truthfully. I understand all of the questions and answers herein, have discussed each question and answer with my attorney, and have completed this form freely and voluntarily. Furthermore, no one has threatened me to do so.

Dated this 3 day of January, 2013.

  
DEFENDANT

I hereby acknowledge that I have discussed, in detail, the foregoing questions and answers with my client.

  
DEFENDANT'S ATTORNEY

9:04:47 AM		CRFE12.12858 State v. Lance Taylor
9:04:50 AM	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Jonathan Medema.
9:05:24 AM	Court	Reviews the file.
9:07:59 AM	Public Defender	Hasn't had time to go over with the deft. Requests a week continuance.
9:08:22 AM	State Attorney	Some issues with the jail so there will be an addendum.
9:08:35 AM	Public Defender	Has letter.
9:08:38 AM	State Attorney	Has reviewed and has no objection.
9:08:56 AM	Court	Addresses counsel regarding drug court.
9:09:04 AM	Court	Sentencing March 5, 2013 at 9:00 am.
9:09:21 AM	End.	
9:09:21 AM		



Time	Speaker	Note
8:58:59 AM		CRFE12.12658 State v. Lance Taylor
8:59:09 AM	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Jonathan Medema.
8:59:47 AM	Court	Reviews the file.
9:02:51 AM	Court	Parties have received the materials and have reviewed them.
9:03:25 AM	Court	No corrections or additions.
9:03:32 AM	Court	No testimony or statements.
9:03:38 AM	State Attorney	Argument on recommendations. Not a candidate for probation and would be not be a very good for drug court. 2+8=10 yrs impose and rec's therapeutic community.
9:10:18 AM	Public Defender	Argument on recommendations. Drug Court. 2+8=10 yrs with probation and drug court.
9:17:32 AM	Court	No legal cause shown.
9:17:37 AM	Court	Addresses the deft.
9:17:49 AM	Defendant	Statement.
9:18:40 AM	Court	Addresses the deft.
9:21:13 AM	Court	Will have him screened for drug court. If he fails than he will be going to prison not on a rider.
9:22:02 AM	Court	Is going to defer his sentencing his screening for drug court.
9:22:18 AM	Court	Will require him to observe drug court on Thursday, March 7, 2013 at 3:00 pm for observation.
9:24:55 AM	Court	Continued sentencing March 19, 2013 at 9:00 am.
9:25:29 AM	End.	
9:25:29 AM		
9:25:29 AM		

JUDGE: RICHARD GREENWOOD/ CLERK: LARA AMES/ CT REPORTER: FRAN MORRIS/WAIVED

CASE NUMBER: CRFE12-12658

CASE NAME: STATE V. LANCE TAYLOR

DATE: MARCH 7, 2013 SESSION: Greenwood #. 3:03:49

P.A.: Katherine McNulty P.D.: Charlene Davis Private:

DEFENDANT PRESENT/NOT PRESENT. (ROR/CUSTODY)

WARRANT ISSUED. BOND SET AT \$ /BOND FORFEITED/ROR REVOKED

DEFENDANT ARRAIGNED. TRUE COPY OF INFORMATION SERVED. TRUE NAME.

PLEA AGREEMENT:

DEFENDANT PLEADS GUILTY TO COUNT(S) (COUNT(S) DISMISSED).

COURT QUESTIONS DEFENDANT, ACCEPTS GUILTY PLEA AND ACCEPTS INTO DRUG COURT.

COURT ORDERS DEFENDANT TO REPORT TO MARREEN BURTON BY 5:00 NEXT DAY.

COURT ORDERS DEFENDANT TO ATTEND ALL COUNSELING AND TREATMENT SESSIONS.

COURT ORDERS DEFENDANT TO SUBMIT RANDOM UA'S/ STAY OFF DRUGS/ALCOHOL/

NOT GO PLACES W/ DRUGS/ALCOHOL PRESENT

COURT ORDERS DEFENDANT TO PAY THE \$15 WEEKLY FEE/\$25.00 ENTRY FEE./ PRIVATE PAY

DEFENDANT RELEASED ON HIS/HER OWN RECOGNIZANCE. CURFEW OF O'CLOCK

MATTER REMANDED TO MAGISTRATE DIVISION FOR PRELIMINARY HEARING ON

AT 8:30 AM BEFORE JUDGE DEF. ORDERED TO APPEAR.

MOTION FOR DISCHARGE FILED/ DEF ARRAIGNED ON MOTION/ DEFENDANT ADMITS/DENIES

SET FOR HEARING UPON DENIAL BY DEF./ SET FOR EXPEL/RETAIN UPON ADMISSION BY DEF.

DEFENDANT IS EXPELLED FROM DRUG COURT. SENTENCING SET FOR PSI ORDERED/WAIVED

COURT MAKES MISC. COMMENTS TO DEFENDANT REGARDING HIS/HER PROGRESS.

MATTER CONTINUES TO AT 3:00 FOR REVIEW/ DEF. ORDERED TO APPEAR.

DEFENDANT PROMOTED TO PHASE II; PHASE III; PHASE IV.

DEF. SUCCESSFULLY COMPLETES THE DRUG COURT PROGRAM. PLEA WITHDRAWN, CASE DISMISSED

AA/NA HOURS PER WEEK; ALUMNI PANEL; ANGER MGT; BEHAVIORAL CONTRACT; BREATHALYZERS-DAILY/WKENDS/OFF; COMMUNITY SERVICE- HOURS/DAYS; CURFEW OF O'CLOCK; DAILY CHECK-IN; ESSAY ON; FAMILY WEEKEND FIND EMPLOYMENT GRIEF GROUP; JAIL- DAYS- (TO BE SERVED); LAST CHANCE ESSAY PROGRAM; LETTER OF APOLOGY TO; NO CONTACT WITH; OBTAIN SPONSER; PYMNT PLAN; RELAPSE PREVENTION: RISE AND SHINE WITH RAEANN; SILD- DAYS; 1 ON 1 COUNSELING; 12 STEP WKSHEETS; 90 AA/NA IN 90 DAYS;

Observe

(OTHER)

DEFENDANT REMANDED INTO CUSTODY FOR / DEFENDANT RELEASED

JUDGE: RICHARD GREENWOOD/ CLERK: LARA AMES/ CT REPORTER: FRAN MORRIS/WAIVED

CASE NUMBER: CRFE12-12658

CASE NAME: STATE V. LANCE TAYLOR

DATE: MARCH 7, 2013 SESSION: Greenwood #. 3:54:40

P.A.: Katherine McNulty P.D.: Charlene Davis Private: \_\_\_\_\_

10 DEFENDANT PRESENT/NOT PRESENT. (ROR/CUSTODY)

WARRANT ISSUED. BOND SET AT \$ \_\_\_\_\_ /BOND FORFEITED/ROR REVOKED

DEFENDANT ARRAIGNED. TRUE COPY OF INFORMATION SERVED. TRUE NAME.

PLEA AGREEMENT: \_\_\_\_\_

DEFENDANT PLEADS GUILTY TO COUNT(S) \_\_\_\_\_ (COUNT(S) \_\_\_\_\_ DISMISSED).

COURT QUESTIONS DEFENDANT, ACCEPTS GUILTY PLEA AND ACCEPTS INTO DRUG COURT.

COURT ORDERS DEFENDANT TO REPORT TO MARREEN BURTON BY 5:00 NEXT DAY.

X COURT ORDERS DEFENDANT TO ATTEND ALL COUNSELING AND TREATMENT SESSIONS.

COURT ORDERS DEFENDANT TO SUBMIT RANDOM UA'S/ STAY OFF DRUGS/ALCOHOL/

NOT GO PLACES W/ DRUGS/ALCOHOL PRESENT

COURT ORDERS DEFENDANT TO PAY THE \$15 WEEKLY FEE/\$25.00 ENTRY FEE./ PRIVATE PAY

DEFENDANT RELEASED ON HIS/HER OWN RECOGNIZANCE. CURFEW OF \_\_\_\_\_ O'CLOCK

MATTER REMANDED TO MAGISTRATE DIVISION FOR PRELIMINARY HEARING ON

AT 8:30 AM BEFORE JUDGE \_\_\_\_\_ DEF. ORDERED TO APPEAR.

MOTION FOR DISCHARGE FILED/ DEF ARRAIGNED ON MOTION/ DEFENDANT ADMITS/DENIES

SET FOR HEARING UPON DENIAL BY DEF./ SET FOR EXPEL/RETAIN UPON ADMISSION BY DEF.

DEFENDANT IS EXPELLED FROM DRUG COURT. SENTENCING SET FOR \_\_\_\_\_ PSI ORDERED/WAIVED

X COURT MAKES MISC. COMMENTS TO DEFENDANT REGARDING HIS/HER PROGRESS.

X MATTER CONTINUES TO 4-4 AT 3:00 FOR REVIEW/ DEF. ORDERED TO APPEAR.

DEFENDANT PROMOTED TO \_\_\_\_\_ PHASE II; \_\_\_\_\_ PHASE III; \_\_\_\_\_ PHASE IV.

DEF. SUCCESSFULLY COMPLETES THE DRUG COURT PROGRAM. PLEA WITHDRAWN, CASE DISMISSED

AA/NA \_\_\_\_\_ HOURS PER WEEK; ALUMNI PANEL; ANGER MGT; BEHAVIORAL CONTRACT;  
BREATHALYZERS-DAILY/WKENDS/OFF; COMMUNITY SERVICE- \_\_\_\_\_ HOURS/DAYS; CURFEW OF \_\_\_\_\_ O'CLOCK;  
DAILY CHECK-IN; ESSAY ON \_\_\_\_\_; FAMILY WEEKEND FIND EMPLOYMENT  
GRIEF GROUP; JAIL- \_\_\_\_\_ DAYS- (TO BE SERVED \_\_\_\_\_); LAST CHANCE ESSAY PROGRAM;  
LETTER OF APOLOGY TO \_\_\_\_\_; NO CONTACT WITH \_\_\_\_\_;  
OBTAIN SPONSER; PYMNT PLAN; RELAPSE PREVENTION: RISE AND SHINE WITH RAEANN;  
SILD- \_\_\_\_\_ DAYS; 1 ON 1 COUNSELING; 12 STEP WKSHEETS; 90 AA/NA IN 90 DAYS;

- ck in w/ P+D for orientation  
- stay in misabn (OTHER)

X DEFENDANT REMANDED INTO CUSTODY FOR 4 days / DEFENDANT RELEASED



Time	Speaker	Note
<u>9:33:51 AM</u>		CRFE12.12658 State v. Lance Taylor
<u>9:33:53 AM</u>	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty John Dinger.
<u>9:34:05 AM</u>	Court	Reviews the file.
<u>9:34:09 AM</u>	Court	Does not have a decision in drug court.
<u>9:34:16 AM</u>	Public Defender	Response.
<u>9:34:37 AM</u>	Court	Continue this for one week.
<u>9:34:45 AM</u>	Court	Sentencing March 26, 2013 at 9:00 am - at that time there should be an answer if he is accepted to drug court.
<u>9:35:16 AM</u>	Court	Addresses counsel.
<u>9:35:20 AM</u>	End.	
<u>9:35:20 AM</u>		

Time	Speaker	Note
10:15:30 AM		CRFE12.12658 State v. Lance Taylor
10:15:32 AM	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Brent Ferguson.
10:16:17 AM	State Attorney	Response - regarding drug court.
10:16:32 AM	Court	Addresses counsel - can differ to 11:00 so Ms. McNulty can handle this case.
10:17:08 AM	State Attorney	Response - objects to drug court.
10:17:33 AM	State Attorney	Ready to go forward.
10:17:37 AM	Court	Addresses the deft.
10:18:19 AM	Defendant	Requests drug court.
10:18:24 AM	State Attorney	Objects to drug court. States objections on the record. His residence. His ability to maintain the financial commitments.
10:20:11 AM	Public Defender	Defendant was living here in Boise at the time he was picked up.
10:20:26 AM	Defendant	Statement. Be living at the mission.
10:21:15 AM	State Attorney	Further objections - previous conduct of the deft.
10:23:32 AM	Court	Addresses the parties regarding drug court.
10:23:57 AM	Court	Is eligible for drug court. Will overrule the objections and will accept the deft into drug court.
10:24:16 AM	Court	Addresses the deft regarding drug court.
10:25:14 AM	Defendant	Requests drug court.
10:25:18 AM	Court	Addresses the deft.
10:25:21 AM	Court	Deft sworn and examined on his own behalf.
10:27:52 AM	Court	Has materials - consent for future contact. Guilty plea advisory form.
10:28:33 AM	Court	Addresses counsel regarding the restitution.
10:28:41 AM	Public Defender	No objection.
10:28:48 AM	Court	Enters order for restitution and judgment as of today's date on the record.
10:29:19 AM	Court	Also has Phase I contract and will execute on behalf of the Court.
10:30:16 AM	Court	Sentence the deft - grand theft 10 yrs suspended on probation. Standard terms and conditions of probation.
10:30:53 AM	Defendant	Understands the terms and conditions.
10:31:00 AM	Court	Addresses the deft.
10:31:25 AM	Court	Successfully enroll and complete Drug Court.
10:31:48 AM	Court	Admit the deft into Drug Court.
10:31:55 AM	Court	Will be released from custody. Credit of time served of 211 days credit.
10:33:17 AM	Court	Enter an order regarding participate. Should go to the mission upon release.
10:34:07 AM	Court	2+8=10 yrs. 1000/1000 and standard cc.

10:35:37 AM	Court	Advises the deft of his right to appeal.
10:35:55 AM	Court	Next day March 28, 2013 at 3:00 pm.
10:36:10 AM	End.	
10:36:10 AM		

MAR 26 2013

CHRISTOPHER D. RICH, Clerk  
By KATHY JOHNSON  
DEPUTY

**Greg H. Bower**  
Ada County Prosecuting Attorney

Jonathan M Medema  
Deputy Prosecuting Attorney  
200 West Front Street, Room 3191  
Boise, Idaho 83702  
Telephone: (208) 287-7700  
Fax: (208)-287-7709

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

STATE OF IDAHO, )  
)  
Plaintiff, )  
)  
vs. )  
)  
Lance Tyrell Taylor Aka Green, )  
)  
Defendant. )  
\_\_\_\_\_ )

Case No. CRFE20120012658

**ORDER FOR RESTITUTION  
AND JUDGMENT**

WHEREAS, on the 26 day of May 2013, a Judgment of Conviction was entered against the Defendant, Lance Tyrell Taylor Aka Green, and therefore pursuant to Idaho Code §19-5304 and based on evidence presented to this Court,

**IT IS HEREBY ORDERED**, that the Defendant, Lance Tyrell Taylor Aka Green, shall make restitution to the victim(s) and/or law enforcement agency(ies) in the following amounts:



LANG M LYNNE

\$598.00

**TOTAL:**

**\$598.00**

Post judgment interest on said restitution amount will accrue from the date of this Order and Judgment at the rate specified in Idaho Code §28-22-104.

**FURTHER**, pursuant to I.C. §19-5305, this Order may be recorded as a judgment against the Defendant, Lance Tyrell Taylor Aka Green, and the listed victim(s) may execute as provided by law for civil judgments.

**FURTHER**, it is the responsibility of the Defendant to notify the Restitution Department (208-287-7700) if at any time a victim collects by means of the civil judgment.

**IT IS SO ORDERED.**

DATED this 26 day of Mar 2013.

  
\_\_\_\_\_  
Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT IN AND FOR THE COUNTY OF ADA IN AND FOR THE STATE OF IDAHO **MAR 26 2013**

CHRISTOPHER D. RICH, Clerk  
BY DEPUTY JOHNSON  
DEPUTY

**DRUG COURT ADVISORY FORM (JUDGE RICHARD GREENWOOD) TO BE USED BY DEFENDANTS WHO HAVE ALREADY PLED GUILTY IN ANOTHER COURT**

**TO BE FILLED OUT BY THE DEFENDANT**

Defendant's Name: Lance Taylor Signature [Signature]  
Date: 3-26-13 Case Number: PE-12-12658  
Age: 28 [Redacted]

**STATEMENT OF RIGHTS & EXPLANATION OF WAIVERS SPECIFIC TO DRUG COURT  
(PLEASE INITIAL EACH RESPONSE)**

1. I understand I have the right to be represented by an attorney. If I want an attorney and cannot pay for one, I can ask the judge for an attorney who will be paid by the county. LT
2. **Termination from Drug Court.** I understand that if I choose to terminate or I am terminated from the Drug Court program by the Court, the Drug Court Judge will set my case for sentencing. I also understand that any violation of Drug Court rules or the **Conditions Of Release** may result in termination. I also understand that termination and sentencing will be done by my Drug Court Judge, not by a different Judge and I have no objection to my Drug Court Judge making that determination. Upon termination from the program, my ROR release/bond may be revoked pending sentencing. LT

I further understand that I could be terminated from Drug Court if I breach any express term or condition of any contract or if I am not satisfactorily progressing through the drug court program and treatment phases or if I am not doing what is expected of me. LT

Unless I waive my right to a hearing, once termination proceedings are begun the State would have the burden to prove the grounds for termination by a preponderance of the evidence; that I have a right to confront and cross examine those who would testify against me; that I have the right against self incrimination; that I have the right to put on a defense and to call witnesses on my behalf; and that I have a right to counsel. LT

I further understand that termination from Drug Court may result in the State filing a Motion for Probation Violation and that if I am found in violation of probation, the Court may impose the original sentence. LT

3. **Conditions of Release.** I understand that while I am a Drug Court participant, my ROR release or bond will be continued. However, my release will also be subject to conditions related to my participation in the Drug Court program. LT

I agree that these conditions include abstinence from illegal drugs and alcohol, compliance with my treatment program, attending scheduled Drug Court sessions,

[Handwritten mark]

paying program fees, compliance with all program rules and **making satisfactory progress towards graduation.** LT

I agree to at all times remain truthful with everyone with whom I deal, including but not limited to the Drug Court Judge, the Drug Court Coordinator, Drug Court staff and my treatment provider and I shall not cheat, tell any lie, or exaggerate or minimize my statements, conduct or actions in anyway. LT

I agree to comply with and obey any curfew that may be imposed by the Drug Court Staff or Drug Court Judge. LT

I agree to be tested for the use of substances, including alcohol, throughout the entire treatment process. I also agree any attempts to dilute, adulterate, or tamper with drug or alcohol testing, including any other participant's testing, may lead to termination from Drug Court. LT

I agree to complete any forms and/or contracts required by the Drug Court program. LT

I agree that the Court can revoke my ROR release and impose sanctions for failing to comply with these conditions of release. LT

I agree that I can be held without bond *for an indeterminate period of time* if I am in violation of any condition of my drug court agreement. LT

I agree to not take any over the counter drugs **or** herbal drugs/preparations (including preparations like "Spice" or any other substance in an attempt to get "high") **without a doctor's prescription**; however I can take ibuprophen (Advil), acetaminophen (Tylenol) or aspirin without a doctor's prescription. LT

I agree that I cannot use any products or foods that contain alcohol/ethanol, including mouthwash or hand sanitizers, or eat any product containing poppy seeds and that it is my responsibility to avoid these items. LT

I agree that I will be sanctioned if I test positive for alcohol or any other illegal drug. LT

I agree that if I attempt to dilute, adulterate, or tamper with drug or alcohol testing, including another participant's testing, that I may be sanctioned and such sanctions can include termination; I also agree I may be sanctioned for appearing late or failing to appear at any drug or alcohol testing. LT

I agree that I cannot associate or have contact with individuals specified by the probation officer or this Court and that can include family or friends. LT

I agree to respect and obey all laws and shall comply with any lawful request of Drug Court or any law enforcement officer or agent of the Department of Probation & Parole. LT

I agree that I will not associate or have contact with anyone who is committing a law violation; who is on probation or parole; or who is a convicted felon. I will also not associate or have contact with any group or individual as ordered by Drug Court or the Drug Court Coordinator. LT

I agree to seek and maintain employment, be enrolled as a fulltime student or participating in such programs as approved by Drug Court. I agree to obtain a GED, if I am not a high school graduate, before Drug Court Graduation unless an exemption is granted by the Drug Court Team. A change of employment or education shall not occur without prior written permission of the Drug Court Coordinator. LT

I agree that I shall not purchase, carry, own or have in my possession or control any firearm, ammunition, explosives, archery equipment, or weapons of any type and that this affects where I live. I agree to not possess or control any law enforcement or surveillance equipment, including but not limited to, scanners, video surveillance or handcuffs/keys. LT

I agree to pay all costs, fines and court ordered restitution and I understand I may not graduate until all costs, fines and court ordered restitution are fully paid. LT

4. **Fourth Amendment Waiver.** I understand I have the right to remain free from unreasonable searches and seizures and, normally, this means that law enforcement must have a search warrant issued by a judge before my person, place of residence or things can be searched. To participate in Drug Court, I agree to waive this right, and I agree and consent to the search and seizure of my person, automobile, real property, and any other property at any time and at any place by any probation officer or any person assisting a probation officer or law enforcement and I waive my constitutional right to be free from such searches and seizures for as long as I am a participant in the Drug Court. LT
5. **Firearms/Weapons.** I understand the probation department assists the drug court judge in monitoring progress and compliance in drug court and I will not be permitted to reside in any residence where firearms or other weapons are present. LT
6. **Graduation.** Upon graduation from the Drug Court program, I understand the Court will place me on unsupervised probation. LT
7. **Waive Confidentiality.** Treatment records are normally confidential. However, I understand I will be required to waive confidentiality. LT

#### QUESTIONS REGARDING ENTRY INTO DRUG COURT AS A TERM OF PROBATION

(Please answer every question. If you do not understand a question consult your attorney before answering.)

1. Are you currently under the care of a mental health professional? **YES** NO  
If you answered "yes," what is the mental health professional's name? Ada Jail
2. Have you ever been diagnosed with a mental health disorder? **YES** NO  
If you answered "yes," what was the diagnosis and when was it made?  
Biopolar / ADHD
3. Are you currently prescribed any medication? **YES** NO

If you answered "yes," what medications are you taking at this time?

Celebra / Naproxin

If you answered "yes," have you taken your prescription medication during the past 24 hours?  YES  NO  N/A

4. In the last 24 hours, have you taken any medications or drugs, *INCLUDING* over the counter drugs, or consumed any alcoholic beverages?  YES  NO

If "yes," what have you taken? \_\_\_\_\_

Do you believe this affects your ability to understand these questions, and make a reasoned and informed decision in this case?  YES  NO  N/A

5. Is there any other reason that you would be unable to make a reasoned and informed decision in this case?  YES  NO

If "yes," what is the reason? \_\_\_\_\_

6. Is your participation in Drug Court a condition of your probation?  YES  NO

7. Do you understand that if you are terminated from Drug Court that you may be in violation of your probation?  YES  NO

8. Do you feel you have had sufficient time to discuss your case with your attorney?  YES  NO

9. As a result of agreeing to participate in Drug Court, do you understand you must inform all health care providers of your addiction in writing and obtain written verification from the physician that he/she has been notified when prescribing any medication?  YES  NO

10. Are you agreeing to participate in Drug Court freely and voluntarily?  YES  NO

11. Are you satisfied with your attorney?  YES  NO

12. Have you received and reviewed a copy of the Drug Court Participant Handbook?  YES  NO

13. Do you understand and agree that the Drug Court Judge has the authority to terminate you from the program for any single violation?  YES  NO

14. Do you understand and agree that the Drug Court Judge can consider urinalysis and other substance abuse testing results **without any testimony or evidence** concerning how the test was performed, the scientific basis for the instruments, the chain of custody, and the accuracy of the testing results?  YES  NO

15. Do you seek admission into the Drug Court Program, and accept all of its conditions and rules?  YES  NO

16. Have you answered all questions on this Questionnaire truthfully and of your own free will?  YES  NO

17. Do you swear under penalty of perjury that your answers to these questions are true and correct?

YES NO

I have answered the questions on pages 1-5 of this Drug Court Advisory Form truthfully. I understand all of the questions and answers herein, have discussed each question and answer with my attorney, and have completed this form freely and voluntarily. Furthermore, no one has threatened me to do so.

Dated this 26 day of March, 2013.

  
DEFENDANT

I hereby acknowledge that I have discussed, in detail, the foregoing questions and answers with my client.

\_\_\_\_\_  
DEFENDANT'S ATTORNEY

I have been advised and agree that Phase IV will last four months effective August 1, 2010.

Dated this 26 day of March, 2013.

  
DEFENDANT

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

A.M. \_\_\_\_\_ FILED \_\_\_\_\_ P.M. 12:14

\* \* \*

MAR 26 2013

CHRISTOPHER D. RICH, Clerk  
By KATHY JOHNSON  
DEPUTY

STATE OF IDAHO

Plaintiff,

vs.

Lance Taylor  
Defendant

CASE NO. PE-12-12658

PHASE I - CONTRACT

The Drug Court Treatment Program is made up of four treatment phases. Each phase requires attendance at group/individual counseling, homework assignments, 12-step meeting attendance, payment of Drug Court fees, and drug/alcohol screens. Attendance is mandatory. All absences are considered unexcused, unless you have approval from the Drug Court Judge or Drug Court Coordinator. No excuses will be considered for such things as child care problems, transportation difficulty, vacation, illness without doctor's excuse, employment conflicts, family problems, etc.

Your performance on this contract will be reported to the Judge to monitor your status in treatment.

**Phase I is scheduled to last four months. During Phase I, you will be responsible for the following:**

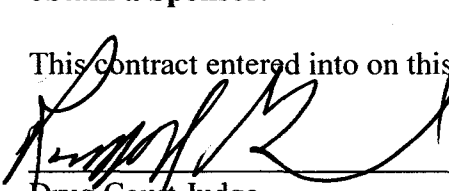
- 1) **To attend treatment groups and complete all assignments including: (a) Pass new participant orientation quiz, (b) complete diagnostic criteria, (c) complete all worksheets for Matrix, (d) develop and keep a budget, (e) develop and keep a daily schedule (day planner), and (f) develop a treatment plan or identify treatment issues for Phase II.**
- 2) **To attend Individual Treatment sessions as directed.**
- 3) **To attend a minimum of three 12-step support groups or some other approved program per week. Remember to have your green card signed as proof of attendance and carry it on your person at all times. Verification of 12-step attendance may be required at any time. Obtain a 12-step sponsor; complete Step 1 with your sponsor.**
- 4) **To complete all homework assignments.**
- 5) **To inform the health care provider of your addiction and obtain written verification from the physician that he/she has been notified when prescribed any medication.**

- 6) To remain free of all illegal drugs and all alcohol. Do not enter any establishment where the sale of alcohol is a major source of income. Alcohol must not be present in your home. Do not consume Energy drinks. This includes, but is not limited to, Red Bull, Monster and Wired. Do not take any over the counter medication except Aspirin, Ibuprofen, and Tylenol without a doctor's prescription. Provide Ada County Treatment Services with copies of all doctor ordered medications. It is possible that time spent on a prescribed narcotic or non-approved medication may not count as time toward graduation; however, all other requirements during that time will still be required.
- 7) To submit to all drug tests including, but not limited to, random urine, breath, and/or oral fluid drug screens.
- 8) To pay Drug Court fees.
- 9) To comply with Mentorship Program requirements. This includes going to a 12-step meeting within the first week of Phase I and maintaining weekly contact throughout Phase I with your assigned Mentor. You are required to submit a monthly report of your Mentor contacts.
- 10) To have a full-time job or be enrolled in school full time.
- 11) To attend orientation for G.E.D., if applicable.
- 12) To comply with each and every other order imposed by the Drug Court Judge.
- 13) To comply with a 9:30pm curfew.
- 14) To be courteous and compliant to the Probation and Parole Officers that will visit your residence on a regular basis throughout the duration of your participation in the Drug Court Program.

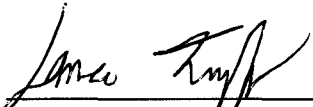
Other requirements: \_\_\_\_\_

Before progressing to Phase II, you must complete all of the requirements of Phase I and obtain a Sponsor.

This contract entered into on this 26 day of March, 2013.  
Month Year

  
 \_\_\_\_\_  
 Drug Court Judge

I agree to all the terms and conditions set forth above.

  
 \_\_\_\_\_  
 Defendant



MAR 26 2013

STATE OF IDAHO,

Plaintiff,

v.

Lance Taylor

Defendant.

CHRISTOPHER D. RICH, Clerk  
By KATHY JOHNSON  
DEPUTY

Case No. CRFE12-12658

**ORDER RELATING TO PROBLEM SOLVING COURT PARTICIPATION**

Conditions Relating to Problem Solving Court Participation

To: All applicants/participants in Ada County Problem Solving Court Programs (Drug Court, Veterans Court, DUI and Mental Health Court)

1. You must contact the Director of Problem Solving Courts, Marreen Burton, (208) 287-7670 within twenty-four (24) hours.
2. You must attend counseling and treatment as scheduled by the treatment provider and provide urine samples as requested by the treatment provider, beginning immediately.
3. You must contact your attorney (the Public Defender or your private counsel) and meet with your attorney before your next court date. You must keep in contact with your attorney.
4. You must not use or possess drugs or alcohol.
5. Any order regarding pretrial monitoring through Ada County Sheriff Pretrial Supervision is vacated.

If you violate any of the above conditions, your bond or release on own recognizance can be revoked, you can be arrested and placed in jail, and you can be subjected to other sanctions imposed by the court.

DATED this 26th day of March, 2013

[Signature]  
RICHARD D. GREENWOOD

I understand and agree to be bound by these conditions.

[Signature]  
(Signature)

3-26-13  
(Date)

Cc: Ada County Problem Solving Courts  
Ada County Sheriff Pretrial Supervision

MAR 26 2013

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA  
By CHRISTOPHER D. RICH, Clerk  
By KATHY JOHNSON, DEPUTY

\* \* \*

STATE OF IDAHO

Plaintiff,

vs.

Lance Taylor  
Defendant

CASE NO. FE-12-12658

CONSENT TO FUTURE  
CONTACT

I, Lance Taylor, voluntarily agree to consent to future contact  
(print name)  
from the Ada County Fourth District Court - Drug Court Program and agree to provide  
the Drug Court Program with information as requested after program completion. This  
information will be used for program evaluation and may contain but is not limited to  
information on alcohol or drug usage or treatment, family status, employment and  
income, and criminal behavior/arrests. I understand that the information I submit will be  
held confidential and will not be used against me in future criminal proceedings.

Signature Lance Taylor

Date 3/26/13

Address 343 Hwy 55

Telephone Number \_\_\_\_\_

Horseshoe Bend, ID

Message Number 208 781-1098

E-Mail Address \_\_\_\_\_

Witness \_\_\_\_\_

Date \_\_\_\_\_

APR 01 2013

CHRISTOPHER D. RICH, Clerk  
By MERSHA TAYLOR  
DEPUTY

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

THE STATE OF IDAHO,

Plaintiff,

vs.

LANCE TYRELL TAYLOR AKA GREEN,  
[REDACTED]  
[REDACTED]

Defendant.

Case No. CR-FE-2012-0012658

JUDGMENT OF CONVICTION,  
SUSPENDED SENTENCE  
AND ORDER OF PROBATION

On March 26, 2013, Brent A. Ferguson, Deputy Prosecuting Attorney for the County of Ada, State of Idaho, and the defendant, LANCE TYRELL TAYLOR AKA GREEN, with his attorney, Charlene W. Davis, appeared before this Court for sentencing. The defendant was duly informed of the Information filed against him for the crime of GRAND THEFT, FELONY, I.C. §18-2403(1), 2407(1)(b), 2409, committed on or about the 7<sup>th</sup> day of August, 2012, and his plea of guilty thereto on January 3, 2013.

The defendant, and defendant's counsel, were then asked if they had any legal cause or reason to offer why judgment and sentence should not be pronounced against the defendant, and if the defendant, or defendant's counsel, wished to offer any evidence or to make a statement on behalf of the defendant, or to present any information to the Court in mitigation of punishment; and the Court, having accepted such statements, and having found no legal cause or reason why

MT

judgment and sentence should not be pronounced against the defendant at this time; does render its judgment of conviction as follows, to-wit:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant is guilty of the crime of GRAND THEFT, FELONY, I.C. §18-2403(1), 2407(1)(b), 2409, and that he be sentenced pursuant to the Uniform Sentence Law of the State of Idaho, I.C. § 19-2513, to the custody of the State of Idaho Board of Correction for an aggregate term of ten (10) years: with the first two (2) years of the term to be FIXED, and with the remaining eight (8) years of the term to be INDETERMINATE, with the sentence to commence immediately.

Execution of such judgment is suspended and defendant, LANCE TYRELL TAYLOR AKA GREEN, is placed on probation for a period of **ten (10)** years, to commence on March 26, 2013 under the following conditions, to wit:

A. That the probation is granted to and accepted by the probationer, subject to all its terms and conditions and with the understanding that the Court may at any time, in case of the violation of the terms of the probation, cause the probationer to be returned to the Court for the imposition of sentence as prescribed by law or any other punishment as the Court may see fit to hand down.

B. That the probationer shall be under the legal custody and control of the Director of Probation and Parole of the State of Idaho and the District Court with supervised probation and subject to the rules of probation as prescribed by the Board of Correction and the District Court.

C. That during the period of probation the defendant shall not violate any law or ordinance of the United States or any city, state or county therein, wherein a fine or bond forfeiture of more than \$200.00 or a jail term could have been imposed as a penalty.

D. Special conditions, to wit:

1. Defendant shall pay the sums set out in this judgment for fines, fees, restitution, costs, etc., as soon as practicable, to the Ada County Clerk's Office in reasonable monthly installments as arranged through the probation officer.

2. During the entire term of probation, the defendant shall maintain steady employment, be actively seeking employment or be enrolled as a full-time student, to the extent he is physically and mentally able to do so.

3. Defendant shall not purchase, carry or have in his possession any firearm(s) or other weapons; pocket knives are weapons under this condition.

4. Defendant shall not purchase, possess or consume any alcoholic beverages while on probation.

5. Defendant shall not purchase, possess or consume any drug or narcotic unless specifically prescribed by a medical doctor.

6. Defendant shall not frequent or work at any establishments where alcohol is the main source of income.

7. Defendant shall not associate with individuals specified by his probation officer.

8. Defendant agrees to tests of blood, breath, saliva or urine or other chemical tests for the detection of alcohol and/or drugs at the request of his probation officer, or any law enforcement officer, to be administered at defendant's own expense.

9. Upon request of his probation officer, defendant agrees to submit to polygraph examinations administered by qualified examiners and limited in scope to those matters which are calculated to determine whether defendant is complying with the lawful conditions of his probation.

10. Defendant agrees to waive his Fourth Amendment rights applying to search and seizure as provided by the United States Constitution, and to submit to a search by his probation officer or any law enforcement officer of his person, residence, vehicle or other property. Defendant shall not reside with any person who does not consent to such a search.

11. Defendant shall waive his Fifth Amendment rights to the extent that he must answer truthfully all questions of a probation officer reasonably related to compliance or non-compliance with the conditions of probation.

12. Defendant shall waive his Sixth Amendment rights of confrontation in so far as the State may use reliable hearsay evidence at any probation violation hearing.

13. Defendant is advised that time spent on probation is not credited against any underlying incarceration (jail time or prison) imposed. Defendant is at risk for imposition of the entire underlying sentence, with credit for any time served which was not imposed as a condition of probation, no matter how long defendant has been on probation, if he violates the terms of probation and the violation should be proved or admitted.

14. Defendant must successfully enroll in and complete Ada County Drug Court.

E. That the probationer, if placed on probation to a destination outside the State of Idaho, or leaves the confines of the State of Idaho with or without permission of the director of probation and parole does hereby waive extradition to the State of Idaho and also agrees that the probationer will not contest any effort by any state to return the probationer to the State of Idaho.

Pursuant to I.C. § 18-309, the defendant shall be given credit for the time already served upon the charge specified herein of two hundred and eleven (211) days.

IT IS FURTHER ADJUDGED that the defendant be, and hereby is, assessed and ordered to pay a fine in the amount of \$1,000.00, with \$1,000.00 suspended.

Pursuant to I.C. § 31-3201A(b) the defendant shall pay court costs in the amount of \$17.50; County Administrative Surcharge Fee in the amount of \$10.00 pursuant to I.C. § 31-4502; P.O.S.T. Academy fees in the amount of \$15.00 pursuant to I.C. § 31-3201B; ISTAR technology fee in the amount of \$10.00 pursuant to I.C. § 31-3201(5); \$75.00 reimbursement to the Victims Compensation Fund pursuant to I.C. § 72-1025; Peace Officer Temporary Disability Fund in the amount of \$3.00 pursuant to I.C. § 72-1105; Emergency Surcharge Fee in the amount of \$100 pursuant to I.C. § 31-3201H; \$10.00 for Victim Notification Fee (VINE) pursuant to I.C. § 31-3204.

Pursuant to I.C. § 19-5304, the defendant shall pay restitution to the victim of the defendant's crime in the amount of \$598.00, bearing interest at the statutory rate of 5.25% per annum until paid in full.

Defendant is to pay supervision of probation and parole costs in an amount not to exceed the maximum allowable by I.C. § 20-225.

The defendant shall pay an amount to be determined by the Department of Correction, not to exceed one hundred dollars (\$100), for the cost of conducting the pre-sentence investigation and preparing the pre-sentence investigation report. The amount will be determined by the Department and paid by the defendant in accordance with the provisions of I.C. § 19-2516.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this Judgment and Commitment to the Sheriff, which shall serve as the commitment of the defendant.

The probation agreement is to be hereto attached and by reference made a part hereof.


#### **NOTICE OF RIGHT TO APPEAL**

You, LANCE TYRELL TAYLOR AKA GREEN, are hereby notified that you have the right to appeal this order to the Idaho Supreme Court. Any notice of appeal must be filed within forty-two (42) days from the entry of this judgment.

You are further notified that you have the right to be represented by an attorney in any appeal, that if you cannot afford to retain an attorney, one may be appointed at public expense. Further, if you are a needy person, the costs of the appeal may be paid for by the State of Idaho. If you have questions about your appeal rights, you should consult your present lawyer.

IT IS SO ORDERED.

Dated this 26<sup>th</sup> day of March, 2013.

  
\_\_\_\_\_  
RICHARD D. GREENWOOD  
District Judge

This is to certify that I have read or had read to me and fully understand and accept all the conditions, regulations and restrictions under which I am being granted probation. I will abide by and conform to them strictly and fully understand that my failure to do so may result in the revocation of my probation and commitment to the Board of Correction to serve the sentence originally imposed.

\_\_\_\_\_  
Probationer's Signature

\_\_\_\_\_  
Date of acceptance

WITNESSED:

\_\_\_\_\_  
Probation and Parole Officer  
State of Idaho



CERTIFICATE OF MAILING

I hereby certify that on the 1st day of April, 2013, I mailed (emailed) a true and correct

copy of the within instrument to:

ADA COUNTY PROSECUTOR'S OFFICE  
VIA EMAIL

ADA COUNTY PUBLIC DEFENDER'S OFFICE  
VIA EMAIL

ADA COUNTY JAIL  
VIA EMAIL

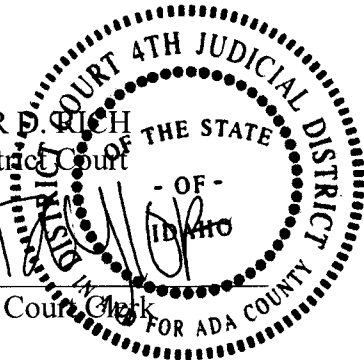
PROBATION AND PAROLE  
VIA EMAIL

CENTRAL RECORDS  
DEPARTMENT OF CORRECTION  
**ATTN: CCD PROBATION SENTENCING TEAM**  
VIA EMAIL

CHRISTOPHER D. RICH  
Clerk of the District Court

By: 

Deputy Court Clerk



# Ada County Mugshot - Prosecutor's Office



User: PRBRIGCA



Photo Taken: 2012-08-13 22:01:00

Name: TAYLOR, LANCE TYRELL

Case #: ---

LE Number: 636135

[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] Weight: 190

Drivers License Number:

Drivers License State:

Sex: M Race: W Eye Color: HAZ Hair Color: BRO Facial Hair:

Marks: FOREARM, LEFT

Scars:

Tattoos:

JUDGE: RICHARD GREENWOOD/ CLERK: LARA AMES/ CT REPORTER: FRAN MORRIS/WAIVED

CASE NUMBER: CRFE12-12658

CASE NAME: STATE V. LANCE TAYLOR

DATE: April 4, 2013 SESSION: Greenwood #. 4/12/16

P.A.: Katherine McNulty P.D.: Charlene Davis Private:

DEFENDANT PRESENT/NOT PRESENT. (ROR/CUSTODY)

WARRANT ISSUED. BOND SET AT \$ /BOND FORFEITED/ROR REVOKED

DEFENDANT ARRAIGNED. TRUE COPY OF INFORMATION SERVED. TRUE NAME.

PLEA AGREEMENT:

DEFENDANT PLEADS GUILTY TO COUNT(S) (COUNT(S) DISMISSED).

COURT QUESTIONS DEFENDANT, ACCEPTS GUILTY PLEA AND ACCEPTS INTO DRUG COURT.

COURT ORDERS DEFENDANT TO REPORT TO MARREEN BURTON BY 5:00 NEXT DAY.

COURT ORDERS DEFENDANT TO ATTEND ALL COUNSELING AND TREATMENT SESSIONS.

COURT ORDERS DEFENDANT TO SUBMIT RANDOM UA'S/ STAY OFF DRUGS/ALCOHOL/

NOT GO PLACES W/ DRUGS/ALCOHOL PRESENT

COURT ORDERS DEFENDANT TO PAY THE \$15 WEEKLY FEE/\$25.00 ENTRY FEE./ PRIVATE PAY

DEFENDANT RELEASED ON HIS/HER OWN RECOGNIZANCE. CURFEW OF O'CLOCK

MATTER REMANDED TO MAGISTRATE DIVISION FOR PRELIMINARY HEARING ON

AT 8:30 AM BEFORE JUDGE DEF. ORDERED TO APPEAR.

MOTION FOR DISCHARGE FILED/ DEF ARRAIGNED ON MOTION/ DEFENDANT ADMITS/DENIES

SET FOR HEARING UPON DENIAL BY DEF./ SET FOR EXPEL/RETAIN UPON ADMISSION BY DEF.

DEFENDANT IS EXPELLED FROM DRUG COURT. SENTENCING SET FOR PSI ORDERED/WAIVED

COURT MAKES MISC. COMMENTS TO DEFENDANT REGARDING HIS/HER PROGRESS.

MATTER CONTINUES TO 4-11 AT 3:00 FOR REVIEW/ DEF. ORDERED TO APPEAR.

DEFENDANT PROMOTED TO PHASE II; PHASE III; PHASE IV.

DEF. SUCCESSFULLY COMPLETES THE DRUG COURT PROGRAM. PLEA WITHDRAWN, CASE DISMISSED

AA/NA HOURS PER WEEK; ALUMNI PANEL; ANGER MGT; BEHAVIORAL CONTRACT;

BREATHALYZERS-DAILY/WKENDS/OFF; COMMUNITY SERVICE- HOURS/DAYS; CURFEW OF O'CLOCK;

DAILY CHECK-IN; ESSAY ON ; FAMILY WEEKEND FIND EMPLOYMENT

GRIEF GROUP; JAIL- DAYS- (TO BE SERVED ); LAST CHANCE ESSAY PROGRAM;

LETTER OF APOLOGY TO ; NO CONTACT WITH ;

OBTAIN SPONSER; PYMNT PLAN; RELAPSE PREVENTION: RISE AND SHINE WITH RAEANN;

SILD- DAYS; 1 ON 1 COUNSELING; 12 STEP WKSHEETS; 90 AA/NA IN 90 DAYS;

JB

(OTHER)

DEFENDANT REMANDED INTO CUSTODY FOR / DEFENDANT RELEASED

NO. 1050 FILED  
A.M. \_\_\_\_\_ P.M. \_\_\_\_\_

APR 09 2013

CHRISTOPHER D. RICH, Clerk  
By LARA AMES  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**Katherine A. McNulty**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Phone: 287-7700  
Fax: 287-7709

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

THE STATE OF IDAHO,	)	
	)	
Plaintiff,	)	<b>Case No. CR-FE-2012-0012658</b>
vs.	)	
	)	<b>VERIFIED APPLICATION TO</b>
LANCE TYRELL TAYLOR,	)	<b>REVOKE O.R. RELEASE OR</b>
	)	<b>RELEASE ON BOND</b>
Defendant.	)	
	)	
_____	)	

**COMES NOW**, Katherine A. McNulty, Deputy Prosecuting Attorney, in and for Ada County, State of Idaho, and moves this Court for its Order pursuant to I.C.R. 46(e)(2) to revoke its earlier order for own recognizance release or release on bail for the following reason:

The above defendant has willfully violated the conditions of release as more fully set forth and described in the attached report of Raeann Landreth dated April 9, 2013.

KA

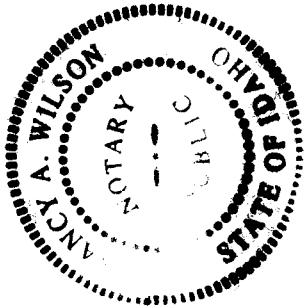
The undersigned verifies that the allegations are true and correct to the best of his information and belief. The undersigned respectfully requests that the Court issue a warrant directing that the defendant be arrested and brought before the Court for hearing.

RESPECTFULLY SUBMITTED this 9 day of April, 2013.

**GREG H. BOWER**  
Ada County Prosecuting Attorney

Katherine McNulty  
Katherine A. McNulty  
Deputy Prosecuting Attorney

SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of April, 2013.



Nancy A. Wilson  
Notary Public for State of Idaho  
Residing in Boise, ID  
Commission expires: Dec 14, 2012

REPORT OF VIOLATION  
DRUG COURT CONDITIONS

NAME: Lance Tyrell Taylor


CASE NO. CR-FE-12012658

The above-named Defendant has violated the conditions of Drug Court as follows:

- Failed to contact the Drug Court Coordinator within 24 hours after being released to schedule assessment.
- Did not contact Ada County Treatment Services Center within 24 hours to schedule assessment.
- Did not attend treatment sessions on the date(s) listed:
- Other: Failed to stay at reported residence 4/5/13, 4/6/13, 4/7/13 or 4/8/13. Failed to attend Rise and Shine 4/4/13, 4/5/13, 4/8/13 and 4/9/13. Failed to attend New Participant Orientation 4/5/13. Failed to attend Matrix 4/8/13.

My knowledge of the Defendant's non-compliance is based upon:

- My personal knowledge.
- Information given me by: **ADA COUNTY TREATMENT SERVICES CENTER.**

  
Raeann Landreth  
Assistant Drug Court Coordinator

Tuesday, April 09, 2013

JUDGE: RICHARD GREENWOOD/ CLERK: LARA AMES/ CT REPORTER: FRAN MORRIS/WAIVED

CASE NUMBER: CRFE12-12658

CASE NAME: STATE V. LANCE TAYLOR

DATE: April 11, 2013

SESSION: Greenwood #. \_\_\_\_\_

P.A.: Katherine McNulty P.D.: Charlene Davis Private: \_\_\_\_\_

DEFENDANT PRESENT/NOT PRESENT. (ROR/CUSTODY)

WARRANT ISSUED. BOND SET AT \$ \_\_\_\_\_ /BOND FORFEITED/ROR REVOKED

DEFENDANT ARRAIGNED. TRUE COPY OF INFORMATION SERVED. TRUE NAME.

PLEA AGREEMENT: \_\_\_\_\_

DEFENDANT PLEADS GUILTY TO COUNT(S) \_\_\_\_\_ (COUNT(S) \_\_\_\_\_ DISMISSED).

COURT QUESTIONS DEFENDANT, ACCEPTS GUILTY PLEA AND ACCEPTS INTO DRUG COURT.

COURT ORDERS DEFENDANT TO REPORT TO MARREEN BURTON BY 5:00 NEXT DAY.

COURT ORDERS DEFENDANT TO ATTEND ALL COUNSELING AND TREATMENT SESSIONS.

COURT ORDERS DEFENDANT TO SUBMIT RANDOM UA'S/ STAY OFF DRUGS/ALCOHOL/

NOT GO PLACES W/ DRUGS/ALCOHOL PRESENT

COURT ORDERS DEFENDANT TO PAY THE \$15 WEEKLY FEE/\$25.00 ENTRY FEE./ PRIVATE PAY

DEFENDANT RELEASED ON HIS/HER OWN RECOGNIZANCE. CURFEW OF \_\_\_\_\_ O' CLOCK

MATTER REMANDED TO MAGISTRATE DIVISION FOR PRELIMINARY HEARING ON

AT 8:30 AM BEFORE JUDGE \_\_\_\_\_ DEF. ORDERED TO APPEAR.

MOTION FOR DISCHARGE FILED/ DEF ARRAIGNED ON MOTION/ DEFENDANT ADMITS/DENIES

SET FOR HEARING UPON DENIAL BY DEF./ SET FOR EXPEL/RETAIN UPON ADMISSION BY DEF.

DEFENDANT IS EXPELLED FROM DRUG COURT. SENTENCING SET FOR \_\_\_\_\_ PSI ORDERED/WAIVED

COURT MAKES MISC. COMMENTS TO DEFENDANT REGARDING HIS/HER PROGRESS.

MATTER CONTINUES TO \_\_\_\_\_ AT 3:00 FOR REVIEW/ DEF. ORDERED TO APPEAR.

DEFENDANT PROMOTED TO \_\_\_\_\_ PHASE II; \_\_\_\_\_ PHASE III; \_\_\_\_\_ PHASE IV.

DEF. SUCCESSFULLY COMPLETES THE DRUG COURT PROGRAM. PLEA WITHDRAWN, CASE DISMISSED

AA/NA \_\_\_\_\_ HOURS PER WEEK; ALUMNI PANEL; ANGER MGT; BEHAVIORAL CONTRACT;  
BREATHALYZERS-DAILY/WKENDS/OFF; COMMUNITY SERVICE- \_\_\_\_\_ HOURS/DAYS; CURFEW OF \_\_\_\_\_ O' CLOCK;  
DAILY CHECK-IN; ESSAY ON \_\_\_\_\_; FAMILY WEEKEND FIND EMPLOYMENT  
GRIEF GROUP; JAIL- \_\_\_\_\_ DAYS- (TO BE SERVED \_\_\_\_\_); LAST CHANCE ESSAY PROGRAM;  
LETTER OF APOLOGY TO \_\_\_\_\_; NO CONTACT WITH \_\_\_\_\_;  
OBTAIN SPONSER; PYMNT PLAN; RELAPSE PREVENTION: RISE AND SHINE WITH RAEANN;  
SILD- \_\_\_\_\_ DAYS; 1 ON 1 COUNSELING; 12 STEP WKSHEETS; 90 AA/NA IN 90 DAYS;

FTA

(OTHER)

DEFENDANT REMANDED INTO CUSTODY FOR \_\_\_\_\_ / DEFENDANT RELEASED

030135

NO. 8100 FILED  
A.M. 8:10 P.M.

JUL 22 2013

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA  
By CHRISTOPHER D. RICH, Clerk  
By STORMY McCORMACK, DEPUTY

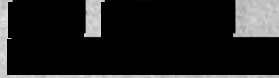
STATE OF IDAHO,  
Plaintiff,

vs.

LANCE TYRELL TAYLOR,  
343 Hwy 55  
Horseshoe bend, ID 83629  
Defendant.

Case No: CR-FE-2012-0012658

**BENCH WARRANT FOR  
FAILURE TO COMPLY**



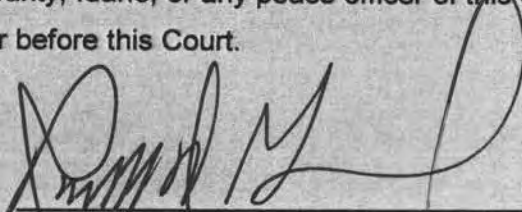
**CHARGE:**

- 1)..118-2403(1) F..Theft-Grand F
- 2)..119-2514..Enhancement-Persistent Violator F

The Defendant LANCE TYRELL TAYLOR, having been charged with the afore-mentioned crime(s), and having FAILED TO COMPLY TO DRUG COURT ORDERS; as ordered by the court.

THIS IS TO COMMAND the Sheriff of Ada County, Idaho, or any peace officer of this State, to forthwith arrest the above-named defendant, and bring him/her before this Court.

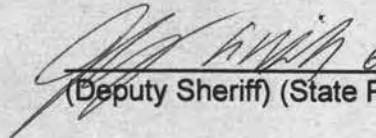
Dated this 9th day of April, 2013.

  
 \_\_\_\_\_  
 RICHARD GREENWOOD  
 Fourth District Court

BOND SET AT: HOLD WITHOUT BOND

**RETURN OF SERVICE**

I HEREBY CERTIFY that I served the foregoing Warrant by arresting the above named defendant and bringing LANCE TYRELL TAYLOR in Court this 21<sup>st</sup> day of JULY, 2013.

  
 \_\_\_\_\_  
 (Deputy Sheriff) (State Policeman)(City Policeman)

RECEIVED  
 Ada County Sheriff  
 Administrative Services  
 APR 10 2013  
 Gary Roney  
 30192

**ARRESTED  
ADA COUNTY SHERIFF**

000099

AB

SM



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

STATE OF IDAHO,  
Plaintiff,

vs.

LANCE TYRELL TAYLOR,  
343 Hwy 55  
Horseshoe bend, ID 83629  
Defendant.

Case No: CR-FE-2012-0012658

**BENCH WARRANT FOR  
FAILURE TO COMPLY**

DOB: 1/25/1985

SSN: XXX-XX-3694

**CHARGE:**

- 1) .I18-2403(1) F. Theft-Grand F
- 2) .I19-2514. Enhancement-Persistent Violator F

The Defendant LANCE TYRELL TAYLOR, having been charged with the afore-mentioned crime(s), and having FAILED TO COMPLY TO DRUG COURT ORDERS; as ordered by the court.

THIS IS TO COMMAND the Sheriff of Ada County, Idaho, or any peace officer of this State, to forthwith arrest the above-named defendant, and bring him/her before this Court.

Dated this 9th day of April, 2013.

RICHARD GREENWOOD  
Fourth District Court

STATE OF IDAHO  
COUNTY OF ADA  
I, CHRISTOPHER HENNING, Clerk of the Fourth Judicial District Court of the State of Idaho, hereby certify that the foregoing is a true and correct copy of the original on file in this office. In witness whereof, I have hereunto set my hand and official seal of the County of Ada, Idaho, this 10th day of April, 2013.

CHRISTOPHER HENNING, CLERK  
By: \_\_\_\_\_ Deputy

BOND SET AT: HOLD WITHOUT BOND

**RETURN OF SERVICE**

I HEREBY CERTIFY that I served the foregoing Warrant by arresting the above named defendant and bringing LANCE TYRELL TAYLOR in Court this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Deputy Sheriff) (State Policeman)(City Policeman)

Lance Tyrell Taylor CR-FE-2012-0012658

Scheduled Event: Video Arraignment Monday, July 22, 2013 01:30 PM

Judge: John Hawley Jr. Clerk: DF Interpreter: \_\_\_\_\_

Prosecuting Agency: X AC BC EA GC MC Pros: D. Davidson.

PD Attorney: A. Moore

- 1 I18-2403(1) F Theft-Grand F
- 2 I19-2514 Enhancement-Persistent Violator F

30818 Case Called Defendant: X Present Not Present X In Custody

X Advised of Rights Waived Rights X PD Appointed Waived Attorney

Guilty Plea / PV Admit N/G Plea Advise Subsequent Penalty

X Bond \$ No Bond ROR Pay / Stay Payment Agreement

In Chambers PT Memo Written Guilty Plea No Contact Order

Arr: 8/1/13 @ 3:00  
w/ Greenwood

Finish ( ) Release Defendant

NO. \_\_\_\_\_ FILED \_\_\_\_\_ P.M. 3:13

JUL 22 2013

CHRISTOPHER D. RICH, Clerk  
By KELLE WEGENER  
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA  
MAGISTRATE DIVISION

STATE OF IDAHO, )  
Plaintiff. )  
vs. )  
Lance Tyrell Taylor )  
575 S 13th Street )  
Boise, ID 83702 )  
Defendant. )

Case No: CR-FE-2012-0012658  
**NOTICE OF APPOINTMENT OF PUBLIC DEFENDER  
AND SETTING CASE FOR HEARING**  
 Ada  Boise  Eagle  Garden City  Meridian

TO: Ada County Public Defender

**YOU ARE HEREBY NOTIFIED** that you are appointed to represent the defendant in this cause, or in the District Court until relieved by court order. The case is continued for:

Arraignment...Thursday, August 01, 2013 ....03:00 PM  
Judge: Richard Greenwood(Drug Court)

**BOND AMOUNT:** \_\_\_\_\_ The Defendant is:  In Custody  Released on Bail  ROR

TO: The above named defendant

**IT HAS BEEN ORDERED BY THIS COURT** that the defendant is to contact the Ada County Public Defender's Office at 200 W. Front Street, Room 1107, Boise, Idaho 83702. Telephone: (208) 287-7400. If the defendant is unable to post bond and obtain his/her release from jail, that the proper authorities allow the defendant to make a phone call to the Ada County Public Defender.

**IT HAS BEEN FURTHER ORDERED:** That the parties, prior to the pre-trial conference, complete and comply with Rule 16 I.C.R. and THAT THE DEFENDANT BE **PERSONALLY PRESENT** AT BOTH THE PRE-TRIAL CONFERENCE AND / OR THE JURY TRIAL: FAILURE TO APPEAR AT EITHER THE PRE-TRIAL CONFERENCE OR THE JURY TRIAL WILL RESULT IN A **BENCH WARRANT** FOR THE DEFENDANT'S ARREST.

I hereby certify that copies of this Notice were served as follows on this date ~~Monday, July 22, 2013.~~

Defendant: Mailed \_\_\_\_\_ Hand Delivered  Signature \_\_\_\_\_  
Clerk / date \_\_\_\_\_ Phone ( ) \_\_\_\_\_

Prosecutor: Interdepartmental Mail \_\_\_\_\_

Public Defender: Interdepartmental Mail \_\_\_\_\_

\_\_\_\_\_  
Deputy Clerk

JUDGE: RICHARD GREENWOOD/ CLERK: LARA AMES/ CT REPORTER: FRAN MORRIS/WAIVED

CASE NUMBER: CRFE12-12658 CASE NAME: STATE V. Lance Taylor

DATE: AUGUST 1, 2013 , SESSION: Greenwood #. 4:25:11

P.A.: Katherine McNulty P.D.: Charlene Davis Private

DEFENDANT PRESENT/NOT PRESENT. (ROR/BOND/CUSTOD/PROBATION)

WARRANT ISSUED. BOND SET AT \$ /BOND FORFEITED/ROR REVOKED

DEFENDANT ARRAIGNED. TRUE COPY OF INFORMATION SERVED. TRUE NAME.

PLEA AGREEMENT:

DEFENDANT PLEADS GUILTY TO COUNT(S) (COUNT(S) DISMISSED).

COURT QUESTIONS DEFENDANT, ACCEPTS GUILTY PLEA AND ACCEPTS INTO DRUG COURT.

COURT ORDERS DEFENDANT TO REPORT TO MARREEN BURTONBY 5:00 NEXT DAY.

COURT ORDERS DEFENDANT TO ATTEND ALL COUNSELING AND TREATMENT SESSIONS.

COURT ORDERS DEFENDANT TO SUBMIT RANDOM UA'S/ STAY OFF DRUGS/ALCOHOL/

NOT GO PLACES W/ DRUGS/ALCOHOL PRESENT

COURT ORDERS DEFENDANT TO PAY THE \$15 WEEKLY FE/\$25.00 ENTRY FEE./ PRIVATE PAY

DEFENDANT RELEASED ON HIS/HER OWN RECOGNIZANCE. CURFEW OF O'CLOCK

MATTER REMANDED TO MAGISTRATE DIVISION FORPRELIMINARY HEARING ON

AT 8:30 AM BEFORE JUDGE DEF. ORDERED TO APPEAR.

MOTION FOR DISCHARGE FILED/ DEF ARRAIGNED ON MOTION/ DEFENDANT ADMIT/DENIES

SET FOR HEARING UPON DENIAL BY DEF./ SET FOR EXPEL/RETAIN UPON ADMISSION BY DEF.

DEFENDANT IS EXPELLED FROM DRUG COURT. SENTENCING SET FOR PSI ORDERED/WAIVED

COURT MAKES MISC. COMMENTS TO DEFENDANT REGARDING HIS/HER PROGRESS.

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DEF. SUCCESSFULLY COMPLETES THE DRUG COURT PROGRAM. PLEA WITHDRAWN, CASE DISMISSED

AA/NA HOURS PER WEEK; ALUMNI PANEL; ANGER MGT; BEHAVIORAL CONTACT; BREATHALYZERS-DAILY/WKENDS/OFF; COMMUNITY SERVICE HOURS/DAYS; CURFEW OF O'CLOCK; DAILY CHECK-IN; ESSAY ON; FAMILY WEEKEND FIND EMPLOYMENT GRIEF GROUP; JAIL-DAYS- (TO BE SERVED); LAST CHANCE ESSAY PROGRAM; LETTER OF APOLOGY TO; NO CONTACT WITH; OBTAIN SPONSER; PYMNT PLAN; RELAPSE PREVENTION: RISE AND SHINE WITH RAEANN; SILD-DAYS; 1 ON 1 COUNSELING; 12 STEP WKSHEETS; 90 AA/NA IN 90 DAYS;

(OTHER)

DEFENDANT REMANDED INTO CUSTODY FOR / DEFENDANT RELEASED

AUG 02 2013

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA  
CHRISTOPHER D. RICH, Clerk  
By LARA AMES DEPUTY

STATE OF IDAHO  
Plaintiff,  
  
vs. Lance Taylor  
Defendant,

CASE NO: CRFE 12-12658

ORDER FOR JAIL PROGRAM(S)

For good cause appearing, the defendant shall participate in the following Ada County Sheriff's in-custody program(s) on the next available date: when space is available.

- Substance Abuse Program (SAP)**
- Active Behavior Change (ABC):**

The court further ORDERS Defendant shall be enrolled in the following ABC emphasis:

- ABC-MRT (Moral Recognition Therapy)**
- ABC-AM (Anger Management)**

Said participation shall be at the expense of:

- Defendant**
- Ada County (Interlock Fund), Idaho Code 18-8010**

The necessary funds shall be transferred from the Interlock Fund, if funds are available, to the Ada County Sheriff's account to pay for the defendant's participation. The Ada County Treasurer, the Ada County Clerk, and the Ada County Sheriff shall comply with all necessary steps to facilitate the actual transfer of funds.

The defendant is hereby placed on notice that he/she will be subject to making restitution to or reimbursing Ada County for any and all monies used from the Interlock Fund for his/her participation in the above program(s).

ORDER FOR DEFENDANT TO BE EVALUATED FOR THE ADA COUNTY JAIL SUBSTANCE ABUSE PROGRAM AND ACCESS THE INTERLOCK FUND, Page 1

LA

IT IS ALSO ORDERED, That the court be notified if the defendant is or is not accepted into the program, and that a certificate of completion shall be delivered to the Court upon the Defendant's completion of the program. Defendant is not to be released until further order of the court.

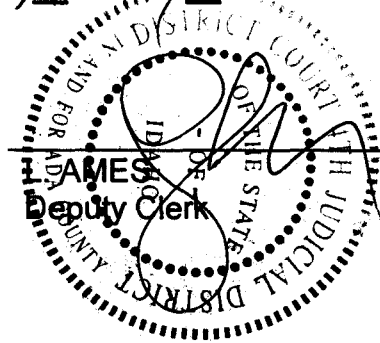
DATED This 18 day of August, 2013.

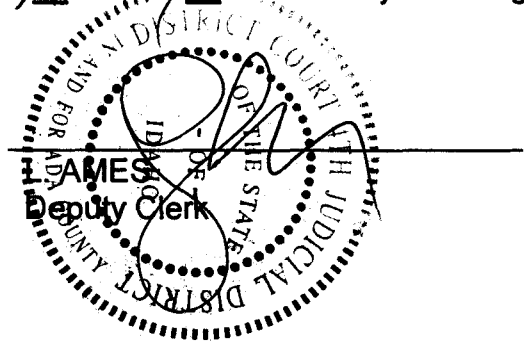
  
RICHARD GREENWOOD  
District Judge

Clerk will provide copies to:

- Public Defender     Prosecutor     TCA     Ada County Jail Programs

By:

  
JAMES  
Deputy Clerk



ORDER FOR DEFENDANT TO BE EVALUATED FOR THE ADA COUNTY JAIL  
SUBSTANCE ABUSE PROGRAM AND ACCESS THE INTERLOCK FUND, Page 2

JUDGE: RICHARD GREENWOOD/ CLERK: LARA AMES/ CT REPORTER: FRAN CASEY/WAIVED

CASE NUMBER: CRFE12-12658 CASE NAME: STATE V. Lance Taylor

DATE: SEPTEMBER 5, 2013, SESSION: Greenwood #. 2:12:07

P.A.: Scott Bandy P.D.: Charlene Davis Private:

DEFENDANT PRESENT/NOT PRESENT. (ROR/BOND/CUSTODY/PROBATION)

WARRANT ISSUED. BOND SET AT \$ /BOND FORFEITED/ROR REVOKED

DEFENDANT ARRAIGNED. TRUE COPY OF INFORMATION SERVED. TRUE NAME.

PLEA AGREEMENT:

DEFENDANT PLEADS GUILTY TO COUNT(S) (COUNT(S) DISMISSED).

COURT QUESTIONS DEFENDANT, ACCEPTS GUILTY PLEA AND ACCEPTS INTO DRUG COURT.

COURT ORDERS DEFENDANT TO REPORT TO MARKEEN BURTON BY 5:00 NEXT DAY.

COURT ORDERS DEFENDANT TO ATTEND ALL COUNSELING AND TREATMENT SESSIONS.

COURT ORDERS DEFENDANT TO SUBMIT RANDOM UA'S/ STAY OFF DRUGS/ALCOHOL/

NOT GO PLACES W/ DRUGS/ALCOHOL PRESENT

COURT ORDERS DEFENDANT TO PAY THE \$15WEEKLY FEE/\$25.00 ENTRY FEE./ PRIVATE PAY

DEFENDANT RELEASED ON HIS/HER OWN RECOGNIZANCE. CURFEW OF O'CLOCK

MATTER REMANDED TO MAGISTRATE DIVISION FOR PRELIMINARY HEARING ON

AT 8:30 AM BEFORE JUDGE DEF. ORDERED TO APPEAR.

MOTION FOR DISCHARGE FILED/ DEF ARRAIGNED ON MOTION/ DEFEMNT ADMITS/DENIES

SET FOR HEARING UPON DENIAL BY DEF./ SET FOR EXPEL/RETAIN UPON ADMISSION BY DEF.

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DEF. SUCCESSFULLY COMPLETES THE DRUG COURT PROGRAM. PLEA WITHDRAWN, CASE DISMISSED

AA/NA HOURS PER WEEK; ALUMNI PANEL; ANGER MGT; BEHAMORAL CONTRACT;

BREATHALYZERS-DAILY/WKENDS/OFF; COMMUNITY SERVICE HOURS/DAYS; CURFEW OF O'CLOCK;

DAILY CHECK-IN; ESSAY ON; FAMILY WEEKEND FIND EMPLOYMENT

GRIEF GROUP; JAIL-DAYS- (TO BE SERVED); LAST CHANCE ESSAY PROGRAM;

LETTER OF APOLOGY TO; NO CONTACT WITH;

OBTAIN SPONSER; PYMNT PLAN; RELAPSE PREVENTION: RISE AND SHINE WITH RAEANN;

SILD-DAYS; 1 ON 1 COUNSELING; 12 STEP WKSHEETS; 90 AA/NA IN 90 DAYS;

Essay How he is going to succeed + break old ties (OTHER)

DEFENDANT REMANDED INTO CUSTODY FOR / DEFENDANT RELEASED

DRUG COURT MINUTES

000106

JUDGE: RICHARD GREENWOOD/ CLERK: LARA AMES/ CT REPORTER: FRAN CASEY/WAIVED

CASE NUMBER:

CASE NAME: STATE v. Lance Taylor

DATE: SEPTEMBER 12, 2013

SESSION: Greenwood #. 3:20:45

P.A.: Scott Bandy P.D.: Charlene Davis Private:

DEFENDANT PRESENT/NOT PRESENT. (ROR/CUSTODY)

WARRANT ISSUED. BOND SET AT \$ /BOND FORFEITED/ROR REVOKED

DEFENDANT ARRAIGNED. TRUE COPY OF INFORMATION SERVED. TRUE NAME.

PLEA AGREEMENT:

DEFENDANT PLEADS GUILTY TO COUNT(S) (COUNT(S) DISMISSED).

COURT QUESTIONS DEFENDANT, ACCEPTS GUILTY PLEA AND ACCEPTS INTO DRUG COURT.

COURT ORDERS DEFENDANT TO REPORT TO MARREEN BURTON BY 2:00 NEXT DAY.

COURT ORDERS DEFENDANT TO ATTEND ALL COUNSELING AND TREATMENT SESSIONS.

COURT ORDERS DEFENDANT TO SUBMIT RANDOM UA'S/ STAY OFF DRUGS/ALCOHOL/

NOT GO PLACES W/ DRUGS/ALCOHOL PRESENT

COURT ORDERS DEFENDANT TO PAY THE \$15 WEEKLY FEE/\$25.00 ENTRY FEE./ PRIVATE PAY

DEFENDANT RELEASED ON HIS/HER OWN RECOGNIZANCE. CURFEW OF O' CLOCK

MATTER REMANDED TO MAGISTRATE DIVISION FOR PRELIMINARY HEARING ON

AT 8:30 AM BEFORE JUDGE DEF. ORDERED TO APPEAR.

MOTION FOR DISCHARGE FILED/ DEF ARRAIGNED ON MOTION/ DEFENDANT ADMITS/DENIES

SET FOR HEARING UPON DENIAL BY DEF./ SET FOR EXPEL/RETAIN ON ADMISSION BY DEF.

DEFENDANT IS EXPELLED FROM DRUG COURT. SENTENCING SET FOR PSI ORDERED/WAIVED

COURT MAKES MISC. COMMENTS TO DEFENDANT REGARDING HIS/HER PROGRESS.

MATTER CONTINUES TO 9-19 AT 2:00 FOR REVIEW/ DEF. ORDERED TO APPEAR.

DEFENDANT PROMOTED TO PHASE II; PHASE III; PHASE IV.

DEF. SUCCESSFULLY COMPLETES THE DRUG COURT PROGRAM. PLEA WITHDRAWN, CASE DMISSED

AA/NA HOURS PER WEEK; ALUMNI PANEL; ANGER MGT; BEHAVIORAL CONTRACT; BREATHALYZERS-DAILY/WKENDS/OFF; COMMUNITY SERVICE HOURS/DAYS; CURFEW OF O' CLOCK; DAILY CHECK-IN; ESSAY ON; FAMILY WEEKEND FIND EMPLOYMENT GRIEF GROUP; JAIL-DAYS- (TO BE SERVED); LAST CHANCE ESSAY PROGRAM; LETTER OF APOLOGY TO; NO CONTACT WITH; OBTAIN SPONSER; PYMNT PLAN; RELAPSE PREVENTION: RISE AND SHINE WITH RAEANN; SILD-DAYS; 1 ON 1 COUNSELING; 12 STEP WKSHEETS; 90 AA/NA IN 90 DAYS;

(OTHE

DEFENDANT REMANDED INTO CUSTODY FOR / X DEFENDANT RELEASED

DRUG COURT MINUTES

000107



JUDGE: RICHARD GREENWOOD/ CLERK: LARA AMES/ CT REPORTER: FRAN CASEY/WAIVED

CASE NUMBER: CRFE12-12658 CASE NAME: STATE V. Lance Taylor

DATE: SEPTEMBER 19, 2013 , SESSION: Greenwood #. 4:21:22

P.A.: Scott Bandy P.D.: Charlene Davis Private:

DEFENDANT PRESENT/NOT PRESENT. (ROR/CUSTODY)

WARRANT ISSUED. BOND SET AT \$ /BOND FORFEITED/ROR REVOKED

DEFENDANT ARRAIGNED. TRUE COPY OF INFORMATION SERVED. TRUE NAME.

PLEA AGREEMENT:

DEFENDANT PLEADS GUILTY TO COUNT(S) (COUNT(S) DISMISSED).

COURT QUESTIONS DEFENDANT, ACCEPTS GUILTY PLEA AND ACCEPTS INTO DRUG COURT.

COURT ORDERS DEFENDANT TO REPORT TO MARREEN BURTON BY 2:00 NEXT DAY.

COURT ORDERS DEFENDANT TO ATTEND ALL COUNSELING AND TREATMENT SESSIONS.

COURT ORDERS DEFENDANT TO SUBMIT RANDOM UA'S/ STAY OFF DRUGS/ALCOHOL/

NOT GO PLACES W/ DRUGS/ALCOHOL PRESENT

COURT ORDERS DEFENDANT TO PAY THE \$15 WEEKLY FEE/\$25.00 ENTRY FEE./ PRIVATE PAY

DEFENDANT RELEASED ON HIS/HER OWN RECOGNIZANCE. CURFEW OF O'CLOCK

MATTER REMANDED TO MAGISTRATE DIVISION FOR PRELIMINARY HEARING ON

AT 8:30 AM BEFORE JUDGE DEF. ORDERED TO APPEAR.

MOTION FOR DISCHARGE FILED/ DEF ARRAIGNED ON MOTION/ DEFENDANT ADMITS/DENIES

SET FOR HEARING UPON DENIAL BY DEF./ SET FOR EXPEL/RETAIN UPON ADMISSION BY DEF.

DEFENDANT IS EXPELLED FROM DRUG COURT. SENTENCING SET FOR PSI ORDERED/WAIVED

COURT MAKES MISC. COMMENTS TO DEFENDANT REGARDING HIS/HER PROGRESS.

MATTER CONTINUES TO AT 2:00 FOR REVIEW/ DEF. ORDERED TO APPEAR.

DEFENDANT PROMOTED TO PHASE II; PHASE III; PHASE IV.

DEF. SUCCESSFULLY COMPLETES THE DRUG COURT PROGRAM. PLEA WITHDRAWN, CASE DISMISSED

AA/NA HOURS PER WEEK; ALUMNI PANEL; ANGER MGT; BEHAVIORAL CONTRACT;

BREATHALYZERS-DAILY/WKENDS/OFF; COMMUNITY SERVICE HOURS/DAYS; CURFEW OF O'CLOCK;

DAILY CHECK-IN; ESSAY ON; FAMILY WEEKEND FIND EMPLOYMENT

GRIEF GROUP; JAIL-DAYS- (TO BE SERVED); LAST CHANCE ESSAY PROGRAM;

LETTER OF APOLOGY TO; NO CONTACT WITH;

OBTAIN SPONSER; PYMNT PLAN; RELAPSE PREVENTION: RISE AND SHINE WITH RAEANN;

SILD-DAYS; 1 ON 1 COUNSELING; 12 STEP WKSHEETS; 90 AA/NA IN 90 DAYS;

(OTHER)

DEFENDANT REMANDED INTO CUSTODY FOR / DEFENDANT RELEASED

DRUG COURT MINUTES

000108

Time	Speaker	Note
10:35:51 AM	Judge	Court calls case CRFE12-12658 State v. Lance Taylor
10:36:03 AM		Present: Dan Dinger for State Charlene Davis Public Defender Lance Taylor In Custody
10:36:21 AM	Judge	I set this so we can figure out what is going on.
10:37:04 AM	Judge	Addresses defendant regarding leaving the mission
10:37:18 AM	Defendant	Explains
10:41:10 AM	RaeAnn Landreth	Explains. The mission needs to staff him coming back.
10:42:23 AM	Defendant	I have been told by the mission that they will take me back.
10:42:40 AM	State	The information I have is that it's likely but not for sure. It is the state's position to keep him in until Monday when that is worked out.
10:43:06 AM	RaeAnn Landreth	I agree with the state. Monday would be the best day.
10:43:27 AM	Defendant	I would like to be released today and go down with a PO and if they don't accept me I will turn myself back into te jail.
10:44:22 AM	Judge	If I do this and you mess it up you are gone. Your recovery is more important than your job. We need to keep you safe and sober. If we can't do that the job is gone anyhow.
10:45:39 AM	State	I would note that looking at the file back in March and he didn't check in then. We need to save him from himself.
10:46:11 AM	Judge	Comments. I will let you go and give you the opporotunity to succeed or fail.
10:48:35 AM		End of Case
10:48:35 AM		

JUDGE: RICHARD GREENWOOD CLERK: K JOHNSON CT REPORTER: F CASEY/WAIVED

CASE NUMBER: CF 12.121058

CASE NAME: STATE V. Lance Taylor

DATE: October 3, 2012

SESSION: Greenwood

#. 3.01.46

P.A.: Catherine Freeman P.D.: Charlene Davis Private: \_\_\_\_\_

DEFENDANT PRESENT / NOT PRESENT. (ROR/CUSTODY)

WARRANT ISSUED. BOND SET AT \$ \_\_\_\_\_ /BOND FORFEITED/ROR REVOKED

DEFENDANT ARRAIGNED. TRUE COPY OF INFORMATION SERVED. TRUE NAME.

PLEA AGREEMENT: \_\_\_\_\_

DEFENDANT PLEADS GUILTY TO COUNT(S) \_\_\_\_\_ (COUNT(S) \_\_\_\_\_ DISMISSED).

COURT QUESTIONS DEFENDANT, ACCEPTS GUILTY PLEA AND ACCEPTS INTO DRUG COURT.

COURT ORDERS DEFENDANT TO REPORT TO MARREEN BURTON BY 2:00 NEXT DAY.

COURT ORDERS DEFENDANT TO ATTEND ALL COUNSELING AND TREATMENT SESSIONS.

COURT ORDERS DEFENDANT TO SUBMIT RANDOM UA'S/ STAY OFF DRUGS/ALCOHOL/

NOT GO PLACES W/ DRUGS/ALCOHOL PRESENT

COURT ORDERS DEFENDANT TO PAY THE \$15 WEEKLY FEE/\$25.00 ENTRY FEE./ PRIVATE PAY

DEFENDANT RELEASED ON HIS/HER OWN RECOGNIZANCE. CURFEW OF \_\_\_\_\_ O' CLOCK

MATTER REMANDED TO MAGISTRATE DIVISION FOR PRELIMINARY HEARING ON

AT 8:30 AM BEFORE JUDGE \_\_\_\_\_ DEF. ORDERED TO APPEAR.

MOTION FOR DISCHARGE FILED/ DEF ARRAIGNED ON MOTION/ DEFENDANT ADMITS/DENIES

SET FOR HEARING UPON DENIAL BY DEF./ SET FOR EXPEL/RETAIN UPON ADMISSION BY DEF.

DEFENDANT IS EXPELLED FROM DRUG COURT. SENTENCING SET FOR \_\_\_\_\_ PSI ORDERED/WAIVED

COURT MAKES MISC. COMMENTS TO DEFENDANT REGARDING HIS/HER PROGRESS.

MATTER CONTINUES TO AT 2:00 FOR REVIEW/ DEF. ORDERED TO APPEAR.

DEFENDANT PROMOTED TO PHASE II; PHASE III; PHASE IV.

DEF. SUCCESSFULLY COMPLETES THE DRUG COURT PROGRAM. PLEA WITHDRAWN, CASE DISMISSED

AA/NA \_\_\_\_\_ HOURS PER WEEK; ALUMNI PANEL; ANGER MGT; BEHAVIORAL CONTRACT;  
BREATHALYZERS-DAILY/WKENDS/OFF; COMMUNITY SERVICE- \_\_\_\_\_ HOURS/DAYS; CURFEW OF  
\_\_\_\_\_ O' CLOCK;

DAILY CHECK-IN; ESSAY ON \_\_\_\_\_; FAMILY WEEKEND FIND EMPLOYMENT  
GRIEF GROUP; JAIL- \_\_\_\_\_ DAYS- (TO BE SERVED \_\_\_\_\_); LAST CHANCE ESSAY PROGRAM;  
LETTER OF APOLOGY TO \_\_\_\_\_; NO CONTACT WITH \_\_\_\_\_;  
OBTAIN SPONSER; PYMNT PLAN; RELAPSE PREVENTION: RISE AND SHINE WITH RAEANN;  
SILD- \_\_\_\_\_ DAYS; 1 ON 1 COUNSELING; 12 STEP WKSHEETS; 90 AA/NA IN 90 DAYS;

(OTHER)

DEFENDANT REMANDED INTO CUSTODY FOR indeterminate / \_\_\_\_\_ DEFENDANT RELEASED

no 8 10-21-13

NO. \_\_\_\_\_ FILED \_\_\_\_\_  
A.M. 8:11 P.M. \_\_\_\_\_

OCT 01 2013

CHRISTOPHER D. RICH, Clerk  
By LUCILLE DANSEREAU  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**Daniel R. Dinger**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Phone: 287-7700  
Fax: 287-7709

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

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
LANCE TYRELL TAYLOR, )  
)  
Defendant. )  
)  
\_\_\_\_\_ )

**Case No. CR FE 2012-0012658**  
**VERIFIED APPLICATION TO**  
**REVOKE O.R. RELEASE OR**  
**RELEASE ON BOND**

**COMES NOW**, Daniel R. Dinger, Deputy Prosecuting Attorney, in and for Ada County, State of Idaho, and moves this Court for its Order pursuant to I.C.R. 46(e)(2) to revoke its earlier order for own recognizance release or release on bail for the following reason:

The above defendant has willfully violated the conditions of release as more fully set forth and described in the attached report of Raeann Landreth dated September 30, 2013.

ef

The undersigned verifies that the allegations are true and correct to the best of his information and belief. The undersigned respectfully requests that the Court issue a warrant directing that the defendant be arrested and brought before the Court for hearing.

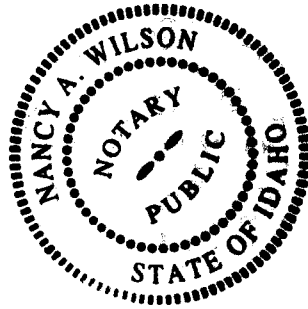
RESPECTFULLY SUBMITTED this 30<sup>th</sup> day of September, 2013.

**GREG H. BOWER**  
Ada County Prosecuting Attorney



Daniel R. Dinger  
Deputy Prosecuting Attorney

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of September, 2013.



Nancy A. Wilson  
Notary Public for State of Idaho  
Residing in Thermopylae, Idaho  
Commission expires: Dec 14, 2017

REPORT OF VIOLATION  
DRUG COURT CONDITIONS

NAME: Lance Tyrell Taylor

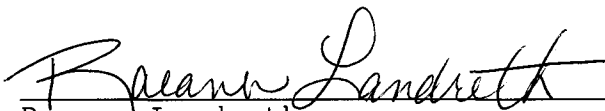
CASE NO. CR-FE-12-12658

The above-named Defendant has violated the conditions of Drug Court as follows:

- Failed to contact the Drug Court Coordinator within 24 hours after being released to schedule assessment.
- Did not contact Ada County Treatment Services Center within 24 hours to schedule assessment.
- Did not attend treatment sessions on the date(s) listed:
- Other: Failed to stay at reported residence 9/17, 25, 26, 27, 28, and 29/13. Failed to attend Matrix 9/23/13 and 9/26/13. Failed to report to POs as instructed on 9/23/13. Failed to report for a urinalysis 9/25/13 and 9/27/13. Failed to sign in or turn in paperwork for Rise and Shine 9/25,26,27 and 30/13. Failed to attend New Participant Orientation 9/27/13. Failed to turn himself in on a Canyon County warrant as instructed.

My knowledge of the Defendant's non-compliance is based upon:

- My personal knowledge.
- Information given me by: **ADA COUNTY TREATMENT SERVICES CENTER.**

  
Raeann Landreth  
Assistant Drug Court Coordinator

Monday, September 30, 2013

REPORT OF VIOLATION - CONDITIONS OF RELEASE

000113

636135

NO. \_\_\_\_\_ FILED \_\_\_\_\_  
A.M. 9 P.M.

FEB 27 2014

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

CHRISTOPHER D. RICH, Clerk  
By KYLE MEREDITH  
DEPUTY 01.02

STATE OF IDAHO,  
Plaintiff,

Case No: CR-FE-2012-0012658

vs.

BENCH WARRANT FOR  
FAILURE TO COMPLY

LANCE TYRELL TAYLOR,  
575 S 13th Street  
Boise, ID 83702  
Defendant.



CHARGE:

- 1)...I18-2403(1) F...Theft-Grand F
- 2)...I19-2514...Enhancement-Persistent Violator F

The Defendant, LANCE TYRELL TAYLOR, having been charged with the afore-mentioned crime(s), and having failed to comply with Drug Court orders,

THIS IS TO COMMAND the Sheriff of Ada County, Idaho, or any peace officer of this State, to forthwith arrest the above-named defendant, and bring him/her before this Court.

Dated this 2nd day of October, 2013.

\_\_\_\_\_  
DISTRICT JUDGE  
Fourth District Court

BOND SET AT: Hold without bond

XX MAY BE SERVED DURING THE DAY OR NIGHT IN ANY PLACE

RETURN OF SERVICE

I HEREBY CERTIFY that I served the foregoing Warrant by arresting the above named defendant and bringing LANCE TYRELL TAYLOR in Court this 26 day of FEB, 2014.

OFF. J. KINCAID #740  
(Deputy Sheriff) (State Policeman) (City Policeman)

RECEIVED

OCT 03 2013

ADA COUNTY SHERIFF  
RECORD DIVISION

ARRESTED  
ADA COUNTY SHERIFF

KM

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
STATE OF IDAHO, ADA COUNTY, DISTRICT DIVISION

STATE OF IDAHO,

Plaintiff,

vs.

Lance Tyrell Taylor,

Defendant.

CASE NO. CR-FE-2012-0012658

Ada  Boise  Garden City  Meridian

Defense Attorney \_\_\_\_\_

Jury Demanded \_\_\_\_\_

Jury Waived \_\_\_\_\_

ADDRESS: 575 S 13th Street Boise, ID 83702 Date of Offense: \_\_\_\_\_

CHARGE(s): I18-2403(1) F Theft-Grand F I19-2514 Enhancement-Persistent Violator F

Filed: \_\_\_\_\_ Arraignment: \_\_\_\_\_ Amended: \_\_\_\_\_

Complainant: \_\_\_\_\_ BENCH WARRANT: \_\_\_\_\_  Yes  No

BAIL: \_\_\_\_\_ BOND FORFEITURE: \_\_\_\_\_ CASE CLOSED: \_\_\_\_\_

PLEA:  Guilty  Not Guilty Continued for Plea to \_\_\_\_\_

JUDGE: Richard Greenwood(Drug Court) Trial set for: \_\_\_\_\_

DECISION:  Acquitted  Dismissed  Guilty  Withheld Judgment

PENALTY: FINE \$ \_\_\_\_\_ JAIL \_\_\_\_\_ COSTS \$ \_\_\_\_\_ PROBATION \_\_\_\_\_

REMARKS: \_\_\_\_\_

Done in Open Court on \_\_\_\_\_

Judge/Clerk

FURTHER PROCEEDINGS: \_\_\_\_\_

Judge/Clerk



JUDGE: RICHARD GREENWOOD CLERK: K PATARO CT REPORTER: F CASEY/WAIVED

CASE NUMBER: F12 ~~12658~~ 12658

CASE NAME: STATE V. Lance Taylor

DATE: 3-13-14

SESSION: Greenwood

#. 24129

P.A.: Scott Bandy P.D.: Charlene Davis/Sheryl Musgrove Private: \_\_\_\_\_

X DEFENDANT PRESENT/NOT PRESENT. (ROR/CUSTODY)

WARRANT ISSUED. BOND SET AT \$ \_\_\_\_\_ /BOND FORFEITED/ROR REVOKED

DEFENDANT ARRAIGNED. TRUE COPY OF INFORMATION SERVED. TRUE NAME.

PLEA AGREEMENT: \_\_\_\_\_

DEFENDANT PLEADS GUILTY TO COUNT(S) \_\_\_\_\_ (COUNT(S) \_\_\_\_\_ DISMISSED).

COURT QUESTIONS DEFENDANT, ACCEPTS GUILTY PLEA AND ACCEPTS INTO DRUG COURT.

COURT ORDERS DEFENDANT TO REPORT TO MARREEN BURTON BY 2:00 NEXT DAY.

COURT ORDERS DEFENDANT TO ATTEND ALL COUNSELING AND TREATMENT SESSIONS.

COURT ORDERS DEFENDANT TO SUBMIT RANDOM UA'S/ STAY OFF DRUGS/ALCOHOL/

NOT GO PLACES w/ DRUGS/ALCOHOL PRESENT

COURT ORDERS DEFENDANT TO PAY THE \$15 WEEKLY FEE/\$25.00 ENTRY FEE/ PRIVATE PAY

DEFENDANT RELEASED ON HIS/HER OWN RECOGNIZANCE. CURFEW OF \_\_\_\_\_ O'CLOCK

MATTER REMANDED TO MAGISTRATE DIVISION FOR PRELIMINARY HEARING ON

AT 8:30 AM BEFORE JUDGE \_\_\_\_\_ DEF. ORDERED TO APPEAR.

MOTION FOR DISCHARGE FILED/ DEF ARRAIGNED ON MOTION/ DEFENDANT ADMITS/DENIES

SET FOR HEARING UPON DENIAL BY DEF./ SET FOR EXPEL/RETAIN UPON ADMISSION BY DEF.

DEFENDANT IS EXPELLED FROM DRUG COURT. SENTENCING SET FOR \_\_\_\_\_ PSI ORDERED/WAIVED

COURT MAKES MISC. COMMENTS TO DEFENDANT REGARDING HIS/HER PROGRESS.

X MATTER CONTINUES TO 3-20 AT 2:00 FOR REVIEW/ DEF. ORDERED TO APPEAR.

DEFENDANT PROMOTED TO \_\_\_\_\_ PHASE II; \_\_\_\_\_ PHASE III; \_\_\_\_\_ PHASE IV.

DEF. SUCCESSFULLY COMPLETES THE DRUG COURT PROGRAM. PLEA WITHDRAWN, CASE DISMISSED

AA/NA \_\_\_\_\_ HOURS PER WEEK; ALUMNI PANEL; ANGER MGT; BEHAVIORAL CONTRACT;

BREATHALYZERS-DAILY/WKENDS/OFF; COMMUNITY SERVICE- \_\_\_\_\_ HOURS/DAYS; CURFEW OF

\_\_\_\_\_ O'CLOCK;

DAILY CHECK-IN; ESSAY ON \_\_\_\_\_; FAMILY WEEKEND FIND EMPLOYMENT

GRIEF GROUP; JAIL- \_\_\_\_\_ DAYS- (TO BE SERVED \_\_\_\_\_); LAST CHANCE ESSAY PROGRAM;

LETTER OF APOLOGY TO \_\_\_\_\_; NO CONTACT WITH \_\_\_\_\_;

OBTAIN SPONSER; PYMNT PLAN; RELAPSE PREVENTION: RISE AND SHINE WITH RAEANN;

SILD- \_\_\_\_\_ DAYS; 1 ON 1 COUNSELING; 12 STEP WKSHEETS; 90 AA/NA IN 90 DAYS;

State will file No/Discharge

(OTHER)

DEFENDANT REMANDED INTO CUSTODY FOR \_\_\_\_\_ / DEFENDANT RELEASED

Time	Speaker	Note
<u>2:58:00 PM</u>		CRFE12.12658 State v. Lance Taylor
<u>2:58:12 PM</u>	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Scott Bandy.
<u>2:58:27 PM</u>	Court	Advises the deft and Mr. Bunn - their rights to the motion for discharge.
<u>2:59:51 PM</u>	Defendant	Understands his rights.
<u>2:59:55 PM</u>	Court	Further addresses the deft.
<u>3:00:17 PM</u>	Public Defender	Would like one week.
<u>3:00:23 PM</u>	Court	Admit/Deny - March 27, 2014 at 2:00 pm.
<u>3:00:51 PM</u>	End.	
<u>3:00:51 PM</u>		

MAR 24 2014

CHRISTOPHER D. RICH, Clerk  
By KATHY PATARO  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**R. Scott Bandy**  
Deputy Prosecuting Attorney  
200 West Front Street, Room 3191  
Boise, Idaho 83702  
Phone: (208) 287-7700  
Fax: (208) 287-7709

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

THE STATE OF IDAHO,	)	
	)	
Plaintiff,	)	<b>Case No. CR FE 2012-0012658</b>
	)	
vs.	)	<b>MOTION FOR DISCHARGE FROM</b>
	)	<b>ADA COUNTY DRUG COURT</b>
LANCE TYRELL TAYLOR, (aka	)	<b>PROGRAM</b>
GREEN),	)	
	)	
Defendant.	)	
_____	)	

STATE OF IDAHO )  
) ss:  
County of Ada )

**COMES NOW**, R. Scott Bandy, Deputy Prosecuting Attorney for Ada County,  
State of Idaho, being first duly sworn, deposes and says:

That an Information was filed on the 13th day of September 2012 charging the Defendant with the crime(s) of GRAND THEFT, FELONY, I.C. §18-2403(1), 2407(1)(b), 2409; and

That on the 3<sup>rd</sup> day of January 2013, the Defendant pled guilty with the Court issuing its Judgment of Conviction, Suspended Sentence and Order of Probation on the 26<sup>th</sup> day of March 2013 placing the Defendant on probation for a period of ten (10) years, a special condition of probation being that the Defendant must successfully enroll in and complete the Ada County Drug Court Program.

This Court required, and the Defendant agreed, that as a condition of Ada County Drug Court he would respect and obey all the laws of the State of Idaho, at all times conduct himself as a good citizen, and obey the rules and regulations of Drug Court.

That the Defendant violated the above-mentioned term of his Ada County Drug Court agreement by:

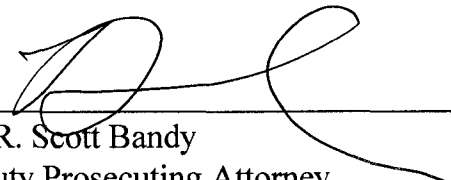
1. That on or between 5<sup>th</sup> day and 8<sup>th</sup> day of April, 2013 Defendant failed to stay at his reported residence.
2. That on or about 5<sup>th</sup> day of April, 2013 Defendant failed to attend new participant orientation.
3. That on or between 4<sup>th</sup> day and 8<sup>th</sup> day of April, 2013 Defendant failed to sign in or turn in paperwork for Rise and Shine.
4. That on or about 17<sup>th</sup> day of September, 2013 Defendant failed to stay at his reported residence.
- 5. That on or between 25<sup>th</sup> day and 29<sup>th</sup> day of September, 2013 Defendant failed to stay at his reported residence.
- 6. That on or between 25<sup>th</sup> day and 27<sup>th</sup> day of September, 2013 Defendant failed to sign in or turn in paperwork for Rise and Shine.
- 7. That on or about 23<sup>rd</sup> day of September, 2013 Defendant failed to attend Matrix without excuse.

- 8. That on or about 26<sup>th</sup> day of September, 2013 Defendant failed to attend Matrix without excuse.
9. That on or about 23<sup>th</sup> day of September, 2013 Defendant failed to report to his PO as requested.
10. That on or about 25<sup>th</sup> day of September, 2013 Defendant failed to attend a required UA without excuse.
11. That on or about 27<sup>th</sup> day of September, 2013 Defendant failed to attend a required UA without excuse.
12. That on or about 27<sup>th</sup> day of September, 2013 Defendant failed to attend new participant orientation.
13. That on or about 30<sup>th</sup> day of September, 2013 Defendant failed to sign in or turn in paperwork for Rise and Shine.
14. That on or about 3<sup>rd</sup> day of October, 2013 Defendant absconded from Drug Court.

**WHEREFORE**, your affiant prays for an Order of this Court removing Defendant from Ada County Drug Court Program for failure to adhere to Drug Court rules and regulations.

DATED this 19<sup>th</sup> day of March, 2014.

**GREG H. BOWER**  
Ada County Prosecuting Attorney

  
By: R. Scott Bandy  
Deputy Prosecuting Attorney

Time	Speaker	Note
<u>2:34:51 PM</u>		CRFE12.12658 State v. Lance Taylor
<u>2:35:11 PM</u>	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Scott Bandy.
<u>2:35:25 PM</u>	Court	Addresses the deft.
<u>2:35:29 PM</u>	Public Defender	Dismiss allegation 5 - 9 and will be admitting to all of the other allegations.
<u>2:36:06 PM</u>	Court	Addresses the deft.
<u>2:36:39 PM</u>	Defendant	Understands his rights.
<u>2:37:07 PM</u>	Court	Accepts the admissions and directs that they be entered.
<u>2:37:29 PM</u>	Public Defender	Discharge hearing.
<u>2:38:08 PM</u>	Court	Discharge Hearing April 15, 2014 at 11:00 am.
<u>2:38:32 PM</u>	End.	
<u>2:38:32 PM</u>		
<u>2:38:33 PM</u>		

Time	Speaker	Note
11:11:24 AM		CRFE12.12658 State v. Lance Taylor
11:12:41 AM	Court	Calls case deft present in custody with Charlene Davis. State's atty Daniel Peterson. Motion for discharge hearing.
11:12:42 AM	Public Defender	Calls deft.
11:12:44 AM	Court	Deft sworn and testifies.
11:13:51 AM	Public Defender	Direct examination.
11:21:28 AM	State Attorney	No questions.
11:21:32 AM	Public Defender	No further testimony.
11:21:38 AM	State Attorney	Argument on motion for discharge from drug court. Discharge at this time.
11:23:37 AM	Public Defender	Argument on motion for discharge.
11:26:04 AM	State Attorney	Nothing further.
11:26:07 AM	Court	Addresses the deft.
11:27:18 AM	Court	Will grant the motion for discharge.
11:27:57 AM	Court	Advises the deft of his probation violation rights.
11:30:20 AM	Defendant	Understands his rights.
11:30:24 AM	Court	Advises the deft of the possible penalties.
11:30:53 AM	Public Defender	Admits all allegations.
11:30:59 AM	Court	Addresses the deft.
11:31:09 AM	Court	Reminds the deft that he's still under oath.
11:32:38 AM	Court	Accepts the admissions and directs that it be entered.
11:32:46 AM	Public Defender	Requests update PSI
11:34:15 AM	Court	Disposition June 12, 2014 at 2:00 pm.
11:34:29 AM	End.	
11:34:29 AM		
11:34:29 AM		

APR 15 2014

CHRISTOPHER D. RICH, Clerk  
By KATHY PATARO  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**R. Scott Bandy**  
Deputy Prosecuting Attorney  
200 West Front Street, Room 3191  
Boise, Idaho 83702  
Phone: (208) 287-7700  
Fax: (208) 287-7709

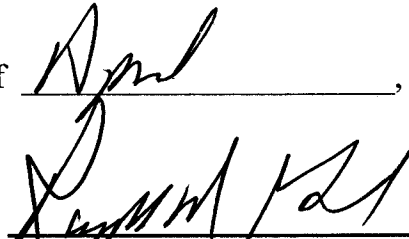
IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
)  
vs. )  
)  
LANCE TYRELL TAYLOR, (aka )  
GREEN), )  
)  
Defendant. )  
\_\_\_\_\_ )

**Case No. CR FE 2012-0012658**  
**ORDER FOR DISCHARGE FROM**  
**ADA COUNTY DRUG COURT**  
**PROGRAM**

**GOOD CAUSE** having been heard and based upon the State's Motion to Discharge the Defendant from the Ada County Drug Court Program, this Court Orders that the Defendant be removed from Drug Court for failing to adhere to Drug Court rules and regulations.

IT IS SO ORDERED this 15 day of April, 2014.

  
\_\_\_\_\_  
Richard D. Greenwood  
District Judge



Time	Speaker	Note
<u>2:15:48 PM</u>		CRFE12.12658 State v. Lance Taylor
<u>2:15:59 PM</u>	Court	Calls case deft present in custody with counsel Charlene Davis. State's atty Daniel Peterson.
<u>2:16:18 PM</u>	Court	Reviews the file
<u>2:17:20 PM</u>	Public Defender	Provides additional letter to Court and counsel.
<u>2:17:32 PM</u>	Court	Reviews the letter.
<u>2:17:53 PM</u>	Court	Parties have received and reviewed the materials.
<u>2:18:01 PM</u>	State Attorney	Argument on recommendations. Impose 2+8=10 yrs. Reorder the fine and restitution.
<u>2:20:22 PM</u>	Public Defender	Argument on recommendations. CAPP rider or impose and amend it to 1+9=10 yrs.
<u>2:24:55 PM</u>	Court	Addresses the deft.
<u>2:24:59 PM</u>	Defendant	Statement.
<u>2:28:22 PM</u>	Court	Addresses the deft.
<u>2:28:58 PM</u>	Court	Revokes probation and will impose 2+8=10 and reduce to 2+5=7 yrs and place in the Therapeutic Community.
<u>2:29:36 PM</u>	Defendant	Advises the deft of his appeal rights.
<u>2:29:55 PM</u>	Court	Fine will be suspended and reaffirms restitution. 292 days credit.
<u>2:30:51 PM</u>	Public Defender	No objection to the restitution.
<u>2:31:00 PM</u>	Court	Will sign the order for restitution.
<u>2:31:07 PM</u>	End.	
<u>2:31:07 PM</u>		
<u>2:31:07 PM</u>		

JUN 13 2014

CHRISTOPHER D. RICH, Clerk  
By KATHY PATARO  
DEPUTY

**Greg H. Bower**  
Ada County Prosecuting Attorney

Dan Peterson  
Deputy Prosecuting Attorney  
200 West Front Street, Room 3191  
Boise, Idaho 83702  
Telephone: (208) 287-7700  
Fax: (208)-287-7709

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

STATE OF IDAHO, )  
)  
Plaintiff, )  
)  
vs. )  
)  
Lance Tyrell Taylor Aka Green, )  
)  
Defendant. )  
\_\_\_\_\_ )

**Case No. CRFE20120012658**  
**AMENDED ORDER FOR**  
**RESTITUTION AND**  
**JUDGMENT**

**WHEREAS**, on the \_\_\_\_ day of \_\_\_\_\_, a Judgment of Conviction was entered against the Defendant, Lance Tyrell Taylor Aka Green, and therefore pursuant to Idaho Code §19-5304 and based on evidence presented to this Court,

**IT IS HEREBY ORDERED**, that the Defendant, Lance Tyrell Taylor Aka Green, shall make restitution to the victim(s) and/or law enforcement agency(ies) in the following amounts:

LANG M LYNNE  
ADA COUNTY DRUG COURT

\$598.00  
\$130.00

**TOTAL:** **\$728.00**

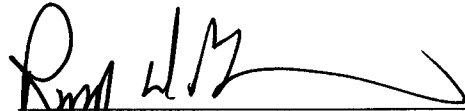
Post judgment interest on said restitution amount will accrue from the date of this Order and Judgment at the rate specified in Idaho Code §28-22-104.

**FURTHER**, pursuant to I.C. §19-5305 this Order may be recorded as a judgment against the Defendant, Lance Tyrell Taylor Aka Green, and the listed victim(s) may execute as provided by law for civil judgments.

**FURTHER**, it is the responsibility of the Defendant to notify the Restitution Department (208-287-7700) if at any time a victim collects by means of the civil judgment.

**IT IS SO ORDERED.**

DATED this 12 day of June 2014.

  
Judge

JUN 19 2014

CHRISTOPHER D. RICH, Clerk  
By ELAINE RUDZINSKI  
DEPUTY

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

THE STATE OF IDAHO,

Plaintiff,

vs.

LANCE TYRELL TAYLOR AKA GREEN,  
[REDACTED]  
[REDACTED]

Defendant.

Case No. CR-FE-2012-0012658

ORDER REVOKING PROBATION,  
IMPOSING AND REDUCING  
SENTENCE, AND COMMITMENT

On March 26, 2013, the defendant, LANCE TYRELL TAYLOR AKA GREEN, was adjudged guilty in the District Court of the Fourth Judicial District in and for the County of Ada of the crime of GRAND THEFT, FELONY, I.C. §§18-2403(1), -2407(1)(b), -2409, and was committed to the custody of the State of Idaho Board of Correction for an aggregate term of ten (10) years: with the first two (2) years of said term to be FIXED, and with the remaining eight (8) years of said term to be INDETERMINATE. The Court suspended execution of the judgment for the balance of the sentence and placed the defendant on probation for a period of ten (10) years.

A Motion for Discharge from Ada County Drug Court Program was filed on March 24, 2014. The defendant was duly arraigned and, on March 27, 2014, the defendant admitted to allegations nos. 1, 2, 3, 4, 10, 11, 12, 13, and 14, as set forth in said Motion.

On June 12, 2014, Daniel E. Peterson, Deputy Prosecuting Attorney for the County of Ada, State of Idaho, and the defendant, LANCE TYRELL TAYLOR AKA GREEN, with his attorney, Charlene W. Davis, appeared before this Court for disposition regarding violation of probation. Counsel made recommendations and the defendant was given an opportunity to address the Court. The Court finds that the defendant willfully and knowingly violated the terms of her probation.

IT IS HEREBY ORDERED that the probation entered by the Court on March 26, 2013, in the Judgment of Conviction, Suspended Sentence and Order of Probation, be and the same is hereby revoked.

IT IS FURTHER ORDERED that the original sentence imposed on March 26, 2013, in the Judgment of Conviction, Suspended Sentence and Order of Probation, for the crime of GRAND THEFT, FELONY, I.C. §§18-2403(1), -2407(1)(b), -2409, is hereby ordered into execution according to its original terms. The Court, on its own motion, as an exercise of leniency pursuant to I.C.R. 35, reconsidered the defendant's sentence and will reduce the sentence as follows: The defendant is resentenced to the custody of the State of Idaho Board of Correction for a total term of seven (7) years, consisting of two (2) years fixed, followed by five (5) years indeterminate, with such sentence to commence immediately.

The Court recommends the Department of Correction place the defendant in the Therapeutic Community Program.

Pursuant to I.C. § 18-309, the defendant shall receive credit for a total of two hundred ninety-two (292) days served in pre-judgment incarceration toward the FIXED portion of the term. The total credit for time served consists of two hundred eleven (211) days credit defendant was

given in the Judgment of Conviction, Suspended Sentence and Order of Probation entered on March 26, 2013, and eighty-one (81) days served on the probation violation. The defendant does NOT receive credit for any discretionary jail time ordered by the probation officer or any jail time served as a condition of probation.

Pursuant to Idaho Code Section 19-5304, the defendant shall pay restitution in the amount of \$728.00, bearing interest at the statutory rate of 5.625% per annum until paid in full, to be paid through the Clerk of the District Court.

IT IS FURTHER ORDERED that allegations nos. 5, 6, 7, 8, and 9 are dismissed.

The defendant is hereby remanded to the custody of the Sheriff of Ada County to be delivered FORTHWITH into the custody of the Director of the Idaho State Correctional Institution.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this Order Revoking Probation, Imposing and Reducing Sentence, and Commitment to the said Sheriff, which shall serve as the commitment of the defendant.

#### **NOTICE OF RIGHT TO APPEAL**

You, LANCE TYRELL TAYLOR AKA GREEN, are hereby notified that you have the right to appeal this order to the Idaho Supreme Court. Any notice of appeal must be filed within forty-two (42) days from the entry of this judgment.

You are further notified that you have the right to be represented by an attorney in any appeal, that if you cannot afford to retain an attorney, one may be appointed at public expense.

Further, if you are a needy person, the costs of the appeal may be paid for by the State of Idaho. If you have questions about your appeal rights, you should consult your present lawyer.

IT IS SO ORDERED.

Dated this 12th day of June, 2014.

A handwritten signature in black ink, appearing to read 'Richard D. Greenwood', written over a horizontal line.

RICHARD D. GREENWOOD  
District Judge

CERTIFICATE OF MAILING

I hereby certify that on the 19 day of June, 2014, I mailed (emailed) a true and correct copy of the within instrument to:

ADA COUNTY PROSECUTOR'S OFFICE  
VIA EMAIL

ADA COUNTY PUBLIC DEFENDER'S OFFICE  
VIA EMAIL

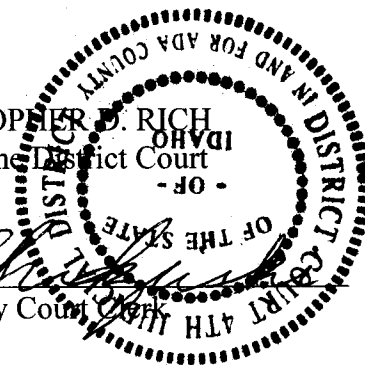
PROBATION AND PAROLE  
VIA EMAIL

IDAHO DEPARTMENT OF CORRECTION  
VIA EMAIL

ADA COUNTY JAIL  
VIA EMAIL

CHRISTOPHER D. RICH  
Clerk of the District Court

By:   
Deputy Court Clerk





107

NO. \_\_\_\_\_ FILED \_\_\_\_\_  
A.M. \_\_\_\_\_ P.M. *4*

**ADA COUNTY PUBLIC DEFENDER**  
Attorneys for Defendant

**CHARLENE W. DAVIS, ISB #7155**  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

**JUN 20 2014**

**CHRISTOPHER D. RICH, Clerk**  
By **AMY LANG**  
DEPUTY

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

**STATE OF IDAHO,**

**Plaintiff,**

**vs.**

**LANCE TYRELL TAYLOR,**

**Defendant.**

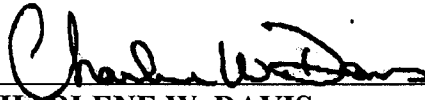
**Case No. CR-FE-2012-12658**

**MOTION FOR RECONSIDERATION  
OF SENTENCE AND FOR LEAVE**

**COMES NOW**, LANCE TYRELL TAYLOR, the above-named Defendant, by and through counsel of the Ada County Public Defender's office, Charlene W. Davis, and moves this Honorable Court pursuant to ICR 35 for its reconsideration of sentence upon the grounds and for the reason that Defendant requests leniency.

Defendant further asks that this Court grant leave in order to supplement this motion further with supporting documentation and/or other evidence.

**DATED** Thursday, June 19, 2014.



**CHARLENE W. DAVIS**  
Attorney for Defendant

**CERTIFICATE OF MAILING**

**I HEREBY CERTIFY**, that on Thursday, June 19, 2014, I mailed (served) a true and correct copy of the within instrument to:

**Dan Peterson**  
Ada County Prosecutor's Office  
Interdepartmental Mail



Jennifer J. Vanderhoof

*h*

107

**ADA COUNTY PUBLIC DEFENDER**  
Attorneys for Defendant

**CHARLENE W. DAVIS, ISB #7155**  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

NO. \_\_\_\_\_ FILED \_\_\_\_\_  
A.M. \_\_\_\_\_ P.M. *4*

**JUL 02 2014**

**CHRISTOPHER D. RICH, Clerk**  
By **AMY LANG**  
DEPUTY

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

**STATE OF IDAHO,**

**Plaintiff,**

vs.

**LANCE TYRELL TAYLOR,**

**Defendant.**

**Case No. CR-FE-2012-12658**

**ADDENDUM TO DEFENDANT'S  
MOTION PURSUANT TO ICR 35**

COMES NOW, LANCE TYRELL TAYLOR, the defendant above-named, by and through counsel of the Ada County Public Defender's office, Charlene W. Davis, and hereby submits the attached information in support of Defendant's previously filed motion pursuant to Idaho Criminal Rule 35 for the Court's consideration. The defendant is currently at the CAPP facility. The Idaho Department of Correction has placed him on a Pathways 7 treatment plan.

**DATED** Wednesday, July 02, 2014.



**CHARLENE W. DAVIS**  
Attorney for Defendant

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY, that on Wednesday, July 02, 2014, I mailed (served) a true and correct copy of the within instrument to:

**Dan Peterson**  
Ada County Prosecutor's Office  
Interdepartmental Mail

Jennifer J. Vanderhoof

Dear Charlene Davis

6/23/14

I just recieved your letter and as for the new items which I have done are as follows:

### Job:

Sent out 3 applications to Subway on orchard and emerald, All American Publishing on Irving, and Orepack on Federal way here in Boise. Also as my PSI stated Jordy with Sparrow Landscapping & John Anthony with White-Eagle Contracting would rehire me as well. Also in my PSI is a letter from Idaho Department of Labor, who I wrote and they sent me my application and a resume/cover letter development guide. There are two more work applications I have for Ballard & Son and Global Painting.

### Treatment:

I have all of these set up to here back from or walk in upon release:

Comunity Service Counseling	336-6792
Bell Counseling	376-2577
Easter Seals	672-2900
Road to Recovery	384-4234
Idaho Behavioral Health	343-2737
Rocky Mountain Behavioral Health	336-2308

all of those places deal with outpatient & intensive outpatient (2.1), relapse prevention, CSC, anger management,

substance abuse, meth matrix model, MRT, co-occurring disorders, parenting, and family/marriage.

### Education:

I have a copy of my transcripts to turn over to C.W.I upon my release to finish my college process and voc. rehab. (327-7411)

### Living:

I will be living at home with my mother in law; father in law, Brother in law, and Wife and soon to be Son Darnon Luke Lynn Taylor at 4619 W. Holmes Boise, ID which will be a positive and sober and strict living environment.

### Support:

Family (Wife Summer Taylor & Son) 409-5885  
Candice & Kevin Holderness (Mother/Father in law) 703-6736  
Tony Brock (Brother in law) 703-6736  
Grandma Vicki (Family) 6948 N. Prescott Ave. Boise  
Dave Brock (Grandpa/sponsor) 362-7710  
Robin & Tim Green (parents) 781-1029 / 781-1098  
Jordy (Boss) Sparrow Landscaping 968-6718  
Johnny (Boss) White-Eagle Contracting 713-7937  
Cody Sackett (Cousin) 921-2059

All my work and classes for treatment are close to the area of where I will be living which will allow me easy access to all and I'll have my family there to help me with transportation if the bus line is down.

My past has been really rocky and unstable,

my views in life and my priorities were not where they should have been. When you go back to this last stay in Ada County Jail, I was a positive person with no write ups, I worked hard as an inmate worker, and volunteered with everything I could. When I was in the community before being arrested, I was very productive with my time and worked two to three different jobs, when not working I worked around the house and watched my niece and nephews.

I gave up on myself to soon back in September, but if you look at how far I have come now, you can see that I have made a change for the best.

I would like to ask for a rule 35 so I can get back outside and continue doing great and become a positive citizen in the community.

My Son will be born in September and he was a miracle baby, being my wife has had 5 miscarriages and we lost "our" first back in July of 2013. I may have said it in the past but my actions this time show the truth... I want to be a positive man, a great father, and a loving Husband. Please let me show you I will succeed this time around... no more chances.

Sincerely

Lance Tyrell Taylor-84021

**JUNIPER HILLS HIGH SCHOOLS**  
**Lewiston ♦ Nampa ♦ St. Anthony**  
**STATE JUVENILE CORRECTIONS CENTER**

3000 11th Ave. North Ext., Nampa, Idaho 83687 · Phone (208)465-8443 Ext. 133 · FAX (208) 465-8484

**TRANSCRIPT**

**Student:** Taylor, Lance Tyrell AKA Green, Lance

**Student ID #** 37084    **Date of Entry:** 5/23/03    **Date of Exit:** 12/10/03

School Year	Grade Level	Course	Grade	Credit	School Year	Grade Level	Course	Grade	Credit	
99-00	9	Horseshoe Bend High					US History	D	1.0	
		Earth Science	F				Basic English 11	D	1.0	
		English 9	F				Ecology	F		
		Health	D	1.0			English 11	F		
		Keyboarding	C	1.0			Personal Fitness	F		
		Math 1	D	1.0			Study Skills	C	1.0	
		Study Skills	A	1.0			US History	F		
		Teen Living	A	1.0		02-03	12	Art 1	B	1.0
		World History	F				Study Skills	A	1.0	
		Earth Science	F			02-03	GED	Boise State		
		English 9	F				Writing		440	
		Keyboarding	D	1.0			Mathematics		450	
		Math 1	R				As of 3/03 not comp.			
		Reading/Study Skills	F			03-04	12	RPP Program		
		Study Skills	C	1.0			US Government	A	1.0	
		Teen Living	A	1.0			English 3B	B	1.0	
		World History	D	1.0			US History B	B	1.0	
		Black Canyon Alt					PE 1	B	1.0	
Pre-Algebra	C	1.0			Independent Living	A	1.0			
00-01	10	Horseshoe Bend High					Reading	B	1.0	
		Basic English 91	B	1.0			English 4A	B-	1.0	
		Basic Science	B	1.0			Enviro Science	B-	1.0	
		English 10	D	1.0			Economics	C	1.0	
		Personal Fitness	NG	0			English 4B	C+	1.0	
		Pre-Algebra	D	1.0			Career & Pers. Dev.	A	1.0	
		Study Skills	D	1.0			PE II	B	1.0	
		Study Skills	D	1.0			US Government	C+	1.0	
		Basic English 9	B	1.0			Speech	C	1.0	
		Basic Science	B	1.0		03-04	12	Diploma		
		Basic Science	B	1.0			GPA 1.79			
		English 10	C	1.0						
		Pre-Algebra	D	1.0						
		Study Skills	C	1.0						
		Algebra 1	D	1.0						
01-02	11	Communications	F							
		English 11	F							
		Geometry	D	1.0						
		Lifetime Fitness	F							
		Study Skills	C	1.0						

*look at the change I made*

**Credit Requirements for Graduation**

	Required	Completed
English	8	8
Reading	1	1
Speech	1	1
Math	4	4
Science	4	4
Humanities	4	4
Health	1	1
Physical Ed.	2	2
US History 11	2	2
Economics	1	1
US Government	2	2
Electives	12	13

*Lucy Logan 3-19-14*

Lucy Logan  
Records Technician I

Date:

**AUCIA CATIOLA**  
Education Records Technician

Programs 15439

ADA COUNTY JAIL — Inmate Request Form

Only one request per kite. You must put your name on kite in order for it to be answered.

Name:	LE#	Date:	Cell/Dorm:
Lance Taylor	636135	5/21/14	5/41

If possible can you send a packet of places to receive parenting classes, couples counseling, and drug counseling.

And if you have the Idaho Help Resources Hand Book that would help too. this is for the Boise area.

Thank you very much

Inmates: Do not write below this line.

DEPARTMENT RESPONSE

Officer:	Ada:	Date Received:	Date of Response:
Koff	4955	5-22-14	5-22-14

Attached self rescue manual.

Also attached TIC

resource info

Original to I.R.

Inmates are responsible to keep answered forms.

JUL - 7 2014

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
DEPUTY

Inmate name Lance Tyrell Taylor  
IDOC No. 84021  
Address CAPP Unit 2-37B  
15505 South Pleasant Valley Rd.  
Kuna, ID 83634  
Defendant

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

STATE OF IDAHO, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Lance Tyrell Taylor, )  
 )  
 Defendant. )  
 )

Case No. CR-FE-2012-12658  
**MOTION FOR CREDIT  
FOR TIME SERVED**

COMES NOW, Lance Tyrell Taylor, Defendant in the above-entitled matter, and pursuant to Idaho Code 18-309 hereby moves the Court for an Order, as follows:

That the Court issue an Order, granting the Defendant credit for all local, county and state time served in conjunction with this charge, and the resulting sentence imposed by the Court. Further that all time shall be appropriately credit to the Defendant.

This Motion is further based upon the records and files in this matter.

DATED this 27 day of June, 2014.

Lance Taylor  
Defendant



JUL - 7 2014

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
DEPUTY

Inmate name Lance Tyrell Taylor  
IDOC No. 84021  
Address CAPP Unit Z-37B  
12505 South Pleasant Valley Rd.  
Kuna, ID 83684  
Defendant

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

STATE OF IDAHO, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Lance Tyrell Taylor, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

Case No. CR-FE-2012-17658  
**AFFIDAVIT OF  
DEFENDANT**

STATE OF IDAHO )  
 ) ss  
County of Ada )

Lance Tyrell Taylor, after first being duly sworn upon his/her oath, deposes  
and says as follows: on 8/28/2012 at 11:01:00 I was arrested for case  
number CR-FE-2012-0012658 and was released at 8:00:00 on  
3/27/2013. Then on 3/28/2013 at 4:00 PM and released on 4/11/2013  
at 9:00:00 for case number CR-FE-2012-0012658. Then on  
7/21/2013 at 17:00:00 I was arrested for the third time on  
case number CR-FE-2012-0012658 and was released on 9/13/2013  
at 09:00:00. On 9/19/2013 at 5:09 PM I was arrested on case  
number CR-FE-2012-0012658 and was released on 9/29/2013

AFFIDAVIT OF DEFENDANT - 1  
Revised: 10/13/05

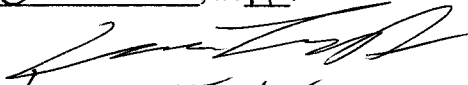
at 12:16:00. Then on 2/26/2014 at 19:00:00 I was arrested again for case number CR-FE-2012-0012658 and on 6/12/2014 at 15:34:00 I was sentenced to a 2+5 and released to the State of Idaho.

After adding all this time together you will see that on the first stay was 212 days, the second was 4 days, the third was 54 days, the fourth was 1 day, and the last stay was 107 days. That totals to 378 days I served on case number CR-FE-2012-0012658.

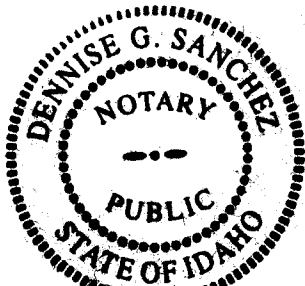
I'm asking that the court grant me credit for the 378 days I served, and the possibility of adding the 15 days of goodtime I earned in Ada County Jail as an inmate worker with  $\phi$  write ups. All this time has been verified through Ada County Jail's Public Book Sheets.

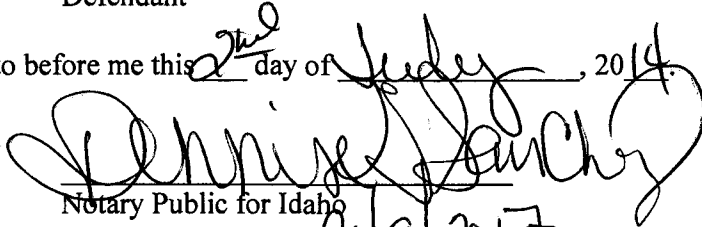
Further your affiant sayeth naught.

DATED This 27 day of June, 2014.

  
Lance Taylor  
Defendant

SUBSCRIBED AND SWORN to before me this 27<sup>th</sup> day of June, 2014.



  
Notary Public for Idaho  
Commission expires: 6/19/2017

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that on the 27 day of June,  
2014, I mailed a true and correct copy of the DEFENDANT'S AFFIDAVIT via prison mail  
system for processing to the U.S. mail system to:

Ada County Prosecuting Attorney  
200 west front street  
Boise, ID 83702  
\_\_\_\_\_

Lance Taylor  
Defendant

107  
HS  
8/19  
2

NO. \_\_\_\_\_ FILED \_\_\_\_\_  
A.M. \_\_\_\_\_ P.M. \_\_\_\_\_

AUG - 1 2014

CHRISTOPHER D. RICH, Clerk  
By SHERRI BOUCHER  
DEPUTY

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant

CHARLENE W. DAVIS, ISB #7155  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,

Plaintiff,

vs.

LANCE TYRELL TAYLOR,

Defendant.

Case No. CR-FE-2012-12658

MOTION TO AMEND JUDGMENT


COMES NOW, Lance Tyrell Taylor, the above-named Defendant, by and through counsel of the Ada County Public Defender's office, Charlene W. Davis, and moves this Court pursuant to IDAHO CODE §§ 18-309, 19-2603, to amend the Order Revoking Probation, Imposing and Reducing Sentence, and Commitment filed against Defendant in the above-entitled case number on June 19<sup>th</sup>, 2014. Specifically, Defendant requests this Court amend his credit for time served based upon the following fact(s):

1. The defendant was arrested on August 13<sup>th</sup>, 2012. The State dismissed and refiled the case on August 28<sup>th</sup>, 2013. Defendant wasn't released from custody until he entered drug court on March 27<sup>th</sup>, 2013 equaling a total of 227 days.
2. Defendant was arrested on February 26<sup>th</sup>, 2014 for a drug court contempt warrant. He was not brought to court until March 14<sup>th</sup>, 2014. Defendant was told on that date that a motion for discharge would be filed the following week. Defendant

remained in custody until the date of his probation violation disposition which occurred on June 12<sup>th</sup>, 2014. From February 26<sup>th</sup>, 2014 to June 12<sup>th</sup>, 2014 equals 107 days.

**WHEREFORE**, the defendant respectfully requests this court to amend his judgment to reflect a credit for time served of 334 days.

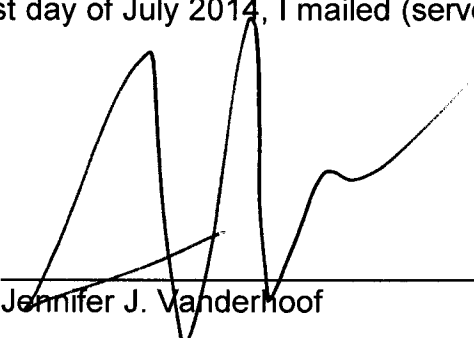
DATED this 31st day of July 2014.

  
\_\_\_\_\_  
Charlene W. Davis  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 31st day of July 2014, I mailed (served) a true and correct copy of the within instrument to:

Dan Peterson  
Ada County Prosecutor's Office  
Interdepartmental Mail

  
\_\_\_\_\_  
Jennifer J. Vanderhoof

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant

CHARLENE W. DAVIS, ISB #7155  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

NO. \_\_\_\_\_ FILED \_\_\_\_\_  
A.M. \_\_\_\_\_ P.M. 4

AUG - 1 2014

CHRISTOPHER D. RICH, Clerk  
By SHERRI BOUCHER  
DEPUTY

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

STATE OF IDAHO,

Plaintiff,

vs.

LANCE TYRELL TAYLOR,

Defendant.

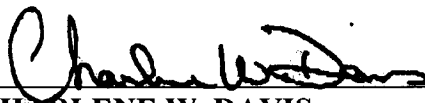
Case No. CR-FE-2012-12658

NOTICE OF HEARING  
(Motion to amend judgment)

TO: THE STATE OF IDAHO, Plaintiff, and to Dan Peterson, Ada County Prosecutor's Office:

YOU, AND EACH OF YOU, ARE HEREBY NOTIFIED that the above-named Defendant will call on for hearing Motion to amend judgment, now on file with the Court. Said hearing shall take place on August 19<sup>th</sup>, 2014, at 2:00 p.m., in the courtroom of the above-entitled court, or as soon thereafter as counsel may be heard.

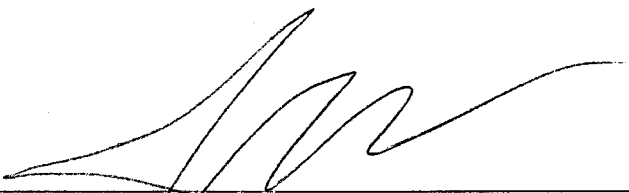
DATED Wednesday, July 30, 2014.

  
\_\_\_\_\_  
CHARLENE W. DAVIS  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on Wednesday, July 30, 2014, I mailed (served) a true and correct copy of the within instrument to:

Dan Peterson  
Ada County Prosecutor's Office  
Interdepartmental Mail

  
\_\_\_\_\_  
Jennifer J. Vanderhoof

NOTICE OF HEARING (Motion to amend judgment)

000145

FILED  
AM 10:50 PM

AUG 05 2014

CHRISTOPHER D. RICH, Clerk  
By KATHY PATARO  
DEPUTY

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

THE STATE OF IDAHO,

Plaintiff,

vs.

LANCE TYRELL TAYLOR AKA GREEN,  
[REDACTED]

Defendant.

Case No. CR-FE-2012-0012658

ORDER GRANTING IN PART AND  
DENYING IN PART RULE 35  
MOTION

On March 26, 2013, the Defendant Lance Tyrell Taylor was sentenced to an aggregate term of ten years with the first two years fixed, and with the remaining eight years indeterminate. Defendant was placed on probation. On June 12, 2014, probation was revoked. At the time of disposition for the probation violation the Court, on its own motion, as an exercise of leniency pursuant to I.C.R. 35, reconsidered the defendant's sentence and reduced the sentence to a term of seven years, consisting of two years fixed, followed by five years indeterminate. There are two matters submitted to the Court. First is a request under Rule 35 for reduction of sentence. Second, Defendant has filed a purported motion under Rule 35 for correction of his sentence to grant proper credit for time served.

### **Rule 35 Request for Reduction of Sentence**

This motion asks the Court to reconsider the sentence "for the reason that the defendant requests leniency." Defendant does not otherwise specify the relief requested. The Court interprets the motion as a further request for reduction in Defendant's sentence. Defendant asked leave in the motion to supplement the motion with supporting documentation and/or other evidence. Defendant has submitted through Counsel additional materials consisting of a written plan detailing Defendant's job prospects, proposed living arraignments, educational plans and an explanation of how Defendant intends to conduct himself in the future. Defendant has also written letters addressed to the Court stating that his attorney refuses to file a similar motion on his behalf. Copies of that have been provided to Counsel of record. The Court considers these letters as additional materials submitted in support of the 35 motion.

This Court carefully considered defendant's circumstances at the time the original sentence was imposed. The Court took into account Defendant's sincere expression of his intentions to turn his life around at the time of the discharge hearing and disposition hearing. The Court at that time reduced Defendant's sentence by three years. Further reduction is not warranted. However, submitted by defendant suggests defendant should have received additional credit for time served. Defendant is operating under the misunderstanding that he is entitled to credit for time served as a condition of probation while on probation. He is not. However, defendant is entitled to credit for time served from the time of arrest for a probation violation until disposition. The record in this case discloses Defendant was properly credited with 211 days for time in custody pending sentencing. The additional day he spent in custody before release was a condition of probation



having to do with his entry into Drug Court. Defendant is not entitled to credit for that day. However, the record also reflects that defendant was arrested on February 26, 2014 on a bench warrant issued for his absconding from drug court. This is the arrest that eventually led to the probation violation motion and defendant's probation being revoked. Defendant was not given credit for the entire 107 days spent in custody pending disposition. Defendant's credit for time served will be corrected by entry of an Amended Order Revoking Probation and Imposing Sentence to give Defendant credit against his sentence of a total of 318 days for time served before revocation of probation.

#### **Defendant's Purported Motion Credit for Time Served**

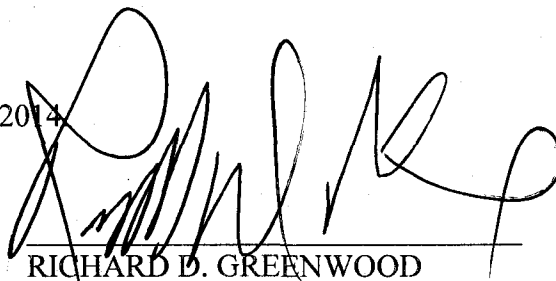
Defendant is represented by Counsel. He has filed a document entitled "Motion for Credit for Time Served." Defendant is not entitled to file motions while represented by Counsel. Defendant's motion is deemed stricken.

#### **Summary**

The motion for Rule 35 release filed on behalf of Defendant by his counsel will be granted to the extent of entry of an amended judgment granting additional credit for time served. Defendant's purported motion will be stricken.

IT IS SO ORDERED.

Dated this 4 day of August, 2014



RICHARD D. GREENWOOD  
District Judge

CERTIFICATE OF SERVICE

I, Christopher D. Rich, the undersigned authority, do hereby certify that I have mailed, by United States Mail, a true and correct copy of the within instrument as notice pursuant to Rule 77(d) I.R.C.P. to each of the attorneys of record in this cause in envelopes addressed as follows:

Ada County Prosecutor's Office

- Interdepartmental Mail
- Email
- Fax

Ada County Public Defender's Office

- Interdepartmental Mail
- Email
- Fax

Date:

August 5, 2014

By:

[Signature]  
Deputy Clerk

AUG - 6 2014

CHRISTOPHER D. RICH, Clerk  
By ELAINE RUDZINSKI  
DEPUTY

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

THE STATE OF IDAHO,  
  
Plaintiff,  
  
vs.  
  
LANCE TYRELL TAYLOR AKA GREEN,  
[REDACTED]  
[REDACTED]  
  
Defendant.

Case No. CR-FE-2012-0012658

AMENDED ORDER  
REVOKING PROBATION,  
IMPOSING AND REDUCING  
SENTENCE, AND COMMITMENT

The purpose of this correction is pursuant to I.C.R. 36 to correct a clerical error on Page 3 regarding credit for time served.

On March 26, 2013, the defendant, LANCE TYRELL TAYLOR AKA GREEN, was adjudged guilty in the District Court of the Fourth Judicial District in and for the County of Ada of the crime of GRAND THEFT, FELONY, I.C. §§18-2403(1), -2407(1)(b), -2409, and was committed to the custody of the State of Idaho Board of Correction for an aggregate term of ten (10) years: with the first two (2) years of said term to be FIXED, and with the remaining eight (8) years of said term to be INDETERMINATE. The Court suspended execution of the judgment for the balance of the sentence and placed the defendant on probation for a period of ten (10) years.

2

A Motion for Discharge from Ada County Drug Court Program was filed on March 24, 2014. The defendant was duly arraigned and, on March 27, 2014, the defendant admitted to allegations nos. 1, 2, 3, 4, 10, 11, 12, 13, and 14, as set forth in said Motion.

On June 12, 2014, Daniel E. Peterson, Deputy Prosecuting Attorney for the County of Ada, State of Idaho, and the defendant, LANCE TYRELL TAYLOR AKA GREEN, with his attorney, Charlene W. Davis, appeared before this Court for disposition regarding violation of probation. Counsel made recommendations and the defendant was given an opportunity to address the Court. The Court finds that the defendant willfully and knowingly violated the terms of her probation.

IT IS HEREBY ORDERED that the probation entered by the Court on March 26, 2013, in the Judgment of Conviction, Suspended Sentence and Order of Probation, be and the same is hereby revoked.

IT IS FURTHER ORDERED that the original sentence imposed on March 26, 2013, in the Judgment of Conviction, Suspended Sentence and Order of Probation, for the crime of GRAND THEFT, FELONY, I.C. §§18-2403(1), -2407(1)(b), -2409, is hereby ordered into execution according to its original terms. The Court, on its own motion, as an exercise of leniency pursuant to I.C.R. 35, reconsidered the defendant's sentence and will reduce the sentence as follows: The defendant is resentenced to the custody of the State of Idaho Board of Correction for a total term of seven (7) years, consisting of two (2) years fixed, followed by five (5) years indeterminate, with such sentence to commence immediately.

The Court recommends the Department of Correction place the defendant in the Therapeutic Community Program.

Pursuant to I.C. § 18-309, the defendant shall receive credit for a total of three hundred eighteen (318) days served in pre-judgment incarceration toward the FIXED portion of the term. The total credit for time served consists of two hundred eleven (211) days credit defendant was given in the Judgment of Conviction, Suspended Sentence and Order of Probation entered on March 26, 2013, and one hundred seven (107) days served on the probation violation. The defendant does NOT receive credit for any discretionary jail time ordered by the probation officer or any jail time served as a condition of probation.

Pursuant to Idaho Code Section 19-5304, the defendant shall pay restitution in the amount of \$728.00, bearing interest at the statutory rate of 5.25% per annum until paid in full, to be paid through the Clerk of the District Court.

IT IS FURTHER ORDERED that allegations nos. 5, 6, 7, 8, and 9 are dismissed.

The defendant is hereby remanded to the custody of the Sheriff of Ada County to be delivered FORTHWITH into the custody of the Director of the Idaho State Correctional Institution.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this Order Revoking Probation, Imposing and Reducing Sentence, and Commitment to the said Sheriff, which shall serve as the commitment of the defendant.


#### **NOTICE OF RIGHT TO APPEAL**

You, LANCE TYRELL TAYLOR AKA GREEN, are hereby notified that you have the right to appeal this order to the Idaho Supreme Court. Any notice of appeal must be filed within forty-two (42) days from the entry of this judgment.

You are further notified that you have the right to be represented by an attorney in any appeal, that if you cannot afford to retain an attorney, one may be appointed at public expense. Further, if you are a needy person, the costs of the appeal may be paid for by the State of Idaho. If you have questions about your appeal rights, you should consult your present lawyer.

IT IS SO ORDERED.

Dated this 6e day of August, 2014, *nunc pro tunc*, effective June 12, 2014.

  
\_\_\_\_\_  
RICHARD D. GREENWOOD  
District Judge

CERTIFICATE OF MAILING

I hereby certify that on the 6 day of August, 2014, I mailed (emailed) a true and correct copy of the within instrument to:

ADA COUNTY PROSECUTOR'S OFFICE  
VIA EMAIL

ADA COUNTY PUBLIC DEFENDER'S OFFICE  
VIA EMAIL

PROBATION AND PAROLE  
VIA EMAIL

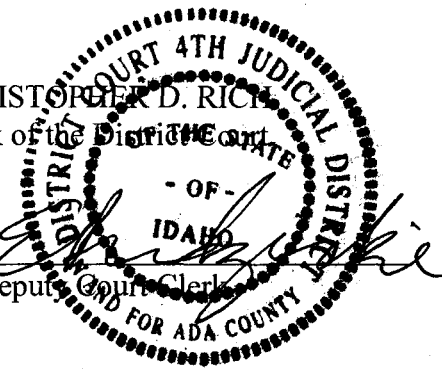
IDAHO DEPARTMENT OF CORRECTION  
VIA EMAIL

ADA COUNTY JAIL  
VIA EMAIL

CHRISTOPHER D. RICH  
Clerk of the District Court

By:

Deputy Court Clerk



<u>Time</u>	<u>Speaker</u>	<u>Note</u>
<u>4:09:36 PM</u>		CRFE12.12658 State v. Lance Taylor
<u>4:09:38 PM</u>	Court	Calls case deft not present with Charlene Davis. State's atty Jonathan Medema.
<u>4:09:57 PM</u>	Public Defender	Credit for time served.
<u>4:10:37 PM</u>	Court	Addresses counsel.
<u>4:10:42 PM</u>	Public Defender	334 days for credit for time served.
<u>4:11:06 PM</u>	Court	Take that under advisement.
<u>4:11:11 PM</u>	End.	
<u>4:11:12 PM</u>		
<u>4:11:12 PM</u>		



SEP 17 2014

STEPHEN D. RICH, Clerk  
KATHY PATARO  
DEPUTY

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

THE STATE OF IDAHO,

Plaintiff,

vs.

LANCE TYRELL TAYLOR

Defendant.

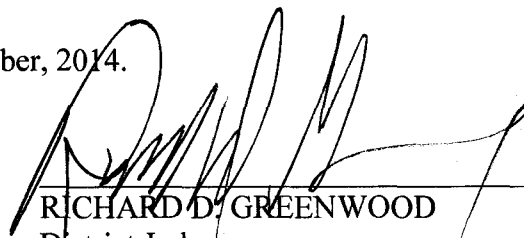
Case No. CR-FE-2012-0012658

ORDER RE: MOTION FOR  
ADDITIONAL CREDIT FOR TIME  
SERVED

This matter is before the Court on Defendant's motion for additional credit for time served. The Court has reviewed the record in this matter. Defendant is entitled to credit for time served in custody pending conviction and sentencing. Defendant alleges in his motion that he is entitled to credit from August 13, 2012 rather than August 28, 2012 because he was arrested on August 13, 2012. Defendant claims that the original complaint in this matter was dismissed after his arrest and refiled while he remained in custody. There is nothing in the record to support the claim. The motion for additional credit for time served is DENIED.

IT IS SO ORDERED.

Dated this 18 day of September, 2014.

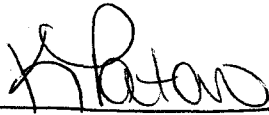
  
RICHARD D. GREENWOOD  
District Judge

CERTIFICATE OF MAILING

I hereby certify that on the 17<sup>th</sup> day of September, 2014, I mailed a true and correct copy of  
the within instrument to:

ADA COUNTY PROSECUTOR'S OFFICE  
VIA INTERDEPARTMENTAL MAIL

ADA COUNTY PUBLIC DEFENDER'S OFFICE  
VIA INTERDEPARTMENTAL MAIL

  
\_\_\_\_\_  
Deputy Clerk

107.

NO. \_\_\_\_\_ FILED \_\_\_\_\_  
A.M. \_\_\_\_\_ P.M. \_\_\_\_\_  
SEP 22 2014  
CHRISTOPHER D. RICH, Clerk  
By SARA WRIGHT  
DEPUTY

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant  
  
CHARLENE W. DAVIS, ISB #7155  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,  
  
Plaintiff,  
  
vs.  
  
LANCE TYRELL TAYLOR,  
  
Defendant.

Case No. CR-FE-2012-12658  
  
MOTION TO AMEND JUDGMENT

COMES NOW, Lance Tyrell Taylor, the above-named Defendant, by and through counsel of the Ada County Public Defender's office, Charlene W. Davis, and moves this Court pursuant to IDAHO CODE §§ 18-309, 19-2603, to amend the Order Revoking Probation, Imposing and Reducing Sentence, and Commitment filed against Defendant in the above-entitled case number on June 19<sup>th</sup>, 2014. Specifically, Defendant requests this Court amend his credit for time served based upon the following fact(s):

1. The defendant was arrested on August 13<sup>th</sup>, 2012. The State dismissed and refiled the case on August 28<sup>th</sup>, 2013 (please see attached documentation). Defendant wasn't released from custody until he entered drug court on March 27<sup>th</sup>, 2013 equaling a total of 227 days.
2. Defendant was arrested on February 26<sup>th</sup>, 2014 for a drug court contempt warrant. He was not brought to court until March 14<sup>th</sup>, 2014. Defendant was told on

that date that a motion for discharge would be filed the following week. Defendant remained in custody until the date of his probation violation disposition which occurred on June 12<sup>th</sup>, 2014. From February 26<sup>th</sup>, 2014 to June 12<sup>th</sup>, 2014 equals 107 days.

**WHEREFORE**, the defendant respectfully requests this court to amend his judgment to reflect a credit for time served of 334 days.

DATED this 22nd day of September 2014.

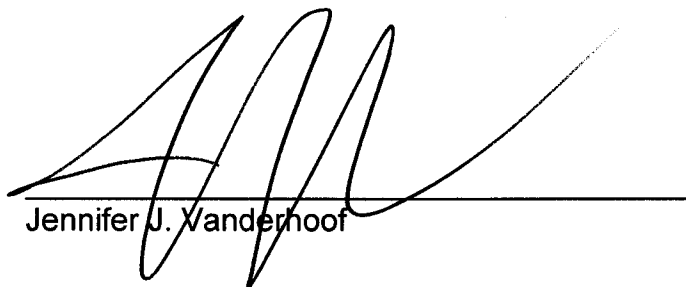


Charlene W. Davis  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 22nd day of September 2014, I mailed (served) a true and correct copy of the within instrument to:

Dan Peterson  
Ada County Prosecutor's Office  
Interdepartmental Mail



Jennifer J. Vanderhoof

State of Idaho vs. Lance Tyrell Taylor

Date	Code	User		Judge
8/14/2012	NCRF	PRSCHOKF	New Case Filed - Felony	Magistrate Court Clerk
	PROS	PRSCHOKF	Prosecutor assigned Ada County Prosecutor	Magistrate Court Clerk
	CRCO	TCMCCOSL	Criminal Complaint	Magistrate Court Clerk
	HRSC	TCMCCOSL	Hearing Scheduled (Video Arraignment 08/14/2012 01:30 PM)	John Hawley Jr.
	CRNC	TCFINNDE	No Contact Order: Criminal No Contact Order Filed Expiration Days: 730 Expiration Date: 8/14/2014	John Hawley Jr.
	ARRN	TCFINNDE	Hearing result for Video Arraignment scheduled on 08/14/2012 01:30 PM: Arraignment / First Appearance	John Hawley Jr.
	CHGA	TCFINNDE	Judge Change: Administrative	Daniel L Steckel
	ORPD	TCFINNDE	Order Appointing Public Defender Ada County Public Defender	Daniel L Steckel
	HRSC	TCFINNDE	Hearing Scheduled (Preliminary 08/28/2012 08:30 AM)	Daniel L Steckel
	BSET	TCFINNDE	BOND SET: at 25000.00 - (I18-2403(1) {F} Theft-Grand)	Daniel L Steckel
	ORPD	MADEFRJM	Order Appointing Public Defender	Daniel L Steckel
	ORPD	MADEFRJM	Order Appointing Public Defender	Daniel L Steckel
8/17/2012	MFBR	TCLANGAJ	Motion For Bond Reduction	Daniel L Steckel
	NOHG	TCLANGAJ	Notice Of Hearing	Daniel L Steckel
	RQDD	TCLANGAJ	Defendant's Request for Discovery	Daniel L Steckel
8/24/2012	PHRD	TCLANGAJ	Preliminary Hearing Response to Request for Discovery and Objections	Daniel L Steckel
8/28/2012	HRVC	CCMANLHR	Hearing result for Preliminary scheduled on 08/28/2012 08:30 AM: Hearing Vacated	Daniel L Steckel
	DSBC	CCMANLHR	Dismissed by the Court (I18-2403(1) {F} Theft-Grand)	Daniel L Steckel
	STAT	CCMANLHR	STATUS CHANGED: closed pending clerk action	Daniel L Steckel
	ORRL	CCMANLHR	Order Of Release	Daniel L Steckel
5/7/2013	STAT	CCMORRPH	STATUS CHANGED (batch process)	



# Ada County Sheriff's Office

## Arrest History

<i>Name, last, first, m.</i> <b>TAYLOR LANCE TYRELL</b>				
<b>[REDACTED]</b>	<b>[REDACTED]</b>	<b>[REDACTED]</b>	<i>LE #</i> <b>636135</b>	
<b>[REDACTED]</b>	<b>29</b>	<b>[REDACTED]</b>		
<i>Sex</i> <b>M</b>	<i>Height</i> <b>6'02"</b>	<i>Weight</i> <b>180</b>	<i>Hair</i> <b>BRO</b>	<i>Eyes</i> <b>HAZ</b>
<i>Street Address</i> <b>4619 W HOLMES ST</b>				
<i>City, State, Zip</i> <b>BOISE, ID 83706</b>				



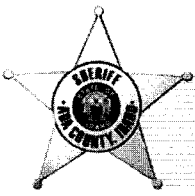
\*\*\*\*\* ALIAS \*\*\*\*\*

GREEN LANCE T  
TAYLOR LANCE LYRELL  
TAYLOR LANCE TYRELL

GREEN-TAYLOR LANCE  
TAYLOR-GREEN LANCE

\*\*\*\*\* INCIDENTS \*\*\*\*\*

Case #	Def Cnt	Arrest	Description	DR #
CRFE20120012658	00 000	06/12/2014	STATE OF IDAHO {F} IDOC - JOC Transported	ADA 00-000000
CRFE20120012658	00 000	09/19/2013	TEMP CUSTODY {F} DRUG COURT Court Release	ADA 00-000000
CRFE20120012658	00 000	08/01/2013	TEMP CUSTODY {F} DRUG COURT Court Release	ADA 00-000000
CRFE20060001311	01 000	09/23/2010	STATE OF IDAHO {F} AGENTS WARRANT (PAROLE) Release to Hold	ADA 10-999999
2010-741		10/07/2010	STATE OF IDAHO {F} BOARD WARRANT Transported	ADA 00-000000
		08/20/2009	TEMP CUSTODY {F} COURT HOLD /BOISE Transported	ADA 00-000000
CRFE20060001311	01 000	06/10/2009	STATE OF IDAHO {F} IDOC - JOC Court Release	ADA 00-000000
		12/19/2008	FEDERAL {F} USM- HOLD Court Release	ADA 00-000000
ZBOISE	00 000	01/06/2004	PROBATION VIOLATION	00-015930
ZBOISE	00 000	02/19/2004	FAILURE TO APPEAR	00-405446



# Ada County Sheriff's Office

## Arrest History

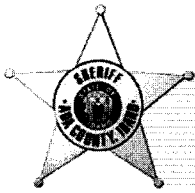
Name  
TAYLOR LANCE TYRELL cont ...

LE #:  
636135

Sec #

\*\*\*\*\* INCIDENTS \*\*\*\*\*

Case #	Def Cnt	Arrest	Description	DR #
ZBOISE	00 000	04/17/2004	PROBATION VIOLATION	00-412191
ZCUSTER	00 000	08/16/2006	FAILURE TO APPEAR FOR MISDEMEANOR CITATION	00-010034
H0601311	01 001	08/24/2006	BURGLARY	00-010033
H0601311	01 002	08/24/2006	THEFT BY UNAUTHORIZED CONTROL OR TRANSFER OF PROPE	00-010033
M0611361	01 000	10/03/2006	FAILURE TO APPEAR	00-012216
H0601311	01 000	03/22/2007	PROBATION VIOLATION	00-003772
ZBOISE	00 000	12/08/2007	FAILURE TO APPEAR FOR MISDEMEANOR CITATION	00-016146
ZBOISE	00 000	12/08/2007	CONTEMPT OF COURT-CRIMINAL	00-016146
ZBOISE	00 000	12/08/2007	CONTEMPT OF COURT-CRIMINAL	00-016146
CRMD20080002654	01 001	02/25/2008	18-705 {M} RESISTING AND OBSTRUCTING OFFICERS Court Release	ADA 00-019786
CRMD20080002654	01 002	02/25/2008	18-8001 {M} DRIVERS LICENSE USING WHILE SUSPENDED OR REVOKED Court Release	ADA 00-019786
ZAGENTS	00 000	02/25/2008	Arrest: {F} AGENT'S WARRANT Administrative	ADA 00-000000
ZAGENTS	00 000	02/25/2008	Arrest: {F} AGENT'S WARRANT Court Release	ADA 00-000000
		05/08/2008	FEDERAL {F} USM- DETAINER Court Release	ADA 00-000000
CR07-28*RLS TO PV		04/13/2009	LE-126-A {F} AGENTS WARRANT--PROBATION VIOLATION Court Release	ADA 00-000000
CRFE20060001311	00 000	04/13/2009	LE-126-A {F} AGENTS WARRANT--PROBATION VIOLATION Court Release	ADA 00-000000
CR-07-28		04/28/2009	Bench: {F} PROBATION VIOLATION / CUSTER Court Release	ADA 09-039491
CR-2004-0001932		07/10/2011	Arrest: {M} CONTEMPT OF COURT / BOISE Court Release	ISP 11-002575
CRIN20110032889	01 000	09/29/2011	Bench: {M} FAILURE TO APPEAR Surety Bond	ADA 11-074444
CRIN20110032889	01 000	12/01/2011	Bench: {M} FAILURE TO APPEAR Court Release	BOI 11-129013
JV-2000-052		12/01/2011	Bench: {M} FAILURE TO APPEAR / BOISE Court Release	BOI 11-129013
CR2004-1932		12/01/2011	Bench: {M} FAILURE TO APPEAR / BOISE Court Release	BOI 11-129013



# Ada County Sheriff's Office

## Arrest History

Name  
TAYLOR LANCE TYRELL cont ...

LE #:  
636135

Sec #  
[REDACTED]

[REDACTED]

\*\*\*\*\* INCIDENTS \*\*\*\*\*

<u>Case #</u>	<u>Def Cnt</u>	<u>Arrest</u>	<u>Description</u>	<u>DR #</u>
JV-2002-039		12/01/2011	Bench: {M} FAILURE TO APPEAR / BOISE Court Release	BOI 11-129013
CR 2012 00192		03/14/2012	Arrest: {M} FAILURE TO APPEAR / BOISE Surety Bond	OTH 99-999999
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	BOI 12-218534
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	BOI 00-000000
CRMD20130003986	01 000	07/21/2013	Bench: {M} FAILURE TO APPEAR Court Release	BOI 13-315995
CRFE20120012658	01 000	07/21/2013	Drug Court: {F} CONTEMPT OF COURT Release to Hold	BOI 13-315995
CRFE20120012658	01 000	02/26/2014	Drug Court: {F} Contempt Release to Hold	BOI 14-404108





Jail Booking Sheet

Booking ID: 100535015



LE #: 636135



Name: TAYLOR LANCE TYRELL

Age: 29

Address: 4619 W HOLMES ST

BOISE, ID 83706 Ph. (208) 409-5885

Marital Status: S Education: Some College

Sex: M Race: W Ht: 6'02" Wt: 180 Eyes: HAZ Hair: BRO POB: LAGRANDE, OR, UNITED STATES

Marks: TAT L SHLD, ROS; TAT RF ARM, WRD, COUNTRY BOY; TAT R ARM, OTH, KING WITH SPADE SYMBOL; TAT L ARM, SKL, SKULL HAT IRON CROSS; TAT LF ARM, WRD, CANSURVIVE; TAT L HND, LTR, RIDE; TAT R HND, LTR, 8SEC

Alias: GREEN LANCE T, GREEN-TAYLOR LANCE, TAYLOR LANCE LYRELL, TAYLOR-GREEN LANCE, TAYLOR LANCE TYRELL

Emp: BLAZE RUNNERS

Notify: ROBIN GREEN

Rel: Parent

Ph: (208) 781-1098 - O

Date: [REDACTED] Time-in: 22:01:03 ADA JAIL / PODC CB7 / 751

Prop Box: 254

PCN#: 1110169596

Booked by: 5238

Comments:

\* \* \* \* \*

VISUAL ARREST

DR: BOI 12-218534

Booked by: 5238

Case: Def: Cnt: [REDACTED] Def: 1 Cnt: 1

Citation:

Location: 8300 W. Overland

Officer: BCP 658

Municipality: BOISE CITY

Pros. Agency: Ada County

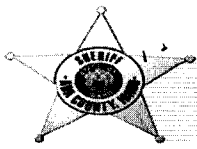
Visual: 18-2403-1 {F} THEFT-GRAND

Video Arraignment Date: 08/14/2012 Time: 13:30:00

Initial Bond: Bond Amt: \$ 25,000.00

Type:

Paid By/Agy:



## Jail Booking Sheet

Booking ID: 100535015



LE #: 636135



Name: TAYLOR LANCE TYRELL

Age: 29

Address: 4619 W HOLMES ST

BOISE, ID 83706 Ph. (208) 409-5885

Marital Status: S Education: Some College

Sex: M Race: W Ht: 6'02" Wt: 180 Eyes: HAZ Hair: BRO POB: LAGRANDE, OR, UNITED STATES

Marks: TAT L SHLD, ROS; TAT RF ARM, WRD, COUNTRY BOY; TAT R ARM, OTH, KING WITH SPADE SYMBOL; TAT L ARM, SKL, SKULL HAT IRON CROSS; TAT LF ARM, WRD, CANSURVIVE; TAT L HND, LTR, RIDE; TAT R HND, LTR, 8SEC

Alias: GREEN LANCE T, GREEN-TAYLOR LANCE, TAYLOR LANCE LYRELL, TAYLOR-GREEN LANCE, TAYLOR LANCE TYRELL

Emp: BLAZE RUNNERS

Notify: ROBIN GREEN

Rel: Parent

Ph: (208) 781-1098 - O

Date-in: ADA JAIL / PODC CB7 / 751

Prop Box: 254

PCN#:

Booked by: 5238

Comments:

\* \*\* \*\* \*\* \*\*

### VISUAL ARREST

DR: BOI 00-000000

Booked by: 5238

Case: Def: Cnt: Def: 1 Cnt: 1 REFILE

Citation:

Location: 200 W. FRONT ST.

Officer: A 9998

Municipality: BOISE CITY

Pros. Agency: Ada County

Visual: 18-2403-1 {F} THEFT-GRAND

Video Arraignment Date: 08/29/2012 Time: 13:30:00

Initial Bond: Bond Amt: \$ 10,000.00

Type:

Paid By/Agy:

000165

4

SEP 22 2014

CHRISTOPHER D. RICH, Clerk  
By SARA WRIGHT  
DEPUTY

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant

CHARLENE W. DAVIS, ISB #7155  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,

Plaintiff,

vs.

LANCE TYRELL TAYLOR,

Defendant.

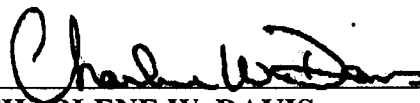
Case No. CR-FE-2012-12658

NOTICE OF HEARING  
(Motion to amend judgment)

TO: THE STATE OF IDAHO, Plaintiff, and to Dan Peterson, Ada County Prosecutor's Office:

YOU, AND EACH OF YOU, ARE HEREBY NOTIFIED that the above-named Defendant will call on for hearing Motion to amend judgment, now on file with the Court. Said hearing shall take place on October 7<sup>th</sup>, 2014, at 2:00 p.m., in the courtroom of the above-entitled court, or as soon thereafter as counsel may be heard.

DATED Monday, September 22, 2014.



CHARLENE W. DAVIS  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on Monday, September 22, 2014, I mailed (served) a true and correct copy of the within instrument to:

Dan Peterson  
Ada County Prosecutor's Office  
Interdepartmental Mail



Jennifer J. Vanderhoof

10/15/14  
10/20/14  
inmate  
1080014

NO. 9 FILED  
A.M. P.M.

OCT - 6 2014

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
DEPUTY

Inmate name Lance Tyrell Taylor  
IDOC No. 84021  
Address 5505 S. Pleasant Valley Rd.  
Kuna, ID 83634

Defendant

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

STATE OF IDAHO, )  
 )  
 ) Plaintiff, )  
 )  
 ) vs. )  
 )  
 ) Lance Tyrell Taylor )  
 )  
 ) Defendant. )

Case No. CR-FE-2012-12658

**MOTION FOR CREDIT  
FOR TIME SERVED**

COMES NOW, Lance Taylor, Defendant in the above-entitled matter, and  
pursuant to Idaho Code 18-309 hereby moves the Court for an Order, as follows:

That the Court issue an Order, granting the Defendant credit for all local, county and state  
time served in conjunction with this charge, and the resulting sentence imposed by the Court.  
Further that all time shall be appropriately credit to the Defendant.

This Motion is further based upon the records and files in this matter.

DATED this 1 day of October, 2014.

Lance Tyrell Taylor  
Defendant

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY That on the 1 day of October, 2014, I mailed a true and correct copy of this **MOTION FOR CREDIT FOR TIME SERVED** 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:

Ada County Prosecuting Attorney  
200 W. Front St.  
Boise, ID 83702

Lance Tyrell Taylor  
Defendant

OCT - 6 2014

CHRISTOPHER D. RICH, Clerk  
By KATRINA CHRISTENSEN  
Deputy

Inmate name Lance Tyrell Taylor  
IDOC No. 84021  
Address 15505 S. Pleasant Valley Rd.  
Kuna, ID 83634

Defendant

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

STATE OF IDAHO, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Lance Tyrell Taylor )  
 )  
Defendant. )  
\_\_\_\_\_ )

Case No. CR-FE-2012-12658

**AFFIDAVIT OF  
DEFENDANT**

STATE OF IDAHO )  
 ) ss  
County of Ada )

Lance Taylor, after first being duly sworn upon his/her oath, deposes  
and says as follows: I was arrested on August 13, 2012 and  
released to drug court on March 27, 2013. (Totaling: 216 days)  
Then on March 28, 2013 I was arrested and released on  
April 1, 2013 (Totaling 4 days). On July 21, 2013 I  
was arrested and released on September 13, 2013 (Totaling  
54 days) Then was arrested on September 19, 2013 and  
released on September 20, 2013 (Totaling 1 day). Finally, I  
was arrested on February 26, 2014 and sentenced to

a sentence of 2+5 for a total of 7 years to IDOC (Totalling 106 days)

All the time spent comes to a total of 381 days, which were all on case number CR-FE-2012-12658 and were verified thru Ada County Jails inmate records.

On August 6, 2014 a wrong calculation of 318 days was given, and I'm asking that the additional 63 days be added to the 318 for the total of 381 days which were served.

I have read and received every motion and have done all the math and if looked at the dates above you will see all dates match and I was serving time on this matter, and sent you copies.

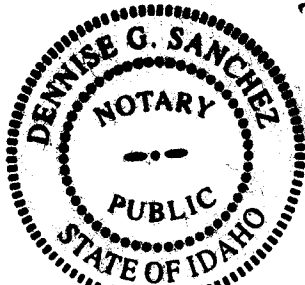
Further your affiant sayeth naught.

DATED This 1 day of October, 2014.

Lance Tyrrell Taylor  
Defendant

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of October, 2014.

(SEAL)



Dennise G. Sanchez  
Notary Public for Idaho  
Commission expires: 9.9.2017

AFFIDAVIT OF DEFENDANT - 2  
Revised: 10/13/05

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 1 day of October,  
2014, I mailed a true and correct copy of the DEFENDANT'S AFFIDAVIT via prison mail  
system for processing to the U.S. mail system to:

Ada County Prosecuting Attorney  
200 W. Front St.  
Boise, ID 83702

Lunce Tyrell Taylor  
Defendant



AM 11:30 FILED PM

OCT 06 2014

CHRISTOPHER D. RICH, Clerk  
By KATHY ESTARZO  
DEPUTY

**GREG H. BOWER**  
Ada County Prosecuting Attorney

**Jonathan M. Medema**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Id. 83702  
Telephone: (208) 287-7700

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

THE STATE OF IDAHO, )  
 )  
Plaintiff, )  
vs. )  
 )  
LANCE TYRELL TAYLOR, )  
 )  
Defendant. )  
 )  
 )  
 )  
 )  
 )  
 )

Case No. CR-FE-2012-0012658  
**RESPONSE TO DEFENDANT'S  
MOTION TO AMEND  
JUDGMENT**

**COMES NOW** the State of Idaho, by and through its counsel of record, Jonathan M. Medema, Deputy Prosecuting Attorney, and responds to the defendant's Motion to Amend Judgment, filed September 22, 2014. On March 26, 2013 the Court sentenced Mr. Taylor to a period of 10 years in the custody of the department of corrections. The Court suspended that sentence and placed Mr. Taylor on probation. As a condition precedent of having his sentence suspended, Mr. Taylor agreed to participate in the Ada County Drug Court. In that judgment, the Court reflected that Mr. Taylor was, pursuant to Idaho Code § 18-309, entitled to credit of 211 days towards his 10 year prison sentence should it ever be imposed. Mr. Taylor now contends that the correct figure for his prejudgment credit should be 227 days. The State believes neither figure is correct.

Mr. Taylor was arrested on August 7, 2012. He was held in custody until his sentencing on March 26, 2013. That is a period of 226 days. Pursuant to I.C. §18-309, Mr. Taylor is entitled to credit for those days served in custody towards his prison sentence<sup>1</sup>. Mr. Taylor is asking that he receive credit for an additional day – March 27, 2013. There is no record that Mr. Taylor was incarcerated from March 26 to March 27. The Court's minute entry for March 26 reflects that Mr. Taylor will be released. If Mr. Taylor was held until the next morning, it appears to have been as a condition of being accepted into Drug Court and, therefore, a condition of receiving probation that Mr. Taylor agreed to. He is not entitled to credit for this day.

Between March 26, 2013 and April 14, 2014 Mr. Taylor was a participant in the Ada County Drug Court. Pursuant to the Drug Court participation agreement, the Drug Court judge at various times issued warrants for Mr. Taylor's arrest and placed Mr. Taylor into and out of custody. The last occasion where the Drug Court Judge caused Mr. Taylor to be incarcerated began on October 3, 2013. Mr. Taylor failed to appear for a scheduled hearing before the Drug Court and the court issued a warrant for Mr. Taylor's arrest. This warrant is titled as a warrant for contempt. Mr. Taylor was arrested on that warrant on February 26, 2014. Subsequent to his arrest, Mr. Taylor remained in Drug Court and remained in custody pursuant to the Drug Court Judge's order<sup>2</sup> until April 15, 2014 when the Drug Court ordered that Mr. Taylor be discharged from the Drug Court program.

Anticipating Mr. Taylor's likely discharge from Drug Court and, therefore, his violation of the condition of probation that he successfully complete the Ada County Drug Court Program, the State filed a motion asking this court to find Mr. Taylor in willful violation of the conditions of his probation, to revoke his probation, and to impose his originally suspended sentence. This Court arraigned Mr. Taylor on those allegations on April 15, 2014 and Mr. Taylor admitted to willfully violating the conditions of his probation. The Court set a disposition hearing for June

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<sup>1</sup> The Court erroneously calculated Mr. Taylor's pre-adjudication credit as being 211 days because when Mr. Taylor was arrested for this offense he was initially charged with the identical crime by a complaint filed in Ada County case number CRFE2012-0011830. Mr. Taylor was in custody in that case from his arrest on August 13, 2013 to his preliminary hearing on August 28<sup>th</sup>, 2013. At that time the State dismissed the complaint in that case. The State chose to re-arrest Mr. Taylor and filed an identical complaint in what became Ada County Case CRE 2012-0012658. Because the Clerk of the Court maintains separate files for these two cases, at sentencing the Court's file reflected only Mr. Taylor's second arrest on August 28<sup>th</sup>.

<sup>2</sup> The State is unable to locate any written order pertaining to Mr. Taylor's custody status after he was arrested on the October 3, 2013 contempt warrant and the warrant was returned.

12, 2014. Mr. Taylor remained in custody from the time he was discharged from the Ada County Drug Court on April 15, 2014 to his disposition hearing on June 12, 2014. It does not appear that this Court took any action with regard to Mr. Taylor's custody status – either in response to the State's motion to revoke probation or the Drug Court Judge's decision to discharge Mr. Taylor from Drug Court<sup>3</sup>. It appears that Mr. Taylor remained in custody until the disposition hearing on his admitted violation of probation on June 12, 2014.

At the disposition hearing, this Court chose to revoke probation and impose the previously suspended sentence. Pursuant to I.C.R. 35, the Court *sua sponte* reduced Mr. Taylor's sentence to a term of 7 years. Subsequent to the Court imposing sentence, Mr. Taylor filed his own motion pursuant to Rule 35, I.C.R. Part of that motion argued the Court failed to give him proper credit for time served pursuant to I.C. § 18-309 and § 19-2603.

The Court granted Mr. Taylor's rule 35 motion in part. The Court gave Mr. Taylor credit of 211 days spent in custody pre-adjudication pursuant to I.C. § 18-309. The Court also gave Mr. Taylor credit for 107 days spent post-adjudication pursuant to I.C. §19-2603. The Court stated "the record reflects that defendant was arrested on February 26, 2014 on a bench warrant issued for his absconding from drug court. This is the arrest that eventually led to the probation violation motion and defendants {sic} probation being revoked." The Court then gave Mr. Taylor credit for the 107 days he spent in-custody from his arrest on the contempt warrant on February 26, 2014 until his sentence was imposed on June 12, 2014. This was error.

Idaho Code § 19-2602 authorizes a court to issue a bench warrant for the arrest of a probationer "[i]f it is proved to the satisfaction of the court" that the probationer has violated the terms and conditions of probation. I.C. § 19-2603 indicates that when a probationer is brought before the court in such case, the court may order the original judgment into execution. If the court does so, the defendant is entitled to credit from the date of the service of the bench warrant.

---

<sup>3</sup> The State is, of course, aware that in this particular case the sentencing Judge and the Drug Court judge are the same person. The State phrases the procedural history this way because, in the State's view, proceedings in Drug Court are distinct from the proceeding to revoke probation. Also, for a different defendant the judge who pronounces sentence and the judge who presides over Drug Court may be different persons. The law should apply equally to each of those defendants. However, this fact may explain why this Court chose to take no further action regarding Mr. Taylor's custody status. Perhaps to be technically precise, the Drug Court Judge Court should have released Mr. Taylor to probation after discharging him from Drug Court and released him from whatever custody Drug Court had ordered. If the State chose to file a motion seeking revocation of probation, the sentencing court could then have addressed Mr. Taylor's custody status in response to that motion.

In granting Mr. Taylor credit from February 26, 2014 to June 12, 2014, the Court reasoned that because Mr. Taylor was arrested on a warrant and eventually his probation was revoked, I.C. § 19-2603 required him to receive credit from the service of the warrant. While this reasoning has appeal, the State believes a more detailed examination of the issue is required. One reason is that the mention of the warrant in I.C. §19-2603 seems to refer to the warrant issued pursuant to I.C. §19-2602, the immediately preceding statute. The warrant in I.C. §19-2602 may issue for "cause satisfactory to the court". Most commonly, this occurs when the state provides the court some indication that the probationer has violated the conditions of probation, although the statute says the court may issue a warrant for any other cause satisfactory to the court – whatever that means. In this case, there is no indication that the State moved the court to issue a warrant for Mr. Taylor's arrest or provided any showing that the Mr. Taylor had violated his terms of probation. Rather, Mr. Taylor failed to appear for an appointment with the Drug Court Judge. The Drug Court Judge then issued a warrant for his arrest. The legal basis on which this warrant was issued is not clear.

This is no criticism of the Drug Court Judge. In the State's view, the legislature has simply not explicitly granted drug courts the powers that drug courts regularly exercise, at least in cases involving probationers. To illustrate this problem, it is necessary to set forth all of the time Mr. Taylor spent in custody in relation to his participation in Drug Court and to examine the legal basis on which Mr. Taylor was incarcerated on each occasion.

The record reflects that Mr. Taylor was incarcerated for the following periods of time after the Court suspended his prison sentence on March 26, 2013.

1. March 28 to April 1. (4 days) Mr. Taylor failed to report to the Mission upon his release from custody as ordered. The Drug Court judge ordered him held over the weekend as a consequence.
2. July 21 to September 13. (53 days) Drug Court staff indicated that Mr. Taylor was not living where he claimed to be and that he did not appear for scheduled appointments. The Court issued a warrant for his arrest on April 9. Mr. Taylor was arrested on July 21 and held in custody by order of the Drug Court judge until September 13. He completed a treatment class while in the jail. The State did not file a motion seeking to revoke probation.

3. September 19 to September 20. (1 day) Mr. Taylor again failed to stay where he was ordered to reside. The Drug Court Judge ordered him held overnight as a consequence. Again, no motion regarding violation of the conditions of probation was filed.
4. February 26, 2014 to April 15, 2014. (48 days). On September 30, 2013 staff reported to the Drug Court judge that Mr. Taylor was not living where he reported, had missed two UAs, had failed to attend Matrix, orientation, Rise and Shine and failed to turn himself in on a separate warrant. The Drug Court issued a warrant for his arrest on October 3, 2013. Mr. Taylor was taken into custody pursuant to that warrant on February 26, 2014. He was held by order of the Drug Court Judge until he was discharged from Drug Court on April 15, 2014.

After he was discharged from Drug Court, Mr. Taylor was held in custody by order of the sentencing Court because the State had filed a motion seeking to revoke Mr. Taylor's probation. Mr. Taylor was held from April 15, 2014 until June 12, 2014; a period of 59 days.

The difficulty in this case is in distinguishing what legal authority the Drug Court Judge had to order Mr. Taylor to be incarcerated on each of the various occasions he was in fact incarcerated. Of course, the legal authority to order the incarceration determines whether a defendant is entitled to credit towards his sentence for having served that time.

A court has the power to incarcerate an individual only to the extent that the legislature has granted the court that authority. Idaho Code § 19-2601 authorizes courts in felony cases to suspend the execution of the judgment, I.C. § 19-2601(2), or to withhold entry of judgment entirely. I.C. § 19-2601(3). In both cases, the Court may "place the defendant on probation under such terms and conditions as it deems necessary." Id.

In State v. Wagenius, 99 Idaho 273 (1978), the Idaho Supreme Court decided that I.C. § 19-2601 authorized district courts to condition the admission to probation (Wagenius received probation after judgment was withheld) upon an agreement to serve a period of incarceration in the county jail as a condition precedent to receiving probation and, therefore necessarily avoiding imposition of a prison sentence.

Requiring probationers to serve some period of incarceration in the local jail as a condition precedent to receiving probation necessarily raises the issue of whether the defendant

is entitled to credit for this time towards his prison sentence should probation be revoked and the suspended sentence ordered into execution. The Idaho Supreme Court addressed this question in State v. Banks, 121 Idaho 608 (1992). At the time of his sentencing Banks had served 239 days in custody. *Id. at* 608. A condition of Banks' probation was that he serve 9 months in jail to include the 239 days he had already served. Banks accepted probation and served the additional 34 days required to make up the 9 month term. Banks' probation was later revoked. Banks argued that he should receive credit for the entire 9 months he served towards his imposed sentence.

The Idaho Supreme Court disagreed. The Court ruled that Idaho Code §18-309 required Banks be given credit for the 239 days he served before probation was granted. *Id. at* 610. However, the Court concluded that Banks was not entitled to credit for the additional 34 days Banks served after probation was granted. The Court reasoned that, like other conditions of probation which require a probationer to give up certain rights or freedoms in order to avoid going to prison, Banks had voluntarily waived his right to be free from incarceration for those 34 days in order to avoid the imposition of the prison sentence. Accordingly, Banks was not entitled to credit for the time he voluntarily surrendered to gain probation. Banks, 121 Idaho at 610.

Courts have consistently applied this theory of voluntary waiver when deciding whether a defendant is entitled to credit for time served as a condition of probation. In State v. Buys, 129 Idaho 122 (1996), the Idaho Court of Appeals was called upon to determine the appropriate credit towards a prison sentence that was ordered into execution after judgment was initially withheld and Mr. Buys was placed on probation. As a condition of receiving probation, the district court required that Buys serve 1 year in jail, although the court agreed to include the 183 days that Buys had served prior to being granted probation. On appeal, Buys sought credit for the entire year he served. Citing to Banks, the Court of Appeals concluded that Buys was entitled to the 183 days he served prior to be granted probation but was not entitled to the additional 187 days of the year that he agreed to serve in order to gain probation. Buys, 129 Idaho at 125-127.

While on probation Buys was arrested on another charge. Upon his arrest for that other offense, the sentencing court issued an order that Buys be held in jail for 30 days. The district court referred to this time as "discretionary jail" and refused to give Buys credit for this time towards his prison sentence. The Idaho Court of Appeals reversed this decision. To determine whether Buys had voluntarily agreed to serve this 30 days a discretionary time as a condition of

probation, the Court of Appeals looked to the conditions of probation. Finding that Buys' conditions of probation included no provision that Buys serve jail time at the request of his probation officer, the Court of Appeals concluded that the Court's warrant to arrest and hold Buys for this 30 days was the functional equivalent of a bench warrant issued pursuant to I.C. §19-2602 as a consequence of an allegation of a probation violation. The Court of Appeals concluded that this was not something Buys had agreed to serve as a condition of probation and, therefore, I.C. § 19-2603 required that Buys be given credit for the 30 days he served even though no allegation was made at that time that Buys had violated the conditions of his probation. Buys, 129 at 127.

It is apparent to the State that the following general principle applies regarding credit for incarceration served during a probationary period. Jail which a probationer agrees to serve as a condition of receiving probation should not be credited towards any sentence when that sentence is imposed. Jail which the probationer did not agree to serve – such as when the probationer is jailed at the request of the State on motion alleging a violation of probation – should be credited towards any sentence when it is imposed.

The question then becomes – did Mr. Taylor agree to serve any of the periods of incarceration he served as a condition of receiving probation? Mr. Taylor's Judgment of Conviction and Order of Probation does not contain any condition that required Mr. Taylor to agree to serve any period of incarceration as a condition of probation – at the discretion of the Drug Court Judge or otherwise. The only pertinent condition of probation was that Mr. Taylor “successfully enroll in and complete Ada County Drug Court.” The question is then raised whether Mr. Taylor knew that agreeing to participate in the Ada County Drug Court may involve being incarcerated at the discretion of the Drug Court Judge and, if so, for how long.

The minute entry for March 26, 2013 reflects that prior to accepting that term of probation, Mr. Taylor read and filled out a Phase I contract and a Drug Court Advisory Form. Nothing in the Phase I contract mentions incarceration. There are two provisions of the Drug Court Advisory Form that warn participants they may be subject to incarceration while in Drug Court. There is also a similar warning in an Order Relating to Problem Solving Court Participation that Mr. Taylor signed.

Both provision of the Advisory form that mentions jail are contained in section 3 of that form. This is section is entitled Conditions of Release. It advises participants that while they are

in Drug Court, their release on their own recognizance or their admittance to bail after posting a bond with the court will be continued while they are in Drug Court. The form then contains the following two provisions:

“I agree that the Court can revoke my ROR release and impose sanctions for failing to comply with these conditions of release.”

“I agree that I can be held without bond *for an indeterminate period of time* if I am in violation of my drug court agreement.”

Drug Court advisory form (emphasis in original).

Mr. Taylor also signed what is titled an “Order Relating to Problem Solving Court Participation.” (Order re: Participation). That Order listed stated that Drug Court participants are required to do 4 things: 1) contact the Director within 24 hours of the order, 2) attend counseling and treatments as scheduled by the treatment provider and provide urine samples upon request, 3) contact their attorney before their next court date, and 4) refrain from drug and alcohol use. Similar to the advisory form, the Order re: Participation advises participants that violation of the conditions may result in their admittance to bail being revoked, and their arrest and placement in jail. Mr. Taylor signed the form indicated that he understood and agreed to be bound by its conditions.

Nothing else in any of the forms discusses jail. Mr. Taylor initialed each of these agreements prior to accepting his probation – a condition of which was that he successfully enroll in Drug Court. Clearly he agreed to these conditions. Does that mean he agreed to serve jail as a condition of probation? If so, he is not entitled to credit for jail he served while in Drug Court because he voluntarily agreed to serve it as a condition of receiving probation. If he agreed to serve jail, how much did he agree to serve? Or perhaps more precisely, which of the 4 distinct periods for which he was incarcerated were periods that Mr. Taylor agreed to serve as condition of receiving probation and which were not, or what portions of which were not?

The language in the advisory form does not clearly resolve these questions. While the form initially advises Mr. Taylor that the Court may impose sanctions for failing to comply with



conditions, those conditions are conditions of release on bail. The State believes this form was drafted at a time when most drug court participants were what the Drug Court colloquially refers to as “front end” participants. These defendants had pleaded guilty to a felony offense, but the Court had yet to pronounce sentence. No judgment was withheld. No sentence was imposed or suspended. The Court did not place defendants onto probation. The Court simply deferred or continued the sentencing hearing indefinitely while the defendant voluntarily participated in the Drug Court Program. While these defendants participated in the program, they remained admitted to bail as they were prior to their guilty plea. They also remained subject to incarceration for violation of any conditions of their bail. Of course, such “front end” participants would be entitled to credit for all such incarceration towards any sentence that may be eventually imposed and ordered into execution. See I.C. § 18-309.

However, such a deferred sentencing program does not apply to Mr. Taylor’s case. The sentencing Court imposed and suspended a prison sentence and placed Mr. Taylor on probation under the supervision of the Department of Corrections. It is not clear to the author of this brief whether or not the Court could properly continue to require Mr. Taylor to comply with conditions of bail after his sentences was imposed and suspended. The author suspects not; however, it is apparent that the prosecutor handling the Drug Court proceedings, and perhaps the Drug Court Judge as well, believed that it could.

On April 9, 2013 the assistant Drug Court Coordinator provide that Drug Court judge with a “report of violation, Drug Court conditions” regarding Mr. Taylor. This form indicated that Mr. Taylor failed to stay at the residence where he told Drug Court he resided on 4 occasions between April 5 and April 8. Mr. Taylor reportedly failed to attend “Rise and Shine” on 4 dates between April 4 and April 9. Mr. Taylor failed to attend an orientation class on April 5 and “Matrix” on April 8.

In response, the State filed a motion pursuant to Idaho Criminal Rule 46(e)(2) asking the Court to revoke its earlier order for release on bail<sup>4</sup> and to issue a warrant for Mr. Taylor’s arrest. The Court issued a warrant the same day. The warrant is entitled Bench Warrant For Failure To Comply and commands that, Mr. Taylor having been charged with two felony offenses and having failed to comply with a Drug Court Order, any peace officer of the State of Idaho should arrest Mr. Taylor and hold him without bail until he can be brought before the court.

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<sup>4</sup> The author is unable to locate such an order.

I.C. §19-2903 requires a Court to admit those charged with crimes to bail except in cases involving capital crimes. That statute also authorizes the Court to admit persons to bail in other circumstances. I.C. § 19-1915(c) authorizes a court to issue a warrant for the arrest of a person who was admitted to bail and fails to appear for court. However, the authority to release someone on bail presupposes the legal authority to incarcerate them in the first place; such as when a person is charged with a crime, or has a sentence imposed but appeals (see I.C. §19-2903(2)), or is accused of violating the terms of probation. (see I.C §§s 19-2602, 2603, and 2903(3)). The author does not believe a Court may incarcerate a probationer unless 1) that probationer has agreed to such incarceration as a condition of receiving probation or 2) it appears to the Court that the probation has violated the terms of probation.

Again, the State's motion and the Court warrant appear to have been designed with a "front end" Drug Court participant in mind. The warrant mentions Mr. Taylor having been charged with crimes when in fact at that point he had already been found guilty and been sentenced. The State's motion and the Court's bench warrant appear related to some violation of conditions of bail but don't explain how the Court could legally require Mr. Taylor to post bail to avoid incarceration in the first place.

Here the Court could have incarcerated Mr. Taylor as part of his sentence for his felony crimes, but it chose not to. The Court could have required Mr. Taylor to agree to a period of incarceration as a condition of his receiving probation or it could order him arrested and held because he was in violation of the conditions of his probation. In the former situation Mr. Taylor would not be entitled to credit for such incarceration and in the latter he would be. Unfortunately, nothing in the State's motion or the Court's bench warrant helps decide whether this period of incarceration was something Mr. Taylor agreed to as a condition of probation or was more akin to a bench warrant for failing to comply with the terms and conditions of probation pursuant to I.C. §19-2602. The references to violations of the conditions of bail do not appear applicable to Mr. Taylor at all.

In the Drug Court Advisory form Mr. Taylor agreed that he could be incarcerated for an indeterminate period of time without bond if he was in violation of the terms of his Drug Court Agreement. In the State's view, this sounds like an agreement by Mr. Taylor to serve an indeterminate amount of time in jail at the discretion of the Drug Court Judge as a condition of

getting into Drug Court and, therefore, getting probation. However, the language – ‘if I am in violation of any condition of my drug court agreement’ – confuses the issue. Section 2 of the form advised Mr. Taylor of his rights if the State chose to seek his removal from Drug Court<sup>5</sup>. Did Mr. Taylor understand that in order to avoid prison he was agreeing to go to jail whenever and for however long the Drug Court Judge decides, or did he read the form as a whole to tell him that if the State decided to seek his expulsion from Drug Court for violating the rules, he could be incarcerated while that process ran its course? The answer determines whether Mr. Taylor gets credit for the time he was incarcerated by the Drug Court Judge.

The State notes that both the Ada County Jail and Mr. Taylor in his briefing refer to the April 9, 2013 warrant and a later identical warrant as Drug Court contempt warrants. However, these warrants are clearly not issued under the Court’s contempt powers. First, the Order re: Participation only required that Mr. Taylor attend counseling and treatment as required by the director. The April 9<sup>th</sup> report of violation has a box to indicate that the defendant has failed to attend treatment sessions. That box is not filled in. Instead, the report of violation categorizes the violations as “other”. Whatever Rise and Shine and Matrix are, they do not appear to be ‘treatment and counselling’ as indicated in the Order re: participation. Also, there is nothing in the Order re: Participation requiring Mr. Taylor to live at a particular place or to attend any orientation class. Second, there is no mention in the Court’s warrant of I.R.C.P. 75 or even the word contempt. Last, this would have been a criminal contempt proceeding as Mr. Taylor could not avoid the incarceration by going orientation or by moving to a different residence. This appears to have been punitive incarceration for having violated the rules of Drug Court. In this

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<sup>5</sup> This is again an instance where the form appears more suited to a “front-end” drug court participant than someone who is on probation. Defendants who have plead guilty but have had their sentencing deferred indefinitely while they participate in the Drug Court Program have a liberty interest in remaining in the program. Therefore the Court must provide those defendants with some due process before deciding whether to expel them from such program. State v. Rogers, 144 Idaho 738 (2007). However, probationers do not necessarily have the same interest liberty in the remaining in the program. Their liberty interest is in remaining on probation. The courts have well established procedures to deal with allegations that a probationer has violated the terms and conditions of probation. These procedures provide all the necessary due process in deciding whether or not probation should be revoked. In the current Ada County Drug Court procedures, persons who are on probation and have been ordered to participate in Drug Court as a condition of probation are provided with two due process hearings – one before the Drug Court to determine if they have violated a Drug Court rule and, if so, whether they should be discharged and one before the sentencing court to determine if they have violated a condition of their probation and, if so, whether their probation should be revoked. Nothing in the *Rodgers* decision suggests that both hearings are required by the constitution for probationers. It would seem more efficient to combine these hearings before one judge if they State believes that the probationer is violating the rules of Drug Court so consistently that they have essentially failed to complete the program or are failing to fully participate as required by their conditions of probation.

situation, to incarcerate Mr. Taylor for contempt under I.R.C.P. 75, the Court would have been required to afford Mr. Taylor the constitutional rights applicable to criminal contempt proceedings. State Dep't of Health and Welfare v. Slane, 155 Idaho 274, 311 P.3d 286 (2013). There is no indication that the Court did so or that the State charged Mr. Taylor with the crime of contempt under I.C. §18-1801. Therefore, Mr. Taylor's incarceration does not appear to have been ordered pursuant to the Court's authority to punish contempt, even though the jail and Mr. Taylor use this term when referring to the bench warrants the Court issued.

It appears that the Drug Court Judge was issuing warrants for Mr. Taylor's arrest on two occasions and ordering his incarceration on 4 occasions as a response to Mr. Taylor's apparent violations of some rules of the Drug Court. In all 4 of these instances, the Court's authority to incarcerate Mr. Taylor for violations of the Drug Court rules comes either from Mr. Taylor's agreement at the time he received probation or because the Court believed Mr. Taylor had violated the conditions of his probation under I.C. §19-2602. If the former, he is not entitled to credit; if the latter, he is.

Confusingly, both the Court and Mr. Taylor have taken the position that Mr. Taylor is only entitled to credit for 1 of these periods of incarceration – the last period. The Court reasoned in its order partially granting Mr. Taylor's Rule 35 motion that Mr. Taylor was entitled to credit for time spent in incarceration from his February 26, 2014 arrest on the October 3, 2013 bench warrant because **after** the warrant was issued and **after** Mr. Taylor was arrested, the State filed motions asking the Court to both discharge Mr. Taylor from Drug Court and revoke his probation. This argument puts the cart before the horse, so to speak.

The legal basis to incarcerate Mr. Taylor had to exist as of October 3, 2013 when the Court issued the bench warrant for his arrest. That legal basis was either – that Mr. Taylor had agreed to be incarcerated for an indefinite period of time at the discretion of the Drug Court Judge as a condition precedent to his receiving probation at all or because the Court was satisfied under I.C. § 18-2602 that Mr. Taylor was in violation of the conditions of his probation. Again, what legal basis authorized the Court to issue the warrant in the first place necessarily determines whether Mr. Taylor is entitled to credit for the incarceration that followed from that arrest, or at least a portion thereof (see discussion below). Whatever the legal basis was, it had to exist as of October 3, 2013. Therefore, the filing of the state's motion asking to discharge Mr. Taylor from

Drug Court and its motion asking the Court to revoke probation filed in March of 2014 are irrelevant to the question – what was the legal basis for the bench warrant issued October 3, 2013?

It certainly appears the Drug Court Judge and Mr. Taylor believe that Mr. Taylor agreed to serve jail as a condition of his probation at the discretion of the Drug Court Judge. Mr. Taylor has not asked for credit towards his sentence for the incarceration from March 28 to April 1 imposed by the Drug Court Judge because he didn't live where he said he would. Mr. Taylor has not asked for credit for the nearly 2 months he spent in custody after his arrest on the April 9 bench warrant. And yet the circumstances that lead to the issuance of the April 9 2013 bench warrant and the October 3, 2013 bench warrant are nearly identical. Each time, it appears the Drug Court staff informed the Drug Court Judge that Mr. Taylor was not living where he claimed and that he had missed Rise and Shine, Matrix, and orientation. Each time, the State filed a motion under Rule 46(e)(2) to revoke Mr. Taylor's bond. Each time the Court issued a bench warrant for Mr. Taylor's arrest. The warrants are identical except for the date and an indication on the October warrant that it may be served at any time of the day or night. Why then does Mr. Taylor, and the Court, take the position that he is not entitled to credit for jail served while in Drug Court after his arrest on the first warrant but he is entitled to credit for jail served while in Drug Court after his arrest on the second warrant?

The filing of the State's motion to discharge Mr. Taylor from drug court and the filing of the State's motion seeking revocation of his probation are only relevant if they somehow affected or extended Mr. Taylor's period of incarceration. They cannot form the basis for the issuance of the October 3, 2013 warrant because they weren't filed until March 24, 2014. If those motions did then affect Mr. Taylor's custody status (he was already in jail), they could only have done so as of March 24, 2014. In that case Mr. Taylor would not be entitled to credit back to his February 26, 2014 arrest on the Oct. 3<sup>rd</sup> bench warrant. He would only be entitled to credit from March 24 to June 12. The only way Mr. Taylor is entitled to the entire 107 days of credit from February 26, 2014 to June 12, 2014 is if the Court, back on October 3<sup>rd</sup>, 2013, was issuing the bench warrant pursuant to I.C. § 19-2602 – because the court was satisfied that Mr. Taylor had violated the conditions of his probation.

The State believes that both Mr. Taylor and sentencing judge believed that Mr. Taylor had agreed to serve jail as a condition of probation at the discretion of the Drug Court Judge. This agreement is suggested by the language of the Drug Court Advisory Form and by the Order Re: Participation. It is also evidenced by the fact that the Drug Court judge chose to incarcerate Mr. Taylor on three occasions for what appear to be violations of the rules of Drug Court but do not appear to have been violations of the conditions of his probation. It is also telling that Mr. Taylor does not request credit for those periods of incarceration. This suggests that Mr. Taylor knew that he had agreed to serve jail as a condition of probation at the discretion of the Drug Court Judge. If this is the case, then the State believes it is appropriate to view the time Mr. Taylor spent in jail from February 26, 2014 to his discharge from Drug Court on April 15, 2014 as discretionary jail as well. Had the Court decided to not to discharge him and returned him to Drug Court would he be entitled to that incarceration when sentence was later imposed? If so why? Because the State filed a motion to discharge that was denied?

The only principled and consistent way to view Mr. Taylor's incarceration while in Drug Court is either all as time he agreed to serve at the discretion of the Drug Court Judge or all as time he served because the Court felt he was violating the conditions of his probation. Certainly after he was discharged from Drug Court, Mr. Taylor was held in custody only because of the State's motion seeking to revoke his probation. Mr. Taylor is entitled to credit for this time from April 15, 2014 to June 12, 2014 when his sentenced was ordered into execution.

Therefore, the State believes Mr. Taylor is entitled to credit for 226 days of pre-judgment incarceration pursuant to I.C. §18-309 and 59 days of credit for incarceration related to the state's motion to revoke probation pursuant to I.C. §19-2603. Mr. Taylor is not entitled to the 106 days he served in custody pursuant to the Drug Court Judge's orders.


That said, the State is troubled by the lack of any reference to discretionary jail in Mr. Taylor's Order of Probation. It is difficult to distinguish Mr. Taylor's order of probation and the Court's subsequent orders to incarcerate him from those in *State v. Buys*. It may be appropriate, simply as a matter of equity, to give Mr. Taylor credit for all of the 391 days he spent in custody on this case prior to having his sentence imposed. That would be consistent with the position taken in *Buys*. In the State's view, it is inappropriate to give Mr. Taylor credit for some of the

time he was jailed while in drug court, but not the rest of it, as Mr. Taylor has requested; because it is difficult to logically distinguish some from the rest.

The State asks this Court to deny defendant's motion.

**RESPECTFULLY SUBMITTED** This 6<sup>th</sup> day of October, 2014.

**GREG H. BOWER**  
Ada County Prosecuting Attorney

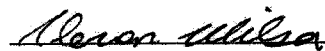
  
By: Jonathan M. Medema  
Deputy Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 6<sup>m</sup> day of October 2014, I caused to be served, a true and correct copy of the foregoing Response to Defendant's Motion to Amend Judgment, upon the individual(s) named below in the manner noted:

**Charlene W. Davis, Ada County Public Defender**

- By depositing copies of the same in the United States mail, postage prepaid, first class.
- By depositing copies of the same in the Interdepartmental Mail.
- By informing the office of said individual(s) that said copies were available for pickup at the Office of the Ada County Prosecutor.
- By faxing copies of the same to said attorney(s) at the facsimile number: \_\_\_\_\_

  
Legal Assistant

Time	Speaker	Note
04:45:52 PM		CRFE12.12658 State v. Lance Taylor
04:45:54 PM	Court	Calls case deft not present with counsel Charlene Davis. State's atty Brent erguson.
04:46:09 PM	Public Defender	Would like to reset this motion.
04:46:16 PM	State Attorney	Statement. Not in position to argue this motion.
04:46:29 PM	Court	Will vacate and reset this matter.
04:46:38 PM	Court	Counsel to figure out time to hear the motion.
04:47:14 PM	End.	
04:47:15 PM		



NOV 24 2014

CHRISTOPHER D. RICH, Clerk  
By KATHY PATARO  
DEPUTY

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

THE STATE OF IDAHO,

Plaintiff,

vs.

LANCE TYRELL TAYLOR AKA  
GREEN,

[REDACTED]  
[REDACTED]

Defendant.

Case No. CR-FE-2012-0012658

ORDER RE MOTION TO AMEND  
JUDGMENT

On March 26, 2013, the Defendant Lance Tyrell Taylor was sentenced to an aggregate term of ten years with the first two years fixed, and with the remaining eight years indeterminate. Defendant was placed on probation. On June 12, 2014, probation was revoked. The Court earlier granted in part and denied in part a Rule 35 motion requesting a reduction in sentence. As part of that ruling the Court, on its own motion, in response to materials submitted in support of the request for reduction in sentence granted additional credit for time served. Defendant has now filed a Motion to Amend Judgment seeking additional credit for time served. Defendant cites no authority for such a motion.<sup>1</sup> The authority for the present motion is found in I.C.R. 35(c) to correct computation of credit for time served. A motion under this subsection of Rule

<sup>1</sup> Defendant cites Idaho Code §§ 18-309 and 19-2603. That these are the statutes governing credit for time served. They do not provide authority for the filing of the present motion.

35 may be made at any time. This is procedurally important in this case because the defendant earlier filed a motion for reduction of sentence under Rule 35 and a defendant may not file successive Rule 35 motions seeking reduction in a sentence. It is also important because the determination of credit for time served at this point is not a matter of discretion. Defendant is either entitled or not entitled to the credit requested.

There are four periods of time at issue in this case. First is the time Mr. Taylor spent in custody before sentencing; second is the time Mr. Taylor spent in custody as a participant in drug court; third is the time Mr. Taylor spent in custody following arrest on the warrant issued after he absconded from drug court but before the motion for probation violation was filed; and fourth the time following the motion for probation violation before disposition.

The parties agree that Mr. Taylor was taken into custody in August 2012 and not released until his sentencing on March 26, 2013. The State originally arrested Mr. Taylor on August 13, 2012<sup>2</sup>, but dismissed the case and refiled it the same day on August 28, 2012. In the original Judgment of Conviction, Defendant was given credit only from the August 28 date. The Defendant is therefore entitled to presentence credit for time served of 226 days served prior to imposition of sentence. The additional day that Defendant remained in custody pending his release to drug court was a condition of probation and defendant is not entitled to credit for that day.

The times that Defendant spent in custody while participating in drug court were sanctions imposed as part of the drug court regime to which Defendant consented at the time of accepting drug court as a condition of probation. He does not get credit for time in custody

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2 The State recites an arrest date of August 7, 2012 in the body of its brief, but uses August 13 as the date of arrest in the State's calculation of credit for time served before sentence as reflected in footnote 1 of the State's brief. The Court assumes the August 7 day is a typographical error.

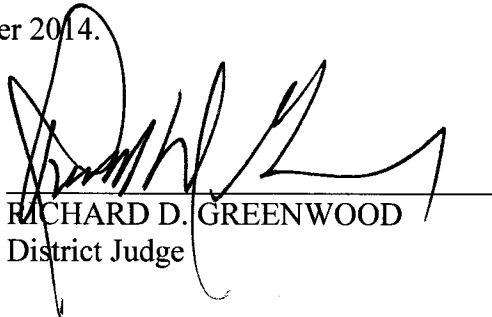
served as a sanction for violation of drug court rules.

The State correctly points out that the defendant's arrest on February 26, 2014 is difficult to characterize because no motion for probation violation had been filed at that point. However, the warrant that led to Defendant's arrest in 2014 was the functional equivalent of a bench warrant issued under I.C. § 19-2602. Defendant's status in custody following that arrest was a consequence of absconding, not a short term of custody imposed a sanction for violation drug court rules. Under these somewhat unique circumstances, the Defendant is entitled to credit of 107 days for time served following the February 2014 arrest.

In summary, Defendant is entitled to 333 days total credit for time served up to and including June 12, 2014, the date of disposition on the probation violation. A second amended Order Revoking Probation, Imposing and Reducing Sentence, and Commitment will be entered.

IT IS SO ORDERED.

Dated this 24 day of November 2014.



RICHARD D. GREENWOOD  
District Judge

CERTIFICATE OF MAILING

I hereby certify that on the 24<sup>th</sup> day of November 2014, I mailed (emailed) a true and correct copy of the within instrument to:

ADA COUNTY PROSECUTOR'S OFFICE  
VIA EMAIL

ADA COUNTY PUBLIC DEFENDER'S OFFICE  
VIA EMAIL

IDAHO DEPARTMENT OF CORRECTION  
VIA EMAIL

CHRISTOPHER D. RICH  
Clerk of the District Court

By: \_\_\_\_\_

Deputy Court Clerk



NOV 25 2014

CHRISTOPHER D. FUCH, Clerk  
By: SHERRY ABBOTT  
DEPUTY

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

THE STATE OF IDAHO,

Plaintiff,

vs.

LANCE TYRELL TAYLOR AKA GREEN,  
[REDACTED]  
[REDACTED]

Defendant.

Case No. CR-FE-2012-0012658

SECOND AMENDED ORDER  
REVOKING PROBATION,  
IMPOSING AND REDUCING  
SENTENCE, AND COMMITMENT

The purpose of this correction is pursuant to I.C.R. 35 to correct a legal error on Page 3 regarding credit for time served.

On March 26, 2013, the defendant, LANCE TYRELL TAYLOR AKA GREEN, was adjudged guilty in the District Court of the Fourth Judicial District in and for the County of Ada of the crime of GRAND THEFT, FELONY, I.C. §§18-2403(1), -2407(1)(b), -2409, and was committed to the custody of the State of Idaho Board of Correction for an aggregate term of ten (10) years: with the first two (2) years of said term to be FIXED, and with the remaining eight (8) years of said term to be INDETERMINATE. The Court suspended execution of the judgment for the balance of the sentence and placed the defendant on probation for a period of ten (10) years.

A Motion for Discharge from Ada County Drug Court Program was filed on March 24, 2014. The defendant was duly arraigned and, on March 27, 2014, the defendant admitted to allegations nos. 1, 2, 3, 4, 10, 11, 12, 13, and 14, as set forth in said Motion.

On June 12, 2014, Daniel E. Peterson, Deputy Prosecuting Attorney for the County of Ada, State of Idaho, and the defendant, LANCE TYRELL TAYLOR AKA GREEN, with his attorney, Charlene W. Davis, appeared before this Court for disposition regarding violation of probation. Counsel made recommendations and the defendant was given an opportunity to address the Court. The Court finds that the defendant willfully and knowingly violated the terms of her probation.

IT IS HEREBY ORDERED that the probation entered by the Court on March 26, 2013, in the Judgment of Conviction, Suspended Sentence and Order of Probation, be and the same is hereby revoked.

IT IS FURTHER ORDERED that the original sentence imposed on March 26, 2013, in the Judgment of Conviction, Suspended Sentence and Order of Probation, for the crime of GRAND THEFT, FELONY, I.C. §§18-2403(1), -2407(1)(b), -2409, is hereby ordered into execution according to its original terms. The Court, on its own motion, as an exercise of leniency pursuant to I.C.R. 35, reconsidered the defendant's sentence and will reduce the sentence as follows: The defendant is resentenced to the custody of the State of Idaho Board of Correction for a total term of seven (7) years, consisting of two (2) years fixed, followed by five (5) years indeterminate, with such sentence to commence immediately.

The Court recommends the Department of Correction place the defendant in the Therapeutic Community Program.

Pursuant to I.C. § 18-309, the defendant shall receive credit for a total of three hundred thirty-three (333) days served in pre-judgment incarceration toward the FIXED portion of the term. The total credit for time served consists of two hundred twenty-six (226) days credit defendant was given in the Judgment of Conviction, Suspended Sentence and Order of Probation entered on March 26, 2013, and one hundred seven (107) days served on the probation violation. The defendant does NOT receive credit for any discretionary jail time ordered by the probation officer or any jail time served as a condition of probation. This includes all credit to which Defendant is entitled through June 12, 2014.

Pursuant to Idaho Code Section 19-5304, the defendant shall pay restitution in the amount of \$728.00, bearing interest at the statutory rate of 5.25% per annum until paid in full, to be paid through the Clerk of the District Court.

IT IS FURTHER ORDERED that allegations nos. 5, 6, 7, 8, and 9 are dismissed.

The defendant is hereby remanded to the custody of the Sheriff of Ada County to be delivered FORTHWITH into the custody of the Director of the Idaho State Correctional Institution.

IT IS FURTHER ORDERED that the Clerk deliver a certified copy of this Order Revoking Probation, Imposing and Reducing Sentence, and Commitment to the said Sheriff, which shall serve as the commitment of the defendant.

#### **NOTICE OF RIGHT TO APPEAL**

You, LANCE TYRELL TAYLOR AKA GREEN, are hereby notified that you have the right to appeal this order to the Idaho Supreme Court. Any notice of appeal must be filed within forty-two (42) days from the entry of this judgment.

You are further notified that you have the right to be represented by an attorney in any appeal, that if you cannot afford to retain an attorney, one may be appointed at public expense. Further, if you are a needy person, the costs of the appeal may be paid for by the State of Idaho. If you have questions about your appeal rights, you should consult your present lawyer.

IT IS SO ORDERED.

Dated this 24 day of November 2014, *nunc pro tunc*, effective June 12, 2014.



RICHARD D. GREENWOOD  
District Judge



CERTIFICATE OF MAILING

I hereby certify that on the 25<sup>th</sup> day of November 2014, I mailed (emailed) a true and correct copy of the within instrument to:


ADA COUNTY PROSECUTOR'S OFFICE  
VIA EMAIL

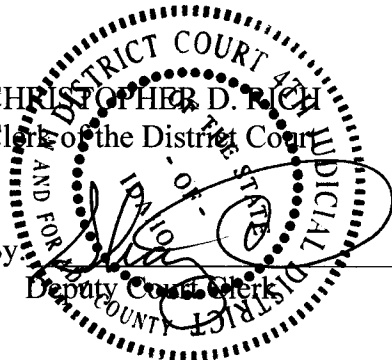
ADA COUNTY PUBLIC DEFENDER'S OFFICE  
VIA EMAIL

PROBATION AND PAROLE  
VIA EMAIL

IDAHO DEPARTMENT OF CORRECTION  
VIA EMAIL

ADA COUNTY JAIL  
VIA EMAIL

CHRISTOPHER D. RICH  
Clerk of the District Court  
By   
Deputy Court Clerk



DEC 05 2014

CHRISTOPHER D. RICH, Clerk  
By KATHY PATARO  
DEPUTY

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

THE STATE OF IDAHO,  
  
Plaintiff,  
  
vs.  
  
LANCE TAYLOR,  
  
Defendant.

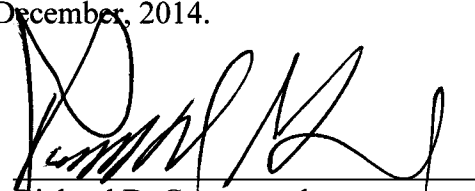
Case No. CRFE12.12658

NOTICE OF CORRESPONDENCE

The Defendant has submitted a letter requesting additional credit for time served. The Defendant is currently represented by counsel, Charlene Davis, who has not withdrawn from this matter. Accordingly, the Court will not take action on the Defendant's behalf until moved upon by counsel, whom the Defendant previously requested represent his interests in this matter. All future inquiries of this nature should be directed to counsel for the Defendant.

Copies of the letter have been forwarded to Defense Counsel and the prosecutor. Should counsel find it proper to pursue this matter, the Court requests counsel set the matter for hearing.

SO DATED this 3 day of December, 2014.

  
Richard D. Greenwood  
District Judge



CERTIFICATE OF MAILING

I hereby certify that on this 8<sup>th</sup> day of December, 2014, I mailed a true and correct copy

of the within instrument to:

ADA COUNTY PROSECUTING ATTORNEY  
INTERDEPARTMENTAL MAIL

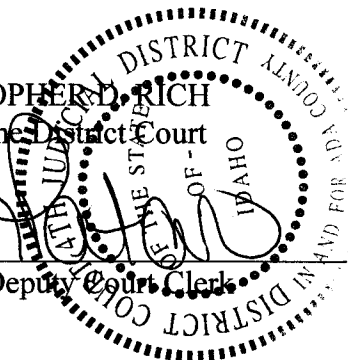
ADA COUNTY PUBLIC DEFENDER  
INTERDEPARTMENTAL MAIL

LANCE TAYLOR #84021  
SICI  
PO BOX 8509  
BOISE ID 83709  
MAILED

CHRISTOPHER D. RICH  
Clerk of the District Court

By: 

Deputy Court Clerk



157

RECEIVED  
DEC - 2 2014  
Ada County Clerk

Your Honor

11/29/13 2014

I recieved the second amended order for case number CR-FE-2012-0012658. Im thankful that the credit was given, but there is still a time missing.

Out of the 391 days I served, wheather in our out of Drug Court, I was only given 5 days for sanctions. Once on March 28, 2013 for a total of 4 days, and my second time on September 19, 2013 for a total of 1 day. which brings the total of days served as sanctions to 5 days.

I have 386 days now. Subtracting the 333 days you gave me, leaves me with 53 days, which are missing.

The 53 days that Im speaking of, came from the time which I was arrested in July 21, 2013 for a bench warrant which was issued in April of 2013, where I avoided (absconded) Drug Court entirely by: leaving my assigned living area, not participating in drug court, or showing up to court. After being arrested on this warrant I was released to Drug Court on September 13, 2013... which is when I completed SAP with Mrs. Miles.

Now it states on Page 3, Order Re Motion To Amend Judgment, dated 24<sup>th</sup> day of November 2014, signed by you, that: ... However, the warrant that led to Defendant's arrest in 2014 was the functional equivalent of a bench warrant issued under I.C. § 19-2602. Defendant's status in custody following that arrest was a consequence of absconding...

I absconded twice from Drug Court, and was arrested the first time on July 21, 2013 on a bench warrant, and that totals my 53 days. That is time which I'm allowed being a bench warrant led to my arrest there too.

I would like to receive copies of the drug court policies and rules which I signed, as with copies of my bench warrants which were issued in April 2013 and October 2013, as with copies of my sanctions which I was served. All I'm asking for is my missing 53 days... there have been multiple errors in my case being my time started at 291, to 318, and now its 333 days and its still an error, being the right figure is 386. Thank you.

Sincerely

Lance Tyrell Taylor  
84021

DEC 05 2014

CHRISTOPHER D. RICH, Clerk  
By MAURA OLSON  
DEPUTY

107

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant-Appellant

CHARLENE W. DAVIS, ISB #7155  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,

Plaintiff-Respondent,

vs.

LANCE TYRELL TAYLOR,

Defendant-Appellant.

Case No. CR-FE-2012-12658

NOTICE OF APPEAL

TO: THE ABOVE-NAMED RESPONDENT, STATE OF IDAHO, AND THE CLERK  
OF THE ABOVE-ENTITLED COURT.

NOTICE IS HEREBY GIVEN THAT:

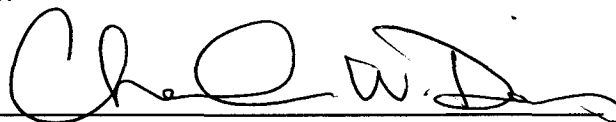
- 1) The above-named Appellant appeals against the above-named respondent to the Idaho Supreme Court from the final decision and order entered against him in the above-entitled action on November 25, 2014, the Honorable Richard D. Greenwood, District Judge presiding.
- 2) That the party has a right to appeal to the Idaho Supreme Court, and the judgments or orders described in paragraph 1 above are appealable orders under, and pursuant to, IAR 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 are:
  - a) Did the district court err in not granting the defendant enough credit for time served? Defendant is entitled to credit for time served for the

*[Handwritten signature]*

entire time he spent in custody, including the time spent in custody for drug court.

- b) Did the district court err in not granting the defendant credit for time served from the time he spent in custody when the case was filed, dismissed, and refiled?
- 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) Reporter's Transcript. The Appellant requests the preparation of the entire reporter's standard transcript as defined by IAR 25(d). The Appellant also requests the preparation of the additional portions of the reporter's transcript:
  - a) Motion Hearing for Credit for time served October 7, 2014. (Court Reporter: Fran Casey. Estimated Pages: 50).
  - b) Motion Hearing for Credit for time served August 19, 2014. (Court Reporter: Fran Casey. Estimated pages: 50).
- 6) Clerk's Record. The Appellant requests the standard clerk's record pursuant to IAR 28(b)(2). In addition to those documents automatically included under IAR 28(b)(2), Appellant also requests that any exhibits, including but not limited to letters or victim impact statements, addenda to the PSI, or other items offered at the sentencing hearing be included in the Clerk's Record.
- 7) I certify:
  - a) That a copy of this Notice of Appeal has been served on the Court Reporter(s) mentioned in paragraph 5 above.
  - b) That the Appellant is exempt from paying the estimated fee for the preparation of the record because the Appellant is indigent. (I.C. §§ 31-3220, 31-3220A, IAR 24(e)).
  - c) That there is no appellate filing fee since this is an appeal in a criminal case (I.C. §§ 31-3220, 31-3220A, IAR 23(a)(8)).
  - d) Ada County will be responsible for paying for the reporter's transcript, as the client is indigent (I.C. §§ 31-3220, 31-3220A, IAR 24(e)).
  - e) That service has been made upon all parties required to be served pursuant to IAR 20.

DATED this 5th day of December 2014.



Charlene W. Davis  
Attorney for Defendant

CERTIFICATE OF MAILING

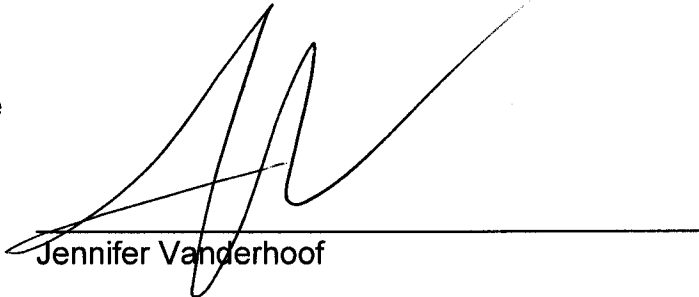
I HEREBY CERTIFY, that on this 5th day of December 2014, I mailed (served) a true and correct copy of the within instrument to:

Idaho Attorney General  
Criminal Division  
Joe R. Williams Bldg., 4<sup>th</sup> Flr.  
Statehouse Mail

Idaho Appellate Public Defender  
3050 North Lake Harbor Lane, Suite 100  
Boise, Idaho 83703

Fran Casey  
Court Reporter  
Interdepartmental Mail

Jonathan M. Medema  
Ada County Prosecutor's Office  
Interdepartmental Mail



Jennifer Vanderhoof



ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant-Appellant

CHARLENE W. DAVIS, ISB #7155  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

RECEIVED  
DEC 05 2014  
ADA COUNTY CLERK

NO. \_\_\_\_\_  
FILED  
A.M. \_\_\_\_\_ P.M. 2:30

DEC 08 2014

CHRISTOPHER D. RICH, Clerk  
By INGA JOHNSON  
DEPUTY

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

STATE OF IDAHO,

Plaintiff-Respondent,

vs.

LANCE TYRELL TAYLOR,

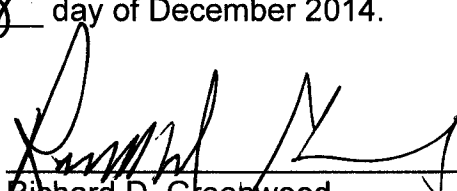
Defendant-Appellant.

Case No. CR-FE-2012-12658

ORDER APPOINTING STATE  
APPELLATE PUBLIC DEFENDER ON  
DIRECT APPEAL

Defendant has elected to pursue a direct appeal in the above-entitled matter. Defendant being indigent and having heretofore been represented by the Ada County Public Defender's office in the District Court, the Court finds that, under these circumstances, appointment of appellate counsel is justified. The Idaho State Appellate Public Defender shall be appointed to represent the above-named Defendant in all matters pertaining to the direct appeal.

SO ORDERED AND DATED this 8 day of December 2014.

  
Richard D. Greenwood  
District Judge

CERTIFICATE OF MAILING

I, CHRISTOPHER D. RICH, the undersigned authority, do hereby certify that I have mailed one copy of the Order Appointing State Appellate Public Defender on Direct Appeal as notice pursuant to the Idaho Rules to each of the parties of record in this case in envelopes addressed as follows:

Idaho Attorney General  
Criminal Division  
Joe R. Williams Bldg., 4<sup>th</sup> Flr.  
Statehouse Mail

Idaho Appellate Public Defender  
3050 North Lake Harbor Lane, Suite 100  
Boise, Idaho 83703

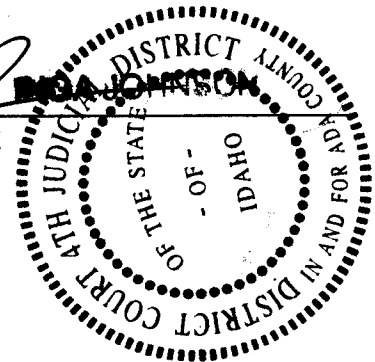
Jonathan M. Medema  
Ada County Prosecutor's Office  
Interdepartmental Mail

Ada County Public Defender  
Attn: Jennifer Vanderhoof  
Interdepartmental Mail

CHRISTOPHER D. RICH  
Clerk of the District Court  
Ada County, Idaho

Date: 12/9/14

By   
Deputy Clerk



NO. \_\_\_\_\_  
A.M. \_\_\_\_\_ FILED P.M. 12:32  
FEB 11 2015  
CHRISTOPHER D. RICH, Clerk  
By KELLE WEGENER  
DEPUTY


Fax: 334-2616

In the Supreme Court of the State of Idaho

State of Idaho ) Docket No. 42774-2015  
Plaintiff-Respondent )  
v )  
Lance Tyrell Taylor, )  
Defendant-Appellant )

Notice of Transcript Lodged

Notice is hereby given that on January 20, 2014,  
I lodged one (1) original and three (3) copies of transcripts 10 pages in length,  
as listed below, for the above referenced appeal with  
the District Court Clerk of Ada County, Fourth Judicial District.

  
\_\_\_\_\_  
Frances J. Casey, RPR, CSR No. 696

**TRANSCRIPT LODGED**

Motion Hearing for Time Served – 8/18/14  
Continued Motion Hearing for Time Served 10/7/14

KW

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

STATE OF IDAHO,

Plaintiff-Respondent,

vs.

LANCE TYRELL TAYLOR AKA  
GREEN,

Defendant-Appellant.

Supreme Court Case No. 42774

CERTIFICATE OF EXHIBITS

I, CHRISTOPHER D. RICH, Clerk of the District Court of the Fourth Judicial District of the State of Idaho in and for the County of Ada, do hereby certify:

There were no exhibits offered for identification or admitted into evidence during the course of this action.

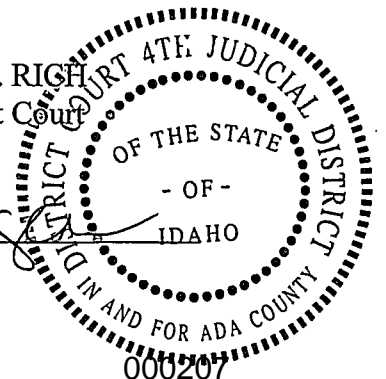
I FURTHER CERTIFY, that the following documents will be submitted as CONFIDENTIAL EXHIBITS to the Record:

1. Presentence Investigation Report.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this 11th day of February, 2015.

CHRISTOPHER D. RICH  
Clerk of the District Court

By KWes  
Deputy Clerk



CERTIFICATE OF EXHIBITS

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

STATE OF IDAHO,  
  
Plaintiff-Respondent,  
vs.  
  
LANCE TYRELL TAYLOR AKA  
GREEN,  
  
Defendant-Appellant.

Supreme Court Case No. 42774

CERTIFICATE OF SERVICE

I, CHRISTOPHER D. RICH, the undersigned authority, do hereby certify that I have personally served or mailed, by either United States Mail or Interdepartmental Mail, one copy of the following:

CLERK'S RECORD AND REPORTER'S TRANSCRIPT

to each of the Attorneys of Record in this cause as follows:

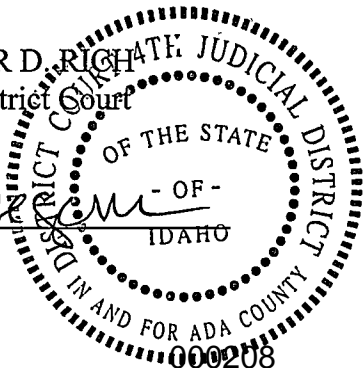
STATE APPELLATE PUBLIC DEFENDER  
  
ATTORNEY FOR APPELLANT  
  
BOISE, IDAHO

LAWRENCE G. WASDEN  
  
ATTORNEY FOR RESPONDENT  
  
BOISE, IDAHO

Date of Service: FEB 11 2015

CHRISTOPHER D. RICH  
Clerk of the District Court

By KW  
Deputy Clerk



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

STATE OF IDAHO,  
  
Plaintiff-Respondent,  
vs.  
  
LANCE TYRELL TAYLOR AKA  
GREEN,  
  
Defendant-Appellant.

Supreme Court Case No. 42774

CERTIFICATE TO RECORD

I, CHRISTOPHER D. RICH, Clerk of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, do hereby certify that the above and foregoing record in the above-entitled cause was compiled under my direction and is a true and correct record of the pleadings and documents that are automatically required under Rule 28 of the Idaho Appellate Rules, as well as those requested by Counsel.

I FURTHER CERTIFY, that the Notice of Appeal was filed in the District Court on the 5th day of December, 2014.

CHRISTOPHER D. RICH  
Clerk of the District Court  
- OF -  
IDAHO  
By *K. Deser*  
Deputy Clerk

