

11-23-2015

## State v. Lemmons Clerk's Record Dckt. 43720

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

STATE OF IDAHO,	)	
	)	SUPREME COURT NOS. 43720
Plaintiff/Respondent,	)	43721
	)	DISTRICT COURT NO. CR 11-14836
vs.	)	CR 12-10131
	)	
BRYANN KRISTINE LEMMONS	)	
	)	
<u>Defendant/Appellant.</u>	)	

CLERK'S AUGMENTED RECORD ON APPEAL

Appeal from the District Court of the Fifth Judicial District  
of the State of Idaho, in and for the County of Twin Falls

HONORABLE RANDY J. STOKER  
District Judge

SARA THOMAS  
State Appellate Public Defender  
P.O. Box 2816  
Boise, ID 83701

LAWRENCE WASDEN  
Attorney General  
Statehouse Mail Room 210  
P.O. Box 83720  
Boise, Idaho 83720-0010

ATTORNEY FOR APPELLANT

ATTORNEY FOR RESPONDENT

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

State of Idaho  
 vs.  
 Bryann Kristine Lemmons

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Location: Twin Falls County District Court  
 Judicial Officer: Stoker, Randy J.  
 Filed on: 12/29/2011  
 Case Number History:

**CASE INFORMATION**

<b>Offense</b>	<b>Deg</b>	<b>Date</b>	<b>Case Type: Criminal</b>
Jurisdiction: State			
1. Drug-Trafficking in Methamphetamine or Amphetamine (28 grams to Less Than 200 grams) TCN: 4201029916	FEL	10/25/2011	
2. Drug-Trafficking in Methamphetamine or Amphetamine (28 grams to Less Than 200 grams) TCN: 4201029916	FEL	10/25/2011	

**Warrants**

Arrest Warrant - Lemmons, Bryann Kristine (Judicial Officer: Stoker, Randy J.)  
 01/28/2014 Returned Served  
 01/27/2014 Outstanding  
 Fine: \$0  
 Bond: \$0

Arrest Warrant - Lemmons, Bryann Kristine (Judicial Officer: Bevan, G. Richard )  
 06/10/2013 Returned Served  
 06/04/2013 Outstanding  
 Fine: \$0  
 Bond: \$0

Arrest Warrant - Lemmons, Bryann Kristine (Judicial Officer: Bevan, G. Richard )  
 03/26/2013 Returned Served  
 03/21/2013 Outstanding  
 Fine: \$0  
 Bond: \$0

Bench Warrant - Lemmons, Bryann Kristine (Judicial Officer: Bevan, G. Richard )  
 03/04/2013 Quashed  
 02/12/2013 Outstanding  
 Fine: \$75000  
 Bond: \$0  
 Notes: 03/04/2013 Failed to Appear

**Bonds**

Surety Bond #AUL-2090752 \$75,000.00  
 9/3/2013 Exonerated  
 Counts: 1

Surety Bond #SS-50-01952 \$50,000.00  
 6/4/2013 Exonerated  
 4/8/2013 Posted  
 Counts: 1

Cash Bond #CR-2011-14836  
 5/1/2012 Converted  
 5/1/2012 Exonerated  
 4/5/2012 Posted  
 Counts: 1

Surety Bond #SS-50-01504 \$50,000.00  
 12/29/2011 Posted  
 6/4/2013 Exonerated

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

Counts: 1

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<b>DATE</b>	<b>CASE ASSIGNMENT</b>
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**Current Case Assignment**

Case Number	CR-2011-14836
Court	Twin Falls County District Court
Date Assigned	08/01/2013
Judicial Officer	Stoker, Randy J.

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**PARTY INFORMATION**


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<b>State</b>	<b>State of Idaho</b>	<i>Lead Attorneys</i> <b>Loebs, Grant P.</b> <i>Retained</i> 208-736-4020(W)
<b>Defendant</b>	<b>Lemmons, Bryann Kristine</b>	<b>Fuller, Greg Jackson</b> <i>Retained</i> 208-734-1602(W)

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<b>DATE</b>	<b>EVENTS &amp; ORDERS OF THE COURT</b>	<b>INDEX</b>
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05/29/2011	New Case Filed - Felony <i>New Case Filed-Felony</i>	
12/29/2011	Prosecutor Assigned <i>Prosecutor assigned Grant Loebs</i>	
12/29/2011	Change Assigned Judge <i>Change Assigned Judge</i>	
12/29/2011	Criminal Complaint <i>Criminal Complaint</i>	
12/29/2011	 Affidavit <i>Affidavit of Probable Cause in Support of Criminal Complaint / Citation</i>	
12/29/2011	Hearing Scheduled <i>Hearing Scheduled (Preliminary 01/06/2012 08:15 AM)</i>	
12/29/2011	Miscellaneous <i>Notice Of Hearing</i>	
12/29/2011	County Jail Packet <i>Twin Falls County Jail Packett</i>	
12/29/2011	Arraignment <i>Arraignment / First Appearance</i>	
12/29/2011	Advisement of Rights <i>Notification Of Rights Felony</i>	
12/29/2011	Application for Public Defender <i>Twin Falls County Public Defender Application - appointed</i>	
12/29/2011	Court Minutes <i>Court Minutes</i>	


TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

12/29/2011	Bond Set <i>BOND SET: at 50000.00</i>
12/29/2011	County Court Compliance Program Interview <i>Twin Falls County Court Compliance Program Interview</i>
12/29/2011	Order Appointing Public Defender <i>Order Appointing Public Defender</i>
12/29/2011	Order <i>Order to Appear</i>
12/29/2011	Bond Posted - Surety <i>Bond Posted - Surety (Amount 50000.00 )</i>
12/29/2011	Miscellaneous <i>Miscellaneous Payment: Sheriff Fees Paid by: A-1 Auto Sales Receipt number: 1134994 Dated: 12/29/2011 Amount: \$10.00 (Cash)</i>
12/30/2011	Promise to Appear <i>Promise To Appear</i>
01/05/2012	Substitution of Counsel <i>Substitution Of Counsel as Conflict Public Defender</i>
01/05/2012	Request for Discovery and Inspection <i>Request For Discovery And Inspection/ Defendant</i>
01/05/2012	Response to Request for Discovery <i>Response To Request For Discovery/defendant</i>
01/05/2012	Order Appointing Public Defender <i>Defendant: Lemmons, Bryann K Order Appointing Public Defender Public defender Timothy J Williams</i>
01/05/2012	Request for Discovery and Inspection <i>Request For Discovery/plaintiff</i>
01/05/2012	Response to Request for Discovery <i>Response To Request For Discovery/plaintiff</i>
01/05/2012	Miscellaneous <i>Miscellaneous Payment: For Making Copy Of Any File Or Record By The Clerk, Per Page Paid by: R, N, B-G &amp; P Receipt number: 1200502 Dated: 1/5/2012 Amount: \$12.00 (Check)</i>
01/05/2012	Miscellaneous <i>Miscellaneous Payment: Fax Fee Paid by: R, N, B-G &amp; P Receipt number: 1200502 Dated: 1/5/2012 Amount: \$2.50 (Check)</i>
01/06/2012	Waiver of Time for Preliminary Hearing <i>Written Waiver of Time for Preliminary Hearing</i>
01/06/2012	Court Minutes <i>Court Minutes</i>
01/06/2012	Continued (Judicial Officer: Harris, Roger B. ) <i>Continued (Preliminary 01/27/2012 08:15 AM)</i>
01/06/2012	Miscellaneous <i>Notice Of Hearing</i>

# CASE SUMMARY


## CASE NO. CR-2011-14836

01/11/2012	Substitution of Counsel <i>Substitution Of Counsel</i>
01/11/2012	Request for Discovery and Inspection <i>Request For Discovery And Inspection/ Defendant</i>
01/11/2012	Notice of Appearance <i>Defendant: Lemmons, Bryann K Appearance Michael J Wood</i>
01/18/2012	Response to Request for Discovery <i>Response To Request For Discovery/plaintiff</i>
01/24/2012	Hearing Scheduled <i>Hearing Scheduled (Motion 02/08/2012 10:00 AM) 1 hr - Motion for Protective Order</i>
01/24/2012	Motion to Compel <i>Motion To Compel Discovery and Inspection</i>
01/24/2012	Motion <i>State's Ex Parte Motion for Protective Order</i>
01/26/2012	Order <i>Order To Set Hearing and Notice of Hearing</i>
01/27/2012	Continued (Judicial Officer: Harris, Roger B. ) <i>Continued (Preliminary 03/09/2012 08:15 AM)</i>
01/27/2012	Court Minutes <i>Court Minutes</i>
01/27/2012	Miscellaneous <i>Notice Of Hearing</i>
02/08/2012	 Court Minutes <i>DEFENSE ATTORNEY: Michael Wood; HEARING TYPE: Protective Order; Motion to Compel; MINUTES CLERK: Kasey Kliegl; PROSECUTOR: Grant Loeb; START TIME: 02/08/2012 1:02AM STOP TIME: 02/08/2012 2:00AM ENTRY BY: KLIEGL; LAST UPDATE BY: KLIEGL;</i>
02/08/2012	Court Minutes <i>Court Minutes Hearing type: Protective Order; Motion to Compel Hearing date: 2/8/2012 Time: 11:02 am Courtroom: Court reporter: Minutes Clerk: Kasey Kliegl Tape Number: Defense Attorney: Michael Wood Prosecutor: Grant Loeb</i>
02/08/2012	Hearing Held <i>Hearing result for Motion scheduled on 02/08/2012 10:00 AM: Hearing Held 1 hr - Motion for Protective Order</i>
02/14/2012	Motion for Reconsideration <i>State's Motion to Reconsider and/or Modify Protective Order</i>
02/15/2012	Order <i>Protective Order And Order On Motion To Compel Discovery And Inspection</i>
02/15/2012	Notice of Hearing <i>Order To Set Hearing And Notice Of Hearing</i>
02/15/2012	Miscellaneous <i>Miscellaneous Payment: Copy Cd Paid by: Mike Wood Receipt number: 1204545 Dated: 2/15/2012 Amount: \$6.00 (Cash)</i>

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

02/15/2012 Notice  
*Notice and Agreement RE: Purchase of audio recordings of district and magistrate court proceedings.*

02/16/2012 Hearing Scheduled  
*Hearing Scheduled (Motion 02/17/2012 02:00 PM) Motion To Reconsider And/OR Modify Protective Order*

02/17/2012  Court Minutes  
*DEFENSE ATTORNEY: Michael Wood; HEARING TYPE: Motions; MINUTES CLERK: Kasey Kliegl; PROSECUTOR: Grant Loebs; START TIME: 02/17/2012 2:03PM STOP TIME: 02/17/2012 2:00AM ENTRY BY: KLIEGL; LAST UPDATE BY: KLIEGL;*

02/17/2012 Court Minutes  
*Court Minutes Hearing type: Motions Hearing date: 2/17/2012 Time: 2:03 pm Courtroom: Court reporter: Minutes Clerk: Kasey Kliegl Tape Number: Defense Attorney: Michael Wood Prosecutor: Grant Loebs*

02/17/2012 Hearing Held  
*Hearing result for Motion scheduled on 02/17/2012 02:00 PM: Hearing Held Motion To Reconsider And/OR Modify Protective Order; Motion To Quash Protective Order And Order oN Motion To Compel Discovery And Inspection*

02/21/2012 Order  
*Order*


02/21/2012 Order  
*Order*

03/09/2012 Court Minutes  
*Court Minutes*

03/12/2012 Continued (Judicial Officer: Harris, Roger B. )  
*Continued (Preliminary 03/30/2012 08:15 AM)*

03/12/2012 Miscellaneous  
*Notice Of Hearing*

03/13/2012 Supplemental Response to Request for Discovery  
*Supplemental Response To Request For Discovery*

03/30/2012  Court Minutes  
*DEFENSE ATTORNEY: Michael Wood; HEARING TYPE: Preliminary ; MINUTES CLERK: DJONES; PROSECUTOR: Grant Loebs; START TIME: 03/30/2012 9:48AM STOP TIME: 03/30/2012 2:00AM ENTRY BY: DJONES; LAST UPDATE BY: DJONES;*

03/30/2012 Court Minutes  
*Court Minutes Hearing type: Preliminary Hearing date: 3/30/2012 Time: 9:48 am Courtroom: Court reporter: Minutes Clerk: DJONES Tape Number: Defense Attorney: Michael Wood Prosecutor: Grant Loebs*

03/30/2012 Hearing Held  
*Hearing result for Preliminary scheduled on 03/30/2012 08:15 AM: Hearing Held*

03/30/2012 Order  
*Order Holding Defendant To Answer To District Court*

03/30/2012 Bound Over (after Prelim)  
*Bound Over (after Prelim)*


**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

03/30/2012 Change Assigned Judge  
*Change Assigned Judge*

03/30/2012 Hearing Scheduled  
*Hearing Scheduled (Arraignment 04/18/2012 08:30 AM)*

03/30/2012 Miscellaneous  
*Notice Of Hearing*

03/30/2012 **Preliminary Hearing (8:15 AM)** (Judicial Officer: Cannon, Nicole)

04/03/2012  Information Filed  
*Information for a Felony, Namely: Count I - Trafficking in Methamphetamine Count II - Trafficking in Methamphetamine*

04/04/2012 Miscellaneous  
*Miscellaneous Payment: Copy Cd Paid by: Lemmons, Bryann K Receipt number: 1209911 Dated: 4/4/2012 Amount: \$6.00 (Cash)*

04/04/2012 Notice  
*Notice and Agreement RE: Purchase of audio recordings of district and magistrate court proceedings.*

04/05/2012 Bond Posted for Transcript  
*Bond Posted for Transcript (Receipt 1210060 Dated 4/5/2012 for 286.00)*

04/18/2012 Arraignment  
*Hearing result for Arraignment scheduled on 04/18/2012 08:30 AM: Arraignment / First Appearance*

04/18/2012 DC Hearing Held: Court Reporter: # of Pages:  
*District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

04/18/2012 Court Minutes  
*Court Minutes*

04/18/2012 **Arraignment (8:30 AM)** (Judicial Officer: Bevan, G. Richard)

04/24/2012 Hearing Scheduled  
*Hearing Scheduled (Entry of Plea 05/29/2012 08:45 AM)*

04/24/2012 Miscellaneous  
*Notice Of Hearing*

05/01/2012 Bond Converted  
*Bond Converted (Transaction number 1201479 dated 5/1/2012 amount 217.75)*

05/01/2012 Bond Exonerated  
*Transcript Bond Exonerated (Amount 68.25)*

05/01/2012 Transcript Filed  
*Transcript Filed of the Preliminary Hearing held March 30, 2012*

05/01/2012 Acknowledgment of Service  
*Acknowledgment Of Service*

05/29/2012 Motion to Dismiss Case  
*Motion To Dismiss*



**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

05/29/2012 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Entry of Plea scheduled on 05/29/2012 08:45 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

05/29/2012 Court Minutes  
*Court Minutes*

05/29/2012 Appear & Plead Not Guilty  
*Appear & Plead Not Guilty*

05/29/2012 **Entry of Plea (8:45 AM)** (Judicial Officer: Bevan, G. Richard)

05/31/2012 Hearing Scheduled  
*Hearing Scheduled (Jury Trial 09/05/2012 09:00 AM) 3 days*

05/31/2012 Hearing Scheduled  
*Hearing Scheduled (Pretrial Conference 08/27/2012 11:00 AM)*

05/31/2012 Order  
*Order Governing Further Criminal Proceedings and Notice of Trial Setting*


06/12/2012 Hearing Scheduled  
*Hearing Scheduled (Motion 07/16/2012 02:30 PM)*

06/12/2012 Motion to Disqualify  
*Motion To Disqualify Alternate Judge*

06/13/2012 Notice of Hearing  
*Notice Of Hearing*

06/14/2012 Order  
*Order of Disqualification (Elgee)*

06/25/2012 Supplemental Response to Request for Discovery  
*Supplemental Response To Request For Discovery*

07/16/2012  Court Minutes  
*COURT REPORTER: Virginia Bailey; DEFENSE ATTORNEY: Michael Wood; HEARING TYPE: Motion; MINUTES CLERK: Shelley Bartlett; PROSECUTOR: Grant Loeb; START TIME: 07/16/2012 2:30PM STOP TIME: 07/16/2012 2:00AM ENTRY BY: BARTLETT; LAST UPDATE BY: BARTLETT;*

07/16/2012 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Motion scheduled on 07/16/2012 02:30 PM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

07/16/2012 Court Minutes  
*Court Minutes*

07/16/2012 **Motion Hearing (2:30 PM)** (Judicial Officer: Bevan, G. Richard)

08/09/2012 Order  
*Order Denying Defendant's Motion to Dismiss*

08/10/2012 Miscellaneous  
*Summary of Expected Testimony of Expert Witness*

08/10/2012 Supplemental Response to Request for Discovery  
*Supplemental Response To Request For Discovery*

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

08/10/2012 Supplemental Response to Request for Discovery  
*Supplemental Response To Request For Discovery and Witness List*

08/16/2012 Miscellaneous  
*State's Exhibit List*

08/24/2012 Response  
*Response to Request for Discovery*

08/24/2012 Jury Instructions  
*Jury Instructions/defendant*

08/24/2012 Miscellaneous  
*Miscellaneous Payment: Copy Cd Paid by: Michael Wood Receipt number: 1222734 Dated: 8/24/2012 Amount: \$6.00 (Cash)*

08/24/2012 Notice  
*Notice and Agreement RE: Purchase of audio recordings of district and magistrate court proceedings.*

08/27/2012 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Pretrial Conference scheduled on 08/27/2012 11:00 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

08/27/2012 Court Minutes  
*Court Minutes*

08/27/2012 Memorandum  
*Pretrial Conference Memorandum Pursuant to I.C.R. 18*

08/27/2012 Response to Request for Discovery  
*Supplemental Response To Request For Discovery and Amended Witness List*

08/27/2012 Jury Instructions  
*State's Requested Jury Instructions*

08/27/2012 **Pre-trial Conference** (11:00 AM) (Judicial Officer: Bevan, G. Richard)

08/28/2012 Response  
*First Supplemental Response to Request for Discovery*

08/30/2012 Hearing Scheduled  
*Hearing Scheduled (Change of Plea 08/31/2012 01:30 PM)*

08/30/2012 Miscellaneous  
*Notice Of Hearing*

08/31/2012 Motion  
*State's Motion in Limine*


08/31/2012 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Change of Plea scheduled on 08/31/2012 01:30 PM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

08/31/2012 Court Minutes  
*Court Minutes*

08/31/2012 Hearing Vacated  
*Hearing result for Jury Trial scheduled on 09/05/2012 09:00 AM: Hearing Vacated 3 days*

# CASE SUMMARY

## CASE NO. CR-2011-14836

08/31/2012	Hearing Scheduled <i>Hearing Scheduled (Status 09/04/2012 09:30 AM)</i>
08/31/2012	Notice of Hearing <i>Notice Of Hearing</i>
08/31/2012	<b>Change of Plea</b> (1:30 PM) (Judicial Officer: Bevan, G. Richard)
09/04/2012	DC Hearing Held: Court Reporter: # of Pages: <i>Hearing result for Status scheduled on 09/04/2012 09:30 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:</i>
09/04/2012	Court Minutes <i>Court Minutes</i>
09/04/2012	<b>Status Conference</b> (9:30 AM) (Judicial Officer: Bevan, G. Richard)
09/05/2012	Hearing Scheduled <i>Hearing Scheduled (Motion in Limine 10/01/2012 03:00 PM)</i>
09/05/2012	Hearing Scheduled <i>Hearing Scheduled (Jury Trial 11/14/2012 09:00 AM) 3 days</i>
09/05/2012	Hearing Scheduled <i>Hearing Scheduled (Pretrial Conference 11/05/2012 11:00 AM)</i>
09/05/2012	Miscellaneous <i>Notice Of Hearing</i>
09/05/2012	<b>Jury Trial</b> (9:00 AM) (Judicial Officer: Bevan, G. Richard) <b>09/05/2012-09/07/2012</b> <i>3 days Hearing result for Jury Trial scheduled on 09/05/2012 09:00 AM: Hearing Vacated</i>
09/06/2012	Notice of Hearing <i>Notice Of Hearing</i>
10/01/2012	 Court Minutes <i>COURT REPORTER: Virginia Bailey; DEFENSE ATTORNEY: Michael Wood; HEARING TYPE: Motion in Limine; MINUTES CLERK: Shelley Bartlett; PROSECUTOR: Grant Loeb; START TIME: 10/01/2012 3:00PM STOP TIME: 10/01/2012 2:00AM ENTRY BY: BARTLETT; LAST UPDATE BY: BARTLETT;</i>
10/01/2012	DC Hearing Held: Court Reporter: # of Pages: <i>Hearing result for Motion in Limine scheduled on 10/01/2012 03:00 PM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:</i>
10/01/2012	Court Minutes <i>Court Minutes</i>
10/01/2012	<b>Motion in Limine</b> (3:00 PM) (Judicial Officer: Bevan, G. Richard)
10/02/2012	Hearing Scheduled <i>Hearing Scheduled (Status 10/15/2012 09:30 AM)</i>
10/02/2012	Miscellaneous <i>Notice Of Hearing</i>
10/03/2012	Order

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

*Order Granting Motion to Withdraw by Defense Counsel*

10/15/2012 Continued (Judicial Officer: Bevan, G. Richard )  
*Continued (Status 10/29/2012 09:30 AM)*

10/15/2012 DC Hearing Held: Court Reporter: # of Pages:  
*District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

10/15/2012 Court Minutes  
*Court Minutes*

10/16/2012 Application for Public Defender  
*Twin Falls County Public Defender Application*

10/16/2012 Order Appointing Public Defender  
*Order Appointing Public Defender*

10/17/2012 Miscellaneous  
*Notice Of Hearing*

10/29/2012 Court Minutes  
*Court Minutes*

10/29/2012 DC Hearing Held: Court Reporter: # of Pages:  
*District Court Hearing Held (Status 11/13/2012 09:30 AM) Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

10/31/2012 Continued (Judicial Officer: Bevan, G. Richard )  
*Continued (Status 11/13/2012 09:30 AM)*

10/31/2012 Hearing Vacated  
*Hearing result for Jury Trial scheduled on 11/14/2012 09:00 AM: Hearing Vacated 3 days*

10/31/2012 Hearing Vacated  
*Hearing result for Pretrial Conference scheduled on 11/05/2012 11:00 AM: Hearing Vacated*

10/31/2012 Miscellaneous  
*Notice Of Hearing*

11/05/2012 **Pre-trial Conference (11:00 AM)** (Judicial Officer: Bevan, G. Richard)

11/06/2012 Substitution of Counsel  
*Substitution Of Counsel as Conflict Public Defender*

11/13/2012 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Status scheduled on 11/13/2012 09:30 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

11/13/2012 Court Minutes  
*Court Minutes*

11/13/2012 **Status Conference (9:30 AM)** (Judicial Officer: Bevan, G. Richard)

11/14/2012 **Jury Trial (9:00 AM)** (Judicial Officer: Bevan, G. Richard)  
**11/14/2012-11/16/2012**  
*3 days Hearing result for Jury Trial scheduled on 11/14/2012 09:00 AM: Hearing Vacated*

11/15/2012 Hearing Scheduled  
*Hearing Scheduled (Jury Trial 03/13/2013 09:00 AM)*

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

11/15/2012	Hearing Scheduled <i>Hearing Scheduled (Pretrial Conference 03/04/2013 11:00 AM)</i>
11/15/2012	Miscellaneous <i>Notice Of Hearing</i>
01/30/2013	Affidavit <i>Affidavit of Counsel for Appointment of New Conflict Counsel</i>
02/05/2013	Hearing Scheduled <i>Hearing Scheduled (Status 02/11/2013 09:30 AM)</i>
02/05/2013	Miscellaneous <i>Notice Of Hearing</i>
02/11/2013	Failure to Appear for Hearing Or Trial <i>Hearing result for Status scheduled on 02/11/2013 09:30 AM: Failure To Appear For Hearing Or Trial</i>
02/11/2013	Court Minutes <i>Court Minutes</i>
02/11/2013	<b>Status Conference (9:30 AM)</b> (Judicial Officer: Bevan, G. Richard)
02/12/2013	Warrant/Det Order Issued - Bench <i>Warrant Issued - Bench Bond amount: 75000.00 Failed to Appear Defendant: Lemmons, Bryann Kristine</i>
02/14/2013	Order <i>Order to Appoint Special Conflict Public Defender</i>
02/14/2013	Notice of Appearance <i>Defendant: Lemmons, Bryann Kristine Appearance Greg J Fuller</i>
02/25/2013	Substitution of Counsel <i>Substitution of Attorney</i>
02/25/2013	Notice of Appearance <i>Defendant: Lemmons, Bryann Kristine Appearance M. Lynn Dunlap</i>
02/26/2013	Notice of Hearing <i>Notice Of Hearing</i>
02/26/2013	Motion to Continue <i>Motion To Continue</i>
02/26/2013	Affidavit <i>Affidavit in Support of Motion to Continue</i>
02/26/2013	Motion <i>Motion to Quash Arrest Warrant</i>
02/27/2013	Stipulation <i>Stipulation to Continue</i>
02/28/2013	Miscellaneous <i>Amended Summary of Expected Testimony of Expert witness</i>
02/28/2013	Miscellaneous <i>State's Amended Exhibit List</i>

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

03/04/2013 Miscellaneous  
*Warrant Recall Notice Sent*

03/04/2013 Warrant or Detention Order Quashed  
*Warrant Quashed Failed to Appear Defendant: Lemmons, Bryann Kristine*

03/04/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Pretrial Conference scheduled on 03/04/2013 11:00 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated: also Motion to Continue and Motion to Quash*

03/04/2013 Court Minutes  
*Court Minutes*

03/04/2013 Order  
*Order to Quash Arrest Warrant*

03/04/2013 Order  
*Order To Continue*

03/04/2013 Order  
*Order Regarding Bond and Special Conditions (Remains as set with Court Compliance)*

03/04/2013 Continued (Judicial Officer: Bevan, G. Richard )  
*Continued (Jury Trial 05/22/2013 09:00 AM) 2 days*

03/04/2013 Hearing Scheduled  
*Hearing Scheduled (Pretrial Conference 05/13/2013 11:00 AM)*

03/04/2013 Miscellaneous  
*Notice Of Hearing*

03/04/2013 **Pre-trial Conference (11:00 AM)** (Judicial Officer: Bevan, G. Richard)  
*also Motion to Continue and Motion to Quash Hearing result for Pretrial Conference scheduled on 03/04/2013 11:00 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

03/06/2013 Agreement in Lieu of Detention  
*Twin Falls County Court Compliance Program Agreement in Lieu of Incarceration*

03/06/2013 Motion  
*State's Ex Parte Motion to Re-Set Jury Trial*

03/11/2013 Hearing Vacated  
*Hearing result for Pretrial Conference scheduled on 05/13/2013 11:00 AM: Hearing Vacated*

03/11/2013 Hearing Vacated  
*Hearing result for Jury Trial scheduled on 05/22/2013 09:00 AM: Hearing Vacated 2 days*

03/12/2013 Substitution of Counsel  
*Substitution of Attorney*

03/18/2013 Hearing Scheduled  
*Hearing Scheduled (Motion 03/25/2013 10:15 AM) to Reset Trial*

03/18/2013 Miscellaneous  
*Unavailable Dates for Trial*

03/19/2013 Notice of Hearing  
*Notice Of Hearing*

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

03/19/2013 Supplemental Response to Request for Discovery  
*Supplemental Response To Request For Discovery and Second Amended Witness List*

03/19/2013 Ex-Parte Motion  
*Ex-parte Motion for An Order to Revoke Bond and Issue a Warrant*

03/21/2013 Ex Parte Order  
*Ex-parte Order to Revoke Bond and Issue a Warrant*

03/21/2013 Bench Warrant/Det Order Issued  
*Warrant Issued - Arrest Bond amount: 100000.00 Defendant: Lemmons, Bryann Kristine*

03/21/2013 Case Sealed  
*Case sealed*

03/25/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Motion scheduled on 03/25/2013 10:15 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated: to Reset Trial*

03/25/2013 Court Minutes  
*Court Minutes*

03/25/2013 Order  
*Order Granting State's Ex Parte Motion to Re-Set Jury Trial*

03/25/2013 **Motion Hearing** (10:15 AM) (Judicial Officer: Bevan, G. Richard)  
*to Reset Trial Hearing result for Motion scheduled on 03/25/2013 10:15 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

03/26/2013 Hearing Scheduled  
*Hearing Scheduled (Jury Trial 05/29/2013 09:00 AM)*

03/26/2013 Hearing Scheduled  
*Hearing Scheduled (Pretrial Conference 05/20/2013 11:00 AM)*

03/26/2013 Hearing Scheduled  
*Hearing Scheduled (Bond Reduction 04/08/2013 10:30 AM)*

03/26/2013 Miscellaneous  
*Notice Of Hearing*

03/26/2013 Warrant/Det Order Returned - Served  
*Warrant Returned Defendant: Lemmons, Bryann Kristine*

03/26/2013 Case Un-sealed  
*Case Un-sealed*

03/26/2013 County Jail Packet  
*Twin Falls County Jail Packet*

03/26/2013 Sheriff's Inmate Screening Report  
*TF County Sheriff's Inmate Screening Report*

03/26/2013 Notice of Hearing  
*Notice Of Hearing*

03/26/2013 Motion for Bond Reduction  
*Motion For Bond Reduction*

# CASE SUMMARY

## CASE NO. CR-2011-14836

03/26/2013	Arrestment <i>Arrestment / First Appearance</i>
03/26/2013	Court Minutes <i>Court Minutes</i>
03/26/2013	Bond Set <i>BOND SET: at 100000.00 Per Warrant</i>
03/27/2013	Notice of Hearing <i>Amended Notice Of Hearing</i>
03/28/2013	Motion <i>State's Motion in Limine</i>
03/29/2013	Notice of Hearing <i>Notice Of Hearing</i>
04/08/2013	Bond Posted - Surety <i>Bond Posted - Surety (Amount 50000.00 )</i>
04/08/2013	Miscellaneous <i>Miscellaneous Payment: Sheriff Fees Paid by: A-1 Auto Sales Receipt number: 1309295 Dated: 4/8/2013 Amount: \$10.00 (Cash)</i>
04/08/2013	DC Hearing Held: Court Reporter: # of Pages: <i>Hearing result for Bond Reduction scheduled on 04/08/2013 10:30 AM: District Court Hearing Held Court Reporter: Sabring Vasquez Number of Transcript Pages for this hearing estimated: Also Motion in Limine (15 minutes)</i>
04/08/2013	Court Minutes <i>Court Minutes</i>
04/08/2013	Order <i>Order Regarding Bond and Special Conditions (Reduced to \$50,000.00)</i>
04/08/2013	<b>Motion for Bond Reduction (10:30 AM)</b> (Judicial Officer: Bevan, G. Richard) <i>Also Motion in Limine (15 minutes) Hearing result for Bond Reduction scheduled on 04/08/2013 10:30 AM: District Court Hearing Held Court Reporter: Sabring Vasquez Number of Transcript Pages for this hearing estimated:</i>
04/10/2013	Agreement in Lieu of Detention <i>Twin Falls County Court Compliance Program Agreement in Lieu of Incarceration</i>
04/10/2013	Hearing Scheduled <i>Hearing Scheduled (Status 05/01/2013 09:30 AM) Status of Court Compliance</i>
04/10/2013	Miscellaneous <i>Notice Of Hearing</i>
05/01/2013	DC Hearing Held: Court Reporter: # of Pages: <i>Hearing result for Status scheduled on 05/01/2013 09:30 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated: Status of Court Compliance</i>
05/01/2013	Court Minutes <i>Court Minutes</i>
05/01/2013	<b>Status Conference (9:30 AM)</b> (Judicial Officer: Bevan, G. Richard) <i>Status of Court Compliance Hearing result for Status scheduled on 05/01/2013 09:30 AM:</i>



TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**

**CASE NO. CR-2011-14836**

*District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

05/13/2013 **Pre-trial Conference** (11:00 AM) (Judicial Officer: Bevan, G. Richard)

05/20/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Pretrial Conference scheduled on 05/20/2013 11:00 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

05/20/2013 Court Minutes  
*Court Minutes*

05/20/2013 Memorandum  
*Pretrial Conference Memorandum Pursuant to I.C.R. 18*

05/20/2013 **Pre-trial Conference** (11:00 AM) (Judicial Officer: Bevan, G. Richard)

05/22/2013 Witness List  
*Defendant's Witness and Exhibit List*

05/22/2013 Notice of Change of Address  
*Change of Address Form from Misdemeanor Probation*

05/22/2013 **Jury Trial** (9:00 AM) (Judicial Officer: Bevan, G. Richard)  
**05/22/2013-05/23/2013**  
*2 days Hearing result for Jury Trial scheduled on 05/22/2013 09:00 AM: Hearing Vacated*


05/28/2013 DC Hearing Held: Court Reporter: # of Pages:  
*District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

05/28/2013 Court Minutes  
*Court Minutes*

05/29/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Jury Trial scheduled on 05/29/2013 08:30 AM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

05/29/2013 Miscellaneous  
*Preliminary Jury Instructions*

05/29/2013 **Jury Trial** (8:30 AM) (Judicial Officer: Stoker, Randy J.)  
**05/29/2013-05/30/2013**

05/30/2013  Court Minutes  
*COURT REPORTER: Tracey Barksdale; DEFENSE ATTORNEY: Greg Fuller; HEARING TYPE: Jury Trial; MINUTES CLERK: Angela Aguire; PROSECUTOR: Grant Loeb; START TIME: 05/30/2013 4:19PM STOP TIME: 05/30/2013 2:00AM ENTRY BY: COOPE; LAST UPDATE BY: COOPE;*

05/30/2013 Jury Instructions  
*Defendant's Supplemental Jury Instruction*

05/30/2013 Hearing Scheduled  
*Hearing Scheduled (Sentencing 07/29/2013 03:30 PM)*

05/30/2013 Found Guilty after Trial  
*Found Guilty After Trial*

05/30/2013 Order

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**

**CASE NO. CR-2011-14836**

*Order Returning Property to Investigating Law Enforcement Agency*

05/30/2013	Court Minutes <i>Court Minutes</i>
05/30/2013	Miscellaneous <i>Post Jury Instruction</i>
05/30/2013	Pre-Sentence Investigation Evaluation Ordered <i>Order for Pre-Sentence Investigation Report and Mental Health Assessment</i>
05/30/2013	Pre-Sentence Investigation Evaluation Ordered <i>Order for Presentence Investigation Report and Substance Abuse Assessment</i>
05/30/2013	 Verdict form <i>Verdict Form Guilty 4 Counts</i>
05/30/2013	Miscellaneous <i>Final Jury Instructions</i>
05/31/2013	Miscellaneous <i>Notice Of Hearing</i>
05/31/2013	Miscellaneous <i>Defendant's Exhibit List</i>
05/31/2013	Miscellaneous <i>State's Exhibit List</i>
05/31/2013	Witness List <i>Witness List</i>
05/31/2013	Motion <i>Motion to Revoke Bond and Issue Warrant</i>
06/03/2013	Order <i>Order to Revoke Bond and Issue Warrant</i>
06/04/2013	Bench Warrant/Det Order Issued <i>Warrant Issued - Arrest Bond amount: NO BOND Defendant: Lemmons, Bryann Kristine</i>
06/04/2013	Case Sealed <i>Case sealed</i>
06/04/2013	Bond Exonerated <i>Surety Bond Exonerated (Amount 50,000.00)</i>
06/04/2013	Bond Exonerated <i>Surety Bond Exonerated (Amount 50,000.00)</i>
06/05/2013	Letter <i>Letter from P &amp; P re: PSI</i>
06/06/2013	Hearing Scheduled <i>Hearing Scheduled (Status 06/13/2013 11:00 AM)</i>
06/06/2013	Notice of Hearing <i>Notice Of Hearing</i>
06/10/2013	Warrant/Det Order Returned - Served

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

*Warrant Returned Defendant: Lemmons, Bryann Kristine*

06/10/2013	Case Un-sealed <i>Case Un-sealed</i>
06/10/2013	County Jail Packet <i>Twin Falls County Jail Packet</i>
06/10/2013	Arraignment <i>Arraignment / First Appearance</i>
06/10/2013	Advisement of Rights <i>Notification Of Rights Felony</i>
06/10/2013	Court Minutes <i>Court Minutes</i>
06/10/2013	Bond Set <i>BOND SET: bond per warrant to be held without bond</i>
06/12/2013	Hearing Vacated <i>Hearing result for Status scheduled on 06/13/2013 11:00 AM: Hearing Vacated</i>
06/13/2013	Hearing Scheduled <i>Hearing Scheduled (Motion 07/09/2013 09:00 AM) for Judgment of Acquittal or New Trial</i>
06/13/2013	Notice of Hearing <i>Notice Of Hearing</i>
06/13/2013	Motion <i>Renewed Motion for Judgment of Acquittal and Motion for New Trial</i>
06/13/2013	<b>Status Conference (11:00 AM)</b> (Judicial Officer: Bevan, G. Richard)
06/20/2013	Continued (Judicial Officer: Bevan, G. Richard ) <i>Continued (Motion 07/15/2013 10:30 AM) for Judgment of Acquittal or New Trial</i>
06/20/2013	Miscellaneous <i>Amended Notice Of Hearing</i>
06/24/2013	Memorandum <i>State's Memorandum Opposing Defendant's Motion for Judgment of Acquittal or New Trial</i>
07/10/2013	Memorandum <i>State's Supplemental Memorandum Opposing Defendant's Motion for Judgment of Acquittal or New Trial</i>
07/12/2013	Memorandum <i>Memorandum in Support of Defendant's Renewed Motion for Judgment of Acquittal and/or Motion for New Trial</i>
07/15/2013	Hearing Vacated <i>Hearing result for Sentencing scheduled on 07/29/2013 03:30 PM: Hearing Vacated</i>
07/15/2013	DC Hearing Held: Court Reporter: # of Pages: <i>Hearing result for Motion scheduled on 07/15/2013 10:30 AM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated: for Judgment of Acquittal or New Trial</i>
07/15/2013	Court Minutes <i>Court Minutes</i>

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

07/15/2013 Order  
*Order Granting Motion for New Trial in Part, Denying Motion for New Trial in Part and Denying Motion for Judgment of Acquittal*

07/15/2013 Memorandum  
*Supplemental Memorandum in Support of Defendant's RENEWED Motion for Judgment of Acquittal and/or Motion for New Trial*

07/15/2013 **Motion Hearing** (10:30 AM) (Judicial Officer: Stoker, Randy J.)  
*for Judgment of Acquittal or New Trial Hearing result for Motion scheduled on 07/15/2013 10:30 AM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

07/16/2013 Hearing Scheduled  
*Hearing Scheduled (Pretrial Conference 08/09/2013 01:30 PM)*

07/16/2013 Hearing Scheduled  
*Hearing Scheduled (Jury Trial 08/20/2013 08:30 AM)*

07/16/2013 Miscellaneous  
*Notice Of Hearing*

07/17/2013 Hearing Scheduled  
*Hearing Scheduled (Bond Reduction 07/29/2013 10:30 AM)*

07/18/2013 Notice of Hearing  
*Notice Of Hearing*

07/18/2013 Motion  
*Motion to Reinstate Bond*

07/24/2013 Notice of Appeal  
*NOTICE OF APPEAL*

07/24/2013 Appeal Filed in Supreme Court  
*Appealed To The Supreme Court*

07/25/2013 Motion for Reconsideration  
*Motion For Reconsideration and Memorandum in Support Thereof*

07/29/2013 Notice of Hearing  
*Notice Of Hearing*

07/29/2013 Motion  
*Motion for Permissive Appeal and Memorandum in Support Thereof*

07/29/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Bond Reduction scheduled on 07/29/2013 10:30 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

07/29/2013 Court Minutes  
*Court Minutes*

07/29/2013 **Sentencing** (3:30 PM) (Judicial Officer: Bevan, G. Richard)

07/29/2013 **Motion for Bond Reduction** (10:30 AM) (Judicial Officer: Bevan, G. Richard)

07/31/2013 Order  
*Order of Reassignment*

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

08/01/2013 Change Assigned Judge  
*Change Assigned Judge*

08/01/2013 Clerk's Certificate of Appeal  
*Clerk's Certificate Of Appeal*

08/05/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed-Notice Of Appeal; Clerk's Transcript and Reporter's Transcript Due 11-12-13*

08/06/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed-Order Consolidating Appeals*

08/08/2013 Miscellaneous  
*Pages Estimate*

08/08/2013 Miscellaneous  
*Pages Estimate*

08/09/2013 Hearing Vacated  
*Hearing result for Jury Trial scheduled on 08/20/2013 08:30 AM: Hearing Vacated*

08/09/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Pretrial Conference scheduled on 08/09/2013 01:30 PM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

08/09/2013 Hearing Scheduled  
*Hearing Scheduled (Motion 08/23/2013 01:30 PM)*

08/09/2013 Miscellaneous  
*Notice Of Hearing*

08/09/2013 Court Minutes  
*Court Minutes*

08/09/2013 **Pre-trial Conference (1:30 PM) (Judicial Officer: Stoker, Randy J.)**

08/15/2013 Memorandum  
*State's Memorandum Opposing Defendant's Motion for Reconsideration*

08/20/2013 **Jury Trial (8:30 AM) (Judicial Officer: Stoker, Randy J.)**  
**08/20/2013-08/21/2013**

08/22/2013 Memorandum  
*Defendant's Final Memorandum in Support of Defendant's Renewed Motion for Judgment of Acquittal and Motion for New Trial and Dismissal*

08/23/2013 Bond Set  
*BOND SET: at 75000.00*

08/23/2013 Court Minutes  
*Court Minutes*

08/23/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Motion scheduled on 08/23/2013 01:30 PM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated: Motion for Reconsideration and Bond Reduction*

08/23/2013 **Motion Hearing (1:30 PM) (Judicial Officer: Stoker, Randy J.)**

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

*Motion for Reconsideration and Bond Reduction Hearing result for Motion scheduled on 08/23/2013 01:30 PM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

08/26/2013 Order  
*Order on Defendant's Motion for Reconsideration*

08/30/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed Certified Copies of Order on Defendant's Motion for Reconsideration*

09/03/2013 Bond Posted - Surety  
*Bond Posted - Surety (Amount 75000.00 )*

09/03/2013 Miscellaneous  
*Miscellaneous Payment: Sheriff Fees Paid by: American Eagle Receipt number: 1322367 Dated: 9/3/2013 Amount: \$10.00 (Cash)*

09/06/2013 Agreement in Lieu of Detention  
*Twin Falls County Court Compliance Program Agreement in Lieu of Incarceration*

10/04/2013 Notice  
*Notice of Cross-Appeal*

10/09/2013 Supreme Court Document Filed-Misc  
*Supreme Court Filed Notice of Cross Appeal. Supplemental Transcript Due 11-6-2013*

11/04/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed- Reset Due Date - Transcript and Clerk's Record Due 01-08-14*

11/08/2013 Notice of Hearing  
*Notice Of Hearing*

11/08/2013 Motion  
*Motion to Modify Terms of Release*

11/15/2013 Notice  
*Notice of Lodging; Tracy Barksdale, Jury Trial May 29 & 30, 2013; Hearing July 15, 2013*

11/15/2013 Miscellaneous  
*Lodged: Transcript on Appeal by email*

11/22/2013 DC Hearing Held: Court Reporter: # of Pages:  
*District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

11/22/2013 Court Minutes  
*Court Minutes*

11/25/2013 Order  
*Order Re: Motion to Modify Terms of Release*

11/26/2013 Supreme Court Document Filed-Misc  
*Supreme Court -- Entered Order Conditionally Dismissing Appeal for Payment of Fees*

11/26/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed- Order Conditionally Dismissing Appeal*

11/26/2013 Supreme Court Document Filed-Misc  
*Supreme Court -- Entered Amended Order RE: Fees*

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

11/26/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed- Amended Order RE: Fees*

12/12/2013 Notice  
*Request for Hearing and Notice of Review Hearing*

12/12/2013 Hearing Scheduled  
*Hearing Scheduled (Hearing Scheduled 01/14/2014 03:30 PM) Court Compliance Fee Review*

12/16/2013 Supreme Court Document Filed-Misc  
*Supreme Court -- Reset Due Date -- Transcript and Clerk's Record Due 01-27-14*

01/14/2014 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Hearing Scheduled scheduled on 01/14/2014 03:30 PM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated: Court Compliance Fee Review*

01/14/2014 Court Minutes  
*Court Minutes*

01/14/2014 **Hearing Scheduled (3:30 PM)** (Judicial Officer: Stoker, Randy J.)  
*Court Compliance Fee Review Hearing result for Hearing Scheduled scheduled on 01/14/2014 03:30 PM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

01/15/2014 Order  
*Order Re Court Compliance Fees*

01/23/2014 Motion  
*Ex Parte Motion for an Order to Revoke Bond and Issue Warrant*

01/24/2014 Supreme Court Document Filed-Misc  
*Supreme Court -- Received Clerk's Record, Reporter's Transcripts (2 Volumes), Exhibits and Confidential Exhibits. Set Due Date -- Appellant's Brief Due 02-28-14*

01/27/2014 Order  
*Ex Parte Order to Revoke Bond and Issue a Warrant*

01/27/2014 Bench Warrant/Det Order Issued  
*Warrant Issued - Arrest Bond amount: .00 Defendant: Lemmons, Bryann Kristine*

01/27/2014 Case Sealed  
*Case sealed*

01/27/2014 Bond Set  
*BOND SET: at 0*

01/28/2014 Warrant/Det Order Returned - Served  
*Warrant Returned Defendant: Lemmons, Bryann Kristine*

01/28/2014 Case Un-sealed  
*Case Un-sealed*

01/28/2014 County Jail Packet  
*Twin Falls County Jail Packet*






01/28/2014 Sheriff's Inmate Screening Report  
*TF County Sheriff's Inmate Screening Report*

01/28/2014 Arraignment

TWIN FALLS COUNTY DISTRICT COURT



















**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

*Arraignment / First Appearance*

- 01/28/2014 Court Minutes  
*Court Minutes*
- 01/28/2014 Bond Set  
*BOND SET: per warrant to be held without bond*
- 02/03/2014 Supreme Court Document Filed-Misc  
*Supreme Court -- Received Clerk's Record, Reporter Transcripts (2 Volumes), Exhibits, and Confidential Exhibits. Set Due Date - Appellant's Brief Due 2-28-14*
- 02/25/2014 Notice of Hearing  
*Notice Of Hearing*
- 02/25/2014 Motion  
*Motion to Set bond and/or Bond Reduction*
- 02/26/2014 Notice of Hearing  
*Amended Notice Of Hearing*
- 02/26/2014 Motion for Bond Reduction  
*Amended Motion to Set bond and/or Bond Reduction*
- 02/26/2014 Hearing Scheduled  
*Hearing Scheduled (Bond Reduction 03/13/2014 11:00 AM)*
- 03/13/2014 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Bond Reduction scheduled on 03/13/2014 11:00 AM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*
- 03/13/2014 Court Minutes  
*Court Minutes*
- 03/13/2014 **Motion for Bond Reduction (11:00 AM)** (Judicial Officer: Stoker, Randy J.)
- 11/14/2014 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed- 2014 Unpublished Opinion No. 812 -- Reversed and Remanded*
- 11/21/2014 Supreme Court Document Filed-Misc  
*Supreme Court Filed (Appellant/Cross-Respondent's) Petition for Review by Supreme Court*
- 03/16/2015 Supplemental Response to Request for Discovery  
*Supplemental Response To Request For Discovery*
- 08/26/2015  Pre-Sentence Investigation Ordered
- 08/26/2015  Notice of Hearing
- 08/26/2015  Supreme Court Document Filed-Misc  
*2015 Opinion No. 79 -- Reversed*
- 09/18/2015  Supreme Court Document Filed-Misc  
*Remittitur*
- 09/23/2015  Restitution Request










**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

- 09/29/2015  Supplemental Response to Request for Discovery
- 10/07/2015  Pre-Sentence Report
- 10/13/2015  **Sentencing** (2:30 PM) (Judicial Officer: Stoker, Randy J.)
- 10/13/2015  Addendum to Pre-Sentence Investigation
- 10/13/2015 DC Hearing Held: Court Reporter: # of Pages:  
*TBarksdale*
- 10/13/2015  Court Minutes
- 10/14/2015  Judgment of Conviction & Order of Commitment
- 10/14/2015 **Disposition** (Judicial Officer: Stoker, Randy J.)  
 Drug-Trafficking in Methamphetamine or Amphetamine (28 grams to Less Than 200 grams)  
 Guilty  
 FCN: #201029916   
  
 Drug-Trafficking in Methamphetamine or Amphetamine (28 grams to Less Than 200 grams)  
 Guilty  
 FCN: #201029916 
- 10/15/2015 **Sentence** (Judicial Officer: Stoker, Randy J.)  
 Drug-Trafficking in Methamphetamine or Amphetamine (28 grams to Less Than 200 grams)  
 Felony Sentence  
 Confinement  
     Type:  
     Facility: Idaho Department of Corrections  
     Effective Date: 10/15/2015  
     Determinate: 3 Years  
     Indeterminate: 12 Years  
 Fee Totals:  
     Court Costs - 280.50  
     Felony - Drug  
     Fine Program - 10,000.00  
     Drug  
     Restitution 100.00  
 Fee Totals \$ 10,380.50  
 Fee Totals:  
     Restitution 5,313.96  
 Fee Totals \$ 5,313.96  
 Fee Totals:  
     Restitution 5,025.00  
 Fee Totals \$ 5,025.00
- 10/15/2015 **Sentence** (Judicial Officer: Stoker, Randy J.)  
 Drug-Trafficking in Methamphetamine or Amphetamine (28 grams to Less Than 200 grams)  
 Felony Sentence  
 Confinement  
     Type:  
     Facility: Idaho Department of Corrections  
     Effective Date: 10/15/2015  
     Determinate: 3 Years  
     Indeterminate: 12 Years  
 Fee Totals:

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2011-14836**

Fine Program -	10,000.00
Drug	
Fee Totals \$	10,000.00

10/15/2015	Case Final Judgment Entered
11/12/2015	 Notice of Appeal
11/12/2015	 Ex-Parte Motion <i>Ex- Parte Motion for Appointment of State Appellate Public Defender</i>
11/12/2015	Appeal Filed in Supreme Court
11/13/2015	 Order Appointing State Appellate Public Defender
11/13/2015	 Clerk's Certificate of Appeal
11/18/2015	 Order <i>of Restitution</i>
11/25/2015	 Supreme Court Document Filed-Misc <i>Filed Notice(s) of Appeal - Transcript Requested- Entered Order to Augment Prior Appeal Nos. 41278, 41279 and 42823 and Consolidate Appeal Nos. 43720 and 43721 for All Purposes Set Due Date - Reporter's Transcript (Lodging 12-21-15) and Clerk's Record Due 1-25-16</i>
11/25/2015	 Supreme Court Document Filed-Misc <i>1 Augment Prior Appeal Nos. 41278, 41279 and 42823. 2. Consolidate Appeal Nos. 43720 and 43721 for All Purposes</i>
12/18/2015	Supreme Court Document Filed-Misc <i>Filed Notice of Transcript Lodged By T. Barksdale (27 pages)</i>

DATE

FINANCIAL INFORMATION

<b>Defendant</b> Hemmons, Bryann Kristine	
Total Charges	30,781.96
Total Payments and Credits	62.50
<b>Balance Due as of 1/5/2016</b>	<b>30,719.46</b>
<b>Defendant</b> Hemmons, Bryann Kristine	
Criminal Cash Bond Account Type Balance as of 1/5/2016	<b>0.00</b>

DISTRICT COURT  
TWIN FALLS CO., IDAHO  
FILED

2015 SEP 23 AM 10:01

GRANT P. LOEBS  
Prosecuting Attorney  
for Twin Falls County  
P.O. Box 126  
Twin Falls, Idaho 83303  
Phone: (208) 736-4020  
Fax: (208) 736-4120

BY \_\_\_\_\_  
CLERK  
\_\_\_\_\_  
DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE  
OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

STATE OF IDAHO,	)	Case No. CR 11-14836 <u>and</u>
	)	CR 12-10131
Plaintiff,	)	
	)	
vs.	)	RESTITUTION REQUEST
	)	
BRYANN KRISTINE LEMMONS,	)	
	)	
Defendant.	)	
	)	

COMES NOW Peter M. Hatch, Deputy Prosecuting Attorney and submits the following Time Sheet for Restitution Pursuant to Idaho Code Section 37-2732(k). The Twin Falls Prosecuting Attorney's Office seeks restitution for attorney time in the above-entitled case as follows, at a rate of \$75.00 per hour:

	CR 11-14836	CR 12-10131
Review and analyze charging request and make filing decision.	.2	.2
Draft, review, revise, and file complaint.	.3	.3
Attend first appearance.	.2	.2
Conference re: appropriate offer to make to defense attorney and prepare offer.	.4	.4

Prepare for preliminary hearing, review and analyze police reports, prepare discovery, conference w/ witnesses.	1.3	1.3
Preliminary hearing held on 3/30/2012.	1.3	n/a
Preliminary hearing set for 10/1/2012 (continued by Defendant)	n/a	.2
Preliminary hearing set for 11/19/2012 (Waived)	n/a	.2
Draft Information.	.2	.2
Arraignment hearing held 4/18/2012	.2	n/a
Entry of Plea hearing held 5/29/2012.	.1	n/a
Review file and begin trial preparations.	.3	n/a
Draft Witness List, Exhibit List, Jury Instructions	.3	n/a
Pre-Trial Conference held 8/27/2012.	.2	n/a
Status Hearing held 9/4/2012.	.3	n/a
Status Hearing held 11/13/2012.	.2	n/a
Arraignment hearing held 12/10/2012	n/a	.2
Review file and begin trial preparations.	n/a	.3

**THE CASES STARTED RUNNING PARALLEL AT THIS POINT**

Status Hearing held 2/11/2013 (Defendant FTA'd).	.1	
Prepare new settlement offer to defense attorney.	.2	
Pre-Trial Conference held 3/4/2013.	.1	
Prepare Court Compliance Program Violation w/ Warrant	.1	
First Appearance on CCP Violation on 3/26/2013.	.1	
Research and Prepare for Jury Trial	30.00	
Jury Trial held 5/29/2013	11.2	
Post Trial Motions, Briefs, and Hearings	15.0	
First Appearance on Warrant re: FTA for PSI on 6/10/2013	.1	

Prepare Court Compliance Program Violation w/ Warrant. (1/23/14)	.1	
First Appearance on CCP Violation on 1/28/2014.	.1	
Bond Reduction hearing held on 3/13/2014.	.1	
Review Presentence Investigation Report	.5	
Sentencing set for October 13, 2015.	.3	
SUBTOTAL	63.5	3.5
TOTAL TIME	67	

**Total Restitution Request:**

**\$ 5,025.00**

I, Peter M. Hatch, Deputy Prosecuting Attorney, for Twin Falls County hereby certify the above accurately reflects the time spent on this case.

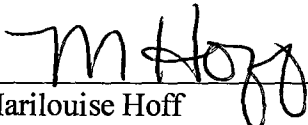
DATED this 22<sup>nd</sup> day of September, 2015.



Peter M. Hatch  
Deputy Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of September, 2015, I served a copy of the foregoing **RESTITUTION REQUEST** thereof into the mail slot for **DAN BROWN** located at the District Court Services Office and for delivery on the regular delivery route made every morning and afternoon to all Courthouse offices receiving mail from the Prosecutor's Office.

  
\_\_\_\_\_  
Marilouise Hoff  
Legal Assistant

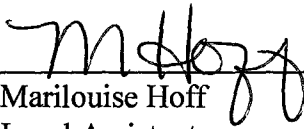


**CERTIFICATE OF SERVICE**

I hereby certify that on the 29 day of Sept, 2015, I served a copy of the foregoing **Supplemental Response to Request for Discovery and**  **Unredacted copy of Supplemental Discovery and/or**  **Redacted copy of Supplemental Discovery** thereof to the following:

**Dan Brown  
Fuller Law Office**

**Court Folder  
E-mail  
U.S. Mail**

  
\_\_\_\_\_  
Marilouise Hoff  
Legal Assistant



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

OCT 13 2015

By d Clerk  
Deputy Clerk

JUDGE R. STOKER  
CLERK A. AGUIRRE  
REPORTER T. BARKSDALE  
COURTROOM 2

CASE # CR-2011-14836/12-10131  
DATE 10/13/2015  
TIME 2:30PM  
CD 238/252/317

STATE OF IDAHO,  
VS.

BRYANN LEMMONS DEFENDANT IN CUSTODY

CHARGES:

**SENTENCING MINUTES**

**APPEARANCES:**

Defendant Hatch  Prosecutor Hatch  
 Def. Counsel Brown  Other

**PROCEEDINGS AND ADVISEMENT OF RIGHTS:**

- Defendant is informed of the charges against him/her and all legal rights including the right to representation
- Defendant is advised of the effect of a guilty plea and the maximum penalties
- Defendant indicated that he/she understands rights and penalties
- Waived reading of the "Information"  Name verified  Public Defender is confirmed/appointed

11-14836 ct 1/ct 2 CR 12-10131 ct 1/ct 2  
SENTENCE:  Court and Counsel reviewed the PSI  Counsel gave recommendations to the Court  Withheld Jdmt  
 Penitentiary 15/15 15/15 Determinate 3/3 3/3 Indeterminate 12/12 12/12  
 Credit for time served days  Concurrent CR 11-14836 counts  Consecutive  
 CR 12-10131 counts days Retained Jurisdiction  RJTR  RJCAPP  RJTC  RJCAPS  RJSO  RJNR

FINES/FEES/COSTS:  Court Costs  Fine \$10,000 each count suspended  
 Public Defender Fees  Court Compliance Fees  
 Restitution 30 days to object  Payment plan set up through P & P  
 Payments to begin at per month Final payment due

- PROBATION:  Probation Time  Exhibit 1 submitted
- Other Terms:  days county jail  days credit for county jail  Work Release, if approved
- days county jail held in abeyance until review hearing on
  - Random UAs per week for days, then at PO's discretion  Hair Follicle tests per year
  - AA/NA meetings in days  Obtain a Sponsor by
  - Report to 12 step Meeting/Aftercare within 24 hours  Obtain all treatment pursuant to I.C. 19-2524
  - Follow Rec. in PSI  Follow Rec. of Sub Abuse Assessment  Follow Rec. of Mental Health Eval
  - No Assn w/ persons noted by P&P or with anyone if you don't know their last name.  Provide a No Contact list
  - Do not purchase, possess or consume controlled substances/alcohol or be where they are present
  - Create a Budget  No checking acct unless approved  No indebtedness of \$250.00 or more unless approved
  - Apologize to Victim by  GED to be completed by
  - Driving privileges suspended years  years ABSOLUTE  Interlock device until
  - hrs Community Service within days; hrs to be served on County Work Detail
  - Comply with all court orders  DNA Sample  Thumbprint  Job Search
  - Transfer of Probation approved to CR 11-14836 \$10000 - 12-10131 declined
  - Enroll with Probation and Parole within 5 days of returning to the U.S. or within 48 hours to the State of Idaho
  - Waiver of Fourth Amendment Rights  Right to Appeal Waived due to Plea Agreement  Right to Appeal Given

Other: M Brown made corrections to PSI (243) M Brown presented double jeopardy comments. Comments by Defendant (309) The Court gave facts and findings (332)

OCT 14 2015

By \_\_\_\_\_ 1:30 PM  
Clerk  
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

State of Idaho,

Plaintiff,

vs.

Case No. CR-2011-14836

Bryann Kristine Lemmons

SSN [REDACTED]

DOB [REDACTED]

Defendant.

---

JUDGMENT OF CONVICTION  
UPON A VERDICT OF GUILTY TO TWO FELONY COUNTS, AND ORDER OF  
COMMITMENT.

---

I. APPEARANCES.

1. The date of sentencing was 10/13/15, (hereinafter called sentencing date).
2. The State of Idaho was represented by counsel, Peter Hatch, of the Twin Falls County Prosecutor's office.
3. The defendant, Bryann Kristine Lemmons, appeared personally. I.C. § 19-2503.
4. The defendant was represented by counsel, Dan Brown.
5. Randy J. Stoker, District Judge, presiding.

II. ARRAIGNMENT FOR SENTENCING; I.C. § 19-2510, I.C.R. 33.

1. **Arraignment:** The defendant, Bryann Kristine Lemmons, was informed by the Court at the time of the sentencing of the nature of charges, which in this case were:

### **COUNT I**

**Crime of:** Trafficking in Methamphetamine, a felony.

**Maximum Penalty:** Court costs, restitution, life imprisonment, \$100,000 fine, or both such fine and imprisonment, and substance abuse treatment can be ordered at the defendant's expense.

**Idaho Code Section(s):** 37-2732B(a)(4).

**Guilty by Verdict** -- date of: 05/30/2013.

### **COUNT II**

**Crime of:** Trafficking in Methamphetamine, a felony.

**Maximum Penalty:** Court costs, restitution, life imprisonment, \$100,000 fine, or both such fine and imprisonment, and substance abuse treatment can be ordered at the defendant's expense.

**Idaho Code Section(s):** 37-2732B(a)(4).

**Guilty by Verdict** -- date of: 05/30/2013.

2. **Grounds for Not Entering Judgment (I.C. §§ 19-2510, 19-2511):** The Court inquired whether the defendant had any legal cause why judgment should not be pronounced against the defendant, and the defendant, through counsel, responded "No."

### **III. SENTENCING DATE PROCEEDINGS.**

At sentencing, the Court proceeded as follows:

1. Determined that more than two (2) days had elapsed from the verdict to the date of sentencing. I.C. § 19-2501, I.C.R. 33(a)(1).
2. Discussed the presentence report and relevant matters with the parties pursuant to I.C. § 20-220 and I.C.R. Rule 32.
3. Determined victim's rights and restitution issues pursuant to I.C. § 19-5301 and Article 1, § 22 of the Idaho Constitution.

4. Offered an aggravation and/or mitigation hearing to both parties, including the right to present evidence pursuant to I.C.R. 33(a)(1).
5. Heard comments and sentencing recommendations of both counsel and asked the defendant personally if the defendant wished to make a statement and/or to present any information in mitigation of punishment. I.C.R. 33(a)(1).
6. The Court made its comments pursuant to I.C. § 19-2512, and discussed one or more of the criteria set forth in I.C. § 19-2521.

#### **IV. THE SENTENCE.**

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, as follows:**

1. **Court Costs**: The defendant shall pay court costs, including contribution to the Victim's Crime Fund, in the sum of \$285.50. A \$100 surcharge will be added for each additional count.
2. **Restitution**: The defendant shall pay \$100.00 in restitution. This sum is payable through the Clerk of the District Court to be disbursed to the appropriate recipients. This sum consists of the following amounts:
  - A. **Restitution for DNA Sample** pursuant to I.C. § 19-5506(6) in the amount of \$100.00.

In addition, the defendant shall pay any restitution or financial obligation ordered by the Court in the future pursuant to an Order of Restitution or as otherwise authorized by law. Such restitution or financial obligation is payable through the Clerk of the District Court to be disbursed to the appropriate recipients. The defendant shall have 30 days from the sentencing date to file any objections to the State's restitution request submitted during the sentencing hearing.

#### **Count I**

3. **Crime of**: Trafficking in Methamphetamine, a felony.
4. **Fine**: The defendant is fined the sum of \$10,000, a mandatory fine, and the defendant shall pay all costs, fees and fines ordered by this Court. This judgment that the defendant pay a fine and costs shall constitute a lien in like manner as a judgment for money in a civil action. I.C. § 19-2518, I.C. § 19-2702.
5. **Penitentiary**: The defendant, Bryann Kristine Lemmons, shall be committed to the custody of the Idaho State Board of Correction, Boise, Idaho for a unified sentence (I.C. § 19-2513) of **15 years**; which unified sentence is comprised of a minimum (fixed) period of confinement of **3 years**, followed by an indeterminate period of custody of **12 years**, with the precise time of the indeterminate portion to be set by said Board according to law, with the total sentence not to exceed 15 years.

## Count II

6. **Crime of:** Trafficking in Methamphetamine, a felony.
7. **Fine:** The defendant is fined the sum of \$10,000, a mandatory fine, and the defendant shall pay all costs, fees and fines ordered by this Court. This judgment that the defendant pay a fine and costs shall constitute a lien in like manner as a judgment for money in a civil action. I.C. § 19-2518, I.C. § 19-2702.
8. **Penitentiary:** The defendant, Bryann Kristine Lemmons, shall be committed to the custody of the Idaho State Board of Correction, Boise, Idaho for a unified sentence (I.C. § 19-2513) of **15 years**; which unified sentence is comprised of a minimum (fixed) period of confinement of **3 years**, followed by an indeterminate period of custody of **12 years**, with the precise time of the indeterminate portion to be set by said Board according to law, with the total sentence not to exceed 15 years.
9. **Concurrent or Simultaneous Prison Sentences:** Pursuant to I.C. § 18-308, these prison sentences, but not the fines, shall run concurrent with each other.
10. **Credit for Time Served:** The defendant is given credit for time previously served, if any, locally and with the Idaho Department of Corrections against the foregoing sentence. I.C. § 18-309.
11. **DNA Sample and Thumbprint Impression:** The defendant shall submit a DNA sample and a right thumbprint impression pursuant to I.C. § 19-5506.
12. **Treatment Expense:** If the Court has ordered an Alcohol / Substance Abuse Evaluation and Treatment and/or a Mental Health Evaluation and Treatment pursuant to I.C. § 19-2524, the expenses of the assessments, examinations, and any treatment ordered by the court shall be borne by the department of health and welfare. I.C. § 19-2524(6).
13. Nothing contained in this judgment shall preclude a victim from independently enforcing an order of restitution.

## **V. BOND/CONDITIONS OF RELEASE.**

The defendant has satisfied the conditions of release in this case. Any cash bond posted in this case shall be applied to the costs and fine imposed in this case with the surplus, if any, refunded to the posting party. I.C. § 19-2922. Any surety bond posted in this case is hereby exonerated. I.C.R. 46(g). If the defendant was subject to any conditions of release, those conditions are ordered dismissed. I.C.R. 46(g).

**VI. ORDER ON PRESENTENCE INVESTIGATION REPORTS.**

The parties are hereby ordered to return their respective copies of the presentence investigative reports to the deputy clerk of the court's custody and use of said report shall thereafter be governed by I.C.R. 32(h)(1), (2), and (3).

**VII. ORDER OF COMMITMENT.**

It is ADJUDGED and ORDERED that the defendant be committed to the custody of the Sheriff of Twin Falls County, Idaho, for delivery forthwith to the Director of the Idaho State Board of Correction at the Idaho State Penitentiary, or other facility within the State designated by the State Board of Correction. I.C. § 20-237.

**VIII. ENTRY OF JUDGMENT – INCARCERATION - RECORD BY CLERK.**

The Court orders the Judgment and record be entered upon the minutes and that the record be assembled, prepared and filed by the Clerk of the Court in accordance with I.C. § 19-2519(a). In addition, and in accordance with I.C. § 19-2519(b), as soon as possible upon the entry of Judgment of Conviction the Clerk shall deliver to the Sheriff of Twin Falls County a copy of the Judgment pursuant to I.C. § 20-237.

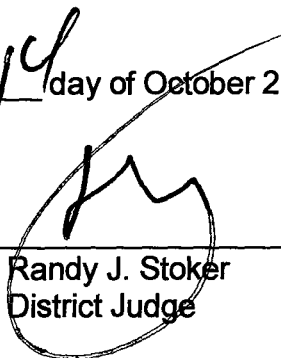
**IX. RIGHT TO APPEAL/LEAVE TO APPEAL IN FORMA PAUPERIS.**

**The Right:** The Court advised the defendant, of the right to appeal this judgment within forty two (42) days of the date it is file stamped by the clerk of the court. I.C.R. 33(a)(3), I.A.R. 14(a).

**In Forma Pauperis:** The Court further advised the defendant of the right of a person who is unable to pay the costs of an appeal to apply for leave to appeal in forma pauperis, meaning the right as an indigent to proceed without liability for court costs and fees and the right to be represented by a court appointed attorney at no cost to the defendant. I.C.R. 33(a)(3), I.C. § 19-852(a)(1) and (b)(2).

IT IS SO ORDERED.

Dated this 14 day of October 2015.

  
\_\_\_\_\_  
Randy J. Stoker  
District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14 day of October 2015, I caused to be served a true and correct copy of the foregoing, by the method indicated below, and addressed to the following:

Peter Hatch  
Twin Falls County Prosecuting Attorney  
P.O. Box 126  
Twin Falls, ID 83303

- U.S. Mail
- Hand delivered
- Faxed
- Court Folder

Dan Brown  
Fuller Law  
PO Box L  
161 Main Ave W.  
Twin Falls, ID 83303-0055

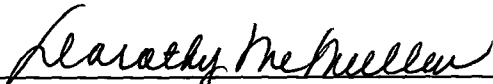
- U.S. Mail
- Hand delivered
- Faxed
- Court Folder

Idaho Department of Corrections  
Community Corrections Division  
Central Records Division  
Twin Falls County Probation Office

- Email

Twin Falls County Jail

- Email

  
\_\_\_\_\_  
Dorothy McMullen  
Deputy Clerk

ORIGINAL

**Greg J. Fuller**  
**Daniel S. Brown**  
**FULLER LAW OFFICES**  
Attorneys at Law  
P. O. Box L  
161 Main Avenue West  
Twin Falls, ID 83303  
Telephone: (208) 734-1602  
Facsimile: (208) 734-1606  
ISB #1442  
ISB #7538

Attorneys for Defendant/Appellant

DISTRICT COURT  
TWIN FALLS CO., IDAHO  
FILED

2015 NOV 12 PM 4:03

BY \_\_\_\_\_ CLERK  
          *SP* DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\*\*\*\*\*

THE STATE OF IDAHO,	)	
	)	Case No. CR-2011-14836
Plaintiff,	)	
	)	<u>NOTICE OF APPEAL</u>
vs.	)	
	)	
BRYANN KRISTINE LEMMONS,	)	
	)	
Defendant.	)	

\*\*\*\*\*

TO: The above named Respondents, State of Idaho and its attorney, Lawrence G. Wasden, Idaho Attorney General, Grant Loeb, Twin Falls County Prosecutor, and to the Clerk of the above-entitled Court:

NOTICE IS HEREBY GIVEN:

1. The above-named Defendant/Appellant, Bryann Kristine Lemmons, appeals



against the above-named Respondents to the Idaho Supreme Court from the Judgment of Conviction Upon a Verdict of Guilty to Two Felony Counts, and Order of Commitment file stamped in the above-entitled action on or about the 14<sup>th</sup> day of October, 2015, the Honorable Randy J. Stoker presiding.

2. The Appellant 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 I.A.R. 11(c)(1).

3. A preliminary statement of the issues on appeal which the Appellant then intends to assert in the appeal includes, but is not limited to, the following:

(A) Whether or not Idaho Code requires the Court to impose multiple fines as opposed to one fine?

(B) Whether or not the Defendant/Appellant's right to be free from double jeopardy was violated?

4. No Order has been entered sealing all or any portion of the record in this matter.

5. (a) A reporter's transcript is requested.

(b) The appellant requests the preparation of the following portions of the reporter's transcript: Sentencing hearing conducted October 13, 2015.

6. The Appellant requests the documents included in the clerk's record automatically under Rule 28, I.A.R. No Order has been entered sealing all or any part of the record or transcript.

7. I certify:

(a) That a copy of this Notice of Appeal has been served on each reporter of

whom a transcript has been requested as named below at the address set out below: Tracy Barksdale, Court Reporter, P. O. Box 126, Twin Falls, ID 83303-0126.

(b) That the Court Reporter, Tracy Barksdale, has not been paid the estimated fee for the preparation of the designated reporter's transcript as the Defendant is indigent.

(c) That the Clerk of the Court has not been paid the estimated fee for preparation of the designated Clerk's Record as the Defendant is indigent.

(d) That there are no appellate filing fees in the instant case.

(e) That service has been made upon all parties required to be served pursuant to Rule 20 and also upon the Attorney General of the State of Idaho pursuant to Idaho Code Section 67-1401(1).

DATED This 12 day of November, 2015.

FULLER LAW OFFICES

By 

DANIEL S. BROWN

Attorneys for Defendant/Appellant

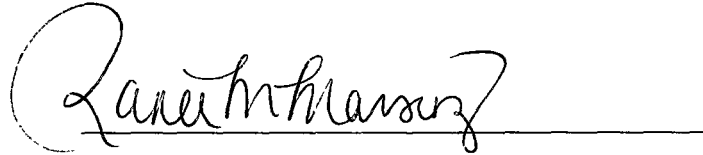
CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 12<sup>th</sup> day of November, 2015, a true and correct copy of the foregoing Notice of Appeal was mailed, postage paid to:

Lawrence G. Wasden  
Idaho Attorney General  
P. O. Box 83720  
Statehouse Mail  
Boise, ID 83720

Grant Loebbs  
Twin Falls County Prosecutor  
P. O. Box 126  
Twin Falls, ID 83303-0126

Tracy Barksdale  
Court Reporter  
Twin Falls County Courthouse  
P. O. Box 126  
Twin Falls, ID 83303-0126

A handwritten signature in black ink, appearing to read "Lawrence G. Wasden", is written over a horizontal line.

ORIGINAL

**Greg J. Fuller**  
**Daniel S. Brown**  
**FULLER LAW OFFICES**  
Attorneys at Law  
P. O. Box L  
161 Main Avenue West  
Twin Falls, ID 83303  
Telephone: (208) 734-1602  
Facsimile: (208) 734-1606  
ISB #1442  
ISB #7538

Attorneys for Defendant/Appellant

DISTRICT COURT  
TWIN FALLS CO., IDAHO  
FILED

2015 NOV 12 PM 4: 05

BY \_\_\_\_\_ CLERK

\_\_\_\_\_ *SP* DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\*\*\*\*\*

THE STATE OF IDAHO,	)	
	)	Case No. CR-2011-14836
Plaintiff/respondent,	)	
	)	
vs.	)	<u>EX-PARTE MOTION FOR</u>
	)	<u>APPOINTMENT OF STATE</u>
BRYANN KRISTINE LEMMONS,	)	<u>APPELLATE PUBLIC DEFENDER</u>
	)	
Defendant/appellant.	)	

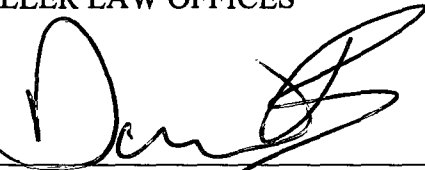
\*\*\*\*\*

COMES NOW Bryann Kristine Lemmons, above-named Defendant/Appellant, by and through her attorney of record, Daniel S. Brown, and hereby moves this Honorable Court for an Order pursuant to Idaho Code Section 19-867, appointing the State Appellate Public Defender's Office to represent said Defendant/Appellant in all further appellate

proceedings and allowing counsel for Defendant to withdraw as counsel of record. This Motion is made and based upon the grounds and for the reasons that the Defendant/Appellant is currently incarcerated and is indigent; the State Appellate Public Defender's Office is authorized by statute to represent the Defendant/Appellant in all felony appellate proceedings; and it is in the interests of justice for them to do so in this case since the Defendant/Appellant is indigent and any further proceedings on this case will be appeals.

DATED This 12 day of November, 2015.

FULLER LAW OFFICES

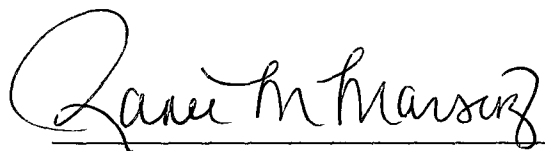
By 

DANIEL S. BROWN  
Attorneys for Defendant/Appellant

CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 12<sup>th</sup> day of November, 2015, a true and correct copy of the foregoing was mailed, postage paid to:

Grant Loeb  
Twin Falls County Prosecutor  
P. O. Box 126  
Twin Falls, ID 83303-0126




ORIGINAL

**Greg J. Fuller**  
**Daniel S. Brown**  
**FULLER LAW OFFICES**  
Attorneys at Law  
P. O. Box L  
161 Main Avenue West  
Twin Falls, ID 83303  
Telephone: (208) 734-1602  
Facsimile: (208) 734-1606  
ISB #1442  
ISB #7538

Attorneys for Defendant/Appellant

DISTRICT COURT  
TWIN FALLS CO. IDAHO  
FILED

2015 NOV 13 PM 1:02

BY \_\_\_\_\_ CLERK  
 \_\_\_\_\_ DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\*\*\*\*\*

STATE OF IDAHO,	)	
	)	Case No. CR-2011-14836
Plaintiff/Respondent,	)	
	)	
vs.	)	<u>EX-PARTE ORDER FOR</u>
	)	<u>APPOINTMENT OF STATE</u>
BRYANN KRISTINE LEMMONS,	)	<u>APPELLATE PUBLIC DEFENDER</u>
	)	
Defendant/Appellant.	)	

\*\*\*\*\*

BASED UPON the Ex-Parte Motion for Appointment of State Appellate Public  
Defender filed by Defendant/Appellant, and good cause appearing therefore;

IT IS HEREBY ORDERED pursuant to Idaho Code Section 19-867, that the State  
Appellate Public Defender's Office is hereby appointed to represent said Defendant/  
Appellant in all further appellate proceedings and counsel for the Defendant is hereby

allowed to withdraw as counsel of record.

DATED This 13 day of November, 2015.

  
\_\_\_\_\_  
DISTRICT JUDGE

**CLERK'S CERTIFICATE OF MAILING**

I hereby certify that the above document was mailed on the 13 day of Nov, 2015 to the following persons at the address listed, by first class, postage prepaid:

Gant Loeb  
Twin Falls County Prosecutor  
P. O. Box 126  
Twin Falls, ID 83303-0126

\_\_\_\_ U.S. Mail  
\_\_\_\_ Hand-Delivery  
 Facsimile Transmission  
\_\_\_\_ Courthouse Folder

Daniel S. Brown  
FULLER LAW OFFICES  
Attorneys at Law  
P.O. Box L  
Twin Falls, ID 83303


\_\_\_\_ U.S. Mail  
\_\_\_\_ Hand-Delivery  
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\_\_\_\_ Courthouse Folder

By Shaine Cooper  
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

2015 NOV 13 PM 2:59

STATE OF IDAHO, )  
)  
)  
Plaintiff/Respondent, )  
)  
)  
vs )  
)  
BRYANN KRISTINE LEMMONS, )  
)  
)  
Defendant/Appellant. )

BY \_\_\_\_\_ CLERK  
 DEPUTY

CASE NO. CR 11-14836  
CR 12-10131

CLERK'S CERTIFICATE  
OF APPEAL

APPEAL FROM: Fifth Judicial District, Twin Falls County.  
Honorable Randy J. Stoker, presiding

CASE NUMBER FROM COURT: CR 11-14836 and CR 12-10131

ORDER OR JUDGMENT APPEALED FROM: Judgment of Conviction Upon a  
Verdict of Guilty to Two Felony Counts, and Order of Commitment which was entered  
in the above-entitled matter on October 14, 2015.

ATTORNEY FOR RESPONDENT: Lawrence Wasden

ATTORNEY FOR APPELLANT: Sara Thomas

APPEALED BY: Bryann Kristine Lemmons

APPEALED AGAINST: State of Idaho

NOTICE OF APPEAL FILED: November 12, 2015

AMENDED APPEAL FILED:

NOTICE OF CROSS-APPEAL FILED:

AMENDED NOTICE OF CROSS-APPEAL FILED:

APPELLATE FEE PAID: exempt

ESTIMATED CLERK'S RECORD FEE PAID: exempt



RESPONDENT OR CROSS-RESPONDENT'S REQUEST FOR ADDITIONAL RECORD FILED:

RESPONDENT OR CROSS-RESPONDENT'S REQUEST FOR ADDITIONAL REPORTER'S TRANSCRIPT FILED:

WAS DISTRICT COURT REPORTER'S TRANSCRIPT REQUESTED: Yes

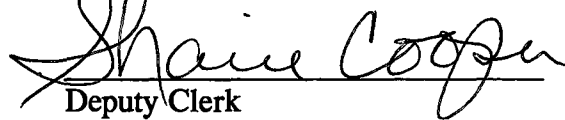
ESTIMATED NUMBER OF PAGES: \_\_\_\_\_.

IF SO, NAME OF EACH REPORTER OF WHOM A TRANSCRIPT HAS BEEN REQUESTED AS NAMED BELOW AT THE ADDRESS SET OUT BELOW:

NAME AND ADDRESS: Tracy Barksdale, P. O. Box 126, Twin Falls, ID 83303-0126

DATED: November 13, 2015

KRISTINA GLASCOCK  
Clerk of the District Court

  
Deputy Clerk



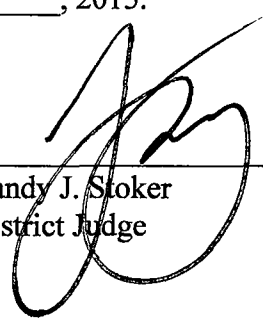
That such payments be *monitored* by said Probation Officer through the Probation and Parole Office, and *paid* to the Clerk of the Court, P.O. Box 126, Twin Falls, Idaho, 83303.

**Restitution in the amount of \$5,313.96, to Idaho State Police shall be joint and several with SARA BETH HAFFNER, CR 11-14698 and the remaining balance shall be the sole responsibility of the defendant, BRYANN KRISTINE LEMMONS, CR 11-14836 and CR 12-10131.**

All restitution to be paid as ordered by the Court. If restitution is not paid in full by the date for termination of probation, said probation may be extended until restitution is paid in full.

Additionally, pursuant to Idaho Code § 19-5305, after forty-two (42) days from the entry of an Order of Restitution or at the conclusion of a hearing to reconsider an Order of Restitution, whichever occurs later, an Order of Restitution may be recorded as a judgment and the victim may execute as provided by law for civil judgments.

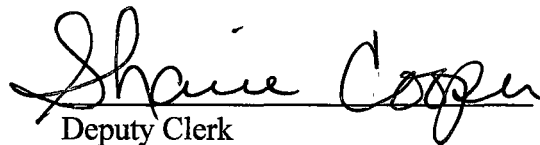
DATED this 17<sup>th</sup> day of NOV, 2015.

  
\_\_\_\_\_  
Randy J. Stoker  
District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on the 18 day of Nov., 2012, I served a copy of the foregoing **ORDER OF RESTITUTION** thereof to the following:

<b>Peter M. Hatch</b> <b>Deputy Prosecuting Attorney</b>	<input checked="" type="checkbox"/>	<b>Court Folder</b>
<b>FULLER LAW OFFICE</b> <b>Attorney for Defendant</b>	<input checked="" type="checkbox"/>	<b>Court Folder</b>
<b>Probation and Parole-District V</b>	<input checked="" type="checkbox"/>	<b>Court Folder</b>
<b>Central Records</b> <b>IDOC</b> <b>PO Box 83720</b> <b>Boise ID 83720-0018</b>	<input checked="" type="checkbox"/>	<b>U.S. Mail</b>

  
Deputy Clerk

**Sharie Cooper**

DISTRICT COURT  
TWIN FALLS CO. IDAHO  
FILED

**From:** supremecourtdocuments@idcourts.net  
**Sent:** Monday, November 23, 2015 06:18 PM  
**To:** tbarksdale@co.twin-falls.id.us; RSTOKER@CO.TWIN-FALLS.ID.US;  
STHOMAS@SAPD.STATE.ID.US; scooper@co.twin-falls.id.us; ecf@ag.idaho.gov;  
documents@sapd.state.id.us  
**Subject:** 43720 43721 - STATE v. LEMMONS (Twin Falls CR-2011-14836 & CR-2012-10131)  
**Attachments:** 43721 NOA.pdf; 43720 43721 CONSOLIDATE & AUGMENT.pdf; ~~43720-43721 CE.pdf~~,  
43720 NOA.pdf

2015 NOV 25 PM 3:45

CLERK

FILED NOTICE(S) OF APPEAL - TRANSCRIPT REQUESTED - ENTERED ORDER TO AUGMENT  
PRIOR APPEAL NOS. 41278, 41279 AND 42823 AND CONSOLIDATE APPEAL NOS. 43720 AND 43721  
FOR ALL PURPOSES - PLEASE SEE ATTACHMENTS. \*\*SET DUE DATE - REPORTER'S  
TRANSCRIPT (Reporter's Lodging Date: 12-21-15) AND CLERK'S RECORD DUE 01-25-16\*\* Please  
review the CLERK'S CERTIFICATE OF APPEAL (ATTACHED) and notify the Court of any errors.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

STATE OF IDAHO,	)	Supreme Court No. <u>43720</u>
	)	43721
Plaintiff/Respondent,	)	CASE NO. CR 11-14836
	)	CR 12-10131
vs	)	CLERK'S CERTIFICATE
	)	OF APPEAL
BRYANN KRISTINE LEMMONS,	)	
	)	
<u>Defendant/Appellant.</u>	)	

APPEAL FROM: Fifth Judicial District, Twin Falls County.  
Honorable Randy J. Stoker, presiding

CASE NUMBER FROM COURT: CR 11-14836 and CR 12-10131

ORDER OR JUDGMENT APPEALED FROM: Judgment of Conviction Upon a  
Verdict of Guilty to Two Felony Counts, and Order of Commitment which was entered  
in the above-entitled matter on October 14, 2015.

ATTORNEY FOR RESPONDENT: Lawrence Wasden

ATTORNEY FOR APPELLANT: Sara Thomas

APPEALED BY: Bryann Kristine Lemmons

APPEALED AGAINST: State of Idaho

NOTICE OF APPEAL FILED: November 12, 2015

AMENDED APPEAL FILED:

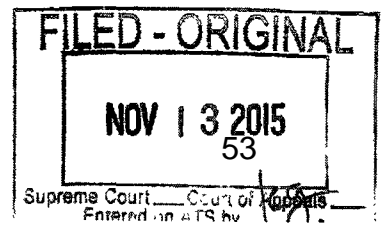
NOTICE OF CROSS-APPEAL FILED:

AMENDED NOTICE OF CROSS-APPEAL FILED:

APPELLATE FEE PAID: exempt

ESTIMATED CLERK'S RECORD FEE PAID: exempt

CLERK'S CERTIFICATE OF APPEAL - 1



**RESPONDENT OR CROSS-RESPONDENT'S REQUEST FOR ADDITIONAL RECORD FILED:**

**RESPONDENT OR CROSS-RESPONDENT'S REQUEST FOR ADDITIONAL REPORTER'S TRANSCRIPT FILED:**

**WAS DISTRICT COURT REPORTER'S TRANSCRIPT REQUESTED:** Yes

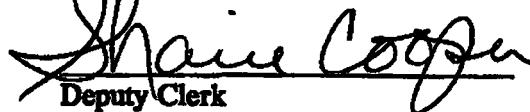
**ESTIMATED NUMBER OF PAGES:** \_\_\_\_\_.

**IF SO, NAME OF EACH REPORTER OF WHOM A TRANSCRIPT HAS BEEN REQUESTED AS NAMED BELOW AT THE ADDRESS SET OUT BELOW:**

**NAME AND ADDRESS:** Tracy Barksdale, P. O. Box 126, Twin Falls, ID 83303-0126


**DATED:** November 13, 2015

**KRISTINA GLASCOCK**  
Clerk of the District Court

  
Deputy Clerk

U.S. DISTRICT COURT  
TWIN FALLS CO. IDAHO  
FILED  
2015 NOV 25 PM 3:45

# In the Supreme Court of the State of Idaho

BY \_\_\_\_\_ CLERK  
 DEPUTY

STATE OF IDAHO, )  
)  
Plaintiff-Respondent, )  
)  
v. )  
)  
BRYANN KRISTINE LEMMONS, )  
)  
Defendant-Appellant. )  
\_\_\_\_\_  
STATE OF IDAHO, )  
)  
Plaintiff-Respondent, )  
)  
v. )  
)  
BRYANN KRISTINE LEMMONS, )  
)  
Defendant-Appellant. )

ORDER:  
1. AUGMENT PRIOR APPEAL NOS.  
41278, 41279 AND 42823  
2. CONSOLIDATE APPEAL NOS.  
43720 AND 43721 FOR ALL  
PURPOSES  
  
Supreme Court Docket No. 43720-2015  
Twin Falls County No. CR-2011-14836  
  
Supreme Court Docket Nos. 43721-2015  
Twin Falls County No. CR-2012-10131

A Clerk's Record, Reporter's Transcripts and Exhibits were filed *electronically* with this Court in previously consolidated appeal Nos. 41278 and 41279, *State v. Lemmon* (Twin Falls County Nos. CV-2011-14836 and CV-2012-10131). Furthermore, it appearing that appeal Nos. 43720 and 43721 should be consolidated for all purposes; therefore,

IT HEREBY IS ORDERED that this Record on Appeal shall be AUGMENTED to include the Supreme Court file, Clerk's Record and Reporter's Transcript filed *electronically* with this Court in previously consolidated appeal Nos. 41278 and 41279, *State v. Lemmon* (Twin Falls County Nos. CV-2011-14836 and CV-2012-10131).

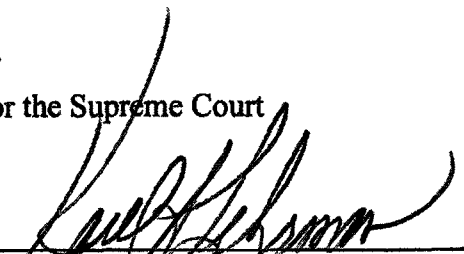
IT FURTHER IS ORDERED that the above entitled appeal Nos. 43720 and 43721 shall be CONSOLIDATED FOR ALL PURPOSES under appeal No. 43720.

IT FURTHER IS ORDERED that the District Court Clerk shall prepare a CLERK'S RECORD, which shall include the documents requested in these Notices of Appeal, together with a copy of this Order. Furthermore, the Court Reporter shall prepare the REPORTER'S TRANSCRIPT, which shall include the transcript requested in each of these Notices of Appeal.



DATED this 23<sup>rd</sup> day of November, 2015.

For the Supreme Court

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

cc: Counsel of Record  
District Court Clerk  
Court Reporter  
District Judge Randy J. Stoker

Entered on JSI  
By: kg.

**Sharie Cooper**


DISTRICT COURT  
TWIN FALLS CO. IDAHO  
FILED

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**Sent:** Thursday, December 17, 2015 03:15 PM  
**To:** tbarksdale@co.twin-falls.id.us; scooper@co.twin-falls.id.us  
**Subject:** 43720 43721 - STATE v. LEMMONS (Twin Falls CR-2011-14836 & CR-2012-10131)

2015 DEC 18 AM 10:46

CLERK

FILED NOTICE OF TRANSCRIPT LODGED - BY T. BARKSDALE (27 pages)

 DEPUTY

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

State of Idaho  
 vs.  
 Bryann Kristine Lemmons

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 Ü  
 Ü  
 Ü

Location: Twin Falls County District Court  
 Judicial Officer: Stoker, Randy J.  
 Filed on: 09/07/2012  
 Case Number History:

CASE INFORMATION

Offense	Deg	Date	Case Type: Criminal
Jurisdiction: State			
1. Drug-(Conspiracy) Trafficking in Methamphetamine or Amphetamine TCN: 4201031776	FEL	10/25/2011	
2. Drug-(Conspiracy) Trafficking in Methamphetamine or Amphetamine TCN: 4201031776	FEL	12/06/2011	

**Warrants**

Arrest Warrant - Lemmons, Bryann Kristine (Judicial Officer: Stoker, Randy J.)  
 01/28/2014 Returned Served  
 01/27/2014 Outstanding  
 Fine: \$0  
 Bond: \$0

Arrest Warrant - Lemmons, Bryann Kristine (Judicial Officer: Bevan, G. Richard )  
 06/10/2013 Returned Served  
 06/04/2013 Outstanding  
 Fine: \$0  
 Bond: \$0

Arrest Warrant - Lemmons, Bryann Kristine (Judicial Officer: Bevan, G. Richard )  
 03/26/2013 Returned Served  
 03/21/2013 Outstanding  
 Fine: \$0  
 Bond: \$0

Bench Warrant - Lemmons, Bryann Kristine (Judicial Officer: Bevan, G. Richard )  
 03/04/2013 Quashed  
 02/12/2013 Outstanding  
 Fine: \$75000  
 Bond: \$0  
 Notes: 03/04/2013 Failed to Appear

**Bonds**

Surety Bond #SS-50-01925 \$50,000.00  
 6/4/2013 Exonerated  
 4/8/2013 Posted  
 Counts: 1

DATE

CASE ASSIGNMENT

**Current Case Assignment**

Case Number	CR-2012-10131
Court	Twin Falls County District Court
Date Assigned	08/01/2013
Judicial Officer	Stoker, Randy J.

PARTY INFORMATION

State

State of Idaho

Lead Attorneys

Loebs, Grant P.


TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

*Retained*  
 208-736-4020(W)

**Defendant**            **Lemmons, Bryann Kristine**

**Fuller, Greg Jackson**  
*Retained*  
 208-734-1602(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
09/07/2012	New Case Filed - Felony <i>New Case Filed-Felony</i>	
09/07/2012	Prosecutor Assigned <i>Prosecutor assigned Grant Loeb</i>	
09/07/2012	Criminal Complaint <i>Criminal Complaint</i>	
09/07/2012	 Affidavit <i>Affidavit Of Probable Cause In Support Of Criminal Complaint/Citation</i>	
09/07/2012	Summons Issued <i>Summons Issued</i>	
09/17/2012	Return of Service <i>Sheriff's Return, Bryann Lemmons, 09/13/2012</i>	
09/17/2012	Summons Returned <i>Summons Returned</i>	
09/19/2012	Hearing Scheduled <i>Hearing Scheduled (Arraignment 09/20/2012 12:30 PM)</i>	
09/19/2012	Change Assigned Judge <i>Change Assigned Judge</i>	
09/19/2012	Miscellaneous <i>Notice Of Hearing</i>	
09/20/2012	Hearing Scheduled <i>Hearing Scheduled (Preliminary 10/01/2012 08:15 AM)</i>	
09/20/2012	Miscellaneous <i>Notice Of Hearing</i>	
09/20/2012	Hearing Held <i>Hearing result for Arraignment scheduled on 09/20/2012 12:30 PM: Hearing Held</i>	
09/20/2012	Report <i>Twin Falls County Court Compliance Report</i>	
09/20/2012	Advisement of Rights <i>Notification Of Rights Felony</i>	
09/20/2012	Application for Public Defender <i>Twin Falls County Public Defender Application - appointed</i>	
09/20/2012	Court Minutes <i>Court Minutes</i>	
09/20/2012	Order	

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

*Order RE: Booking of the Defendant*

09/20/2012	Order Appointing Public Defender <i>Order Appointing Public Defender</i>
09/20/2012	Order Appointing Public Defender <i>Defendant: Lemmons, Bryann Kristine Order Appointing Public Defender Public defender Marilyn Paul</i>
09/20/2012	<b>Arraignment (12:30 PM)</b> (Judicial Officer: Harris, Roger B.)
09/21/2012	County Jail Packet <i>Twin Falls County Jail Packett</i>
09/28/2012	Order Appointing Public Defender <i>Defendant: Lemmons, Bryann Kristine Order Appointing Public Defender Public defender Marilyn Paul</i>
10/01/2012	Court Minutes <i>Court Minutes</i>
10/01/2012	Waiver of Time for Preliminary Hearing <i>Written Waiver of Time for Preliminary Hearing</i>
10/01/2012	Continued (Judicial Officer: Harris, Roger B. ) <i>Hearing result for Preliminary scheduled on 10/01/2012 08:15 AM: Continued</i>
10/01/2012	Hearing Scheduled <i>Hearing Scheduled (Preliminary 10/19/2012 08:15 AM)</i>
10/01/2012	Miscellaneous <i>Notice Of Hearing</i>
10/01/2012	<b>Preliminary Hearing (8:15 AM)</b> (Judicial Officer: Harris, Roger B.)
10/19/2012	Court Minutes <i>Court Minutes</i>
10/19/2012	Continued (Judicial Officer: Harris, Roger B. ) <i>Continued (Preliminary 11/09/2012 08:15 AM)</i>
10/19/2012	Miscellaneous <i>Notice Of Hearing</i>
11/06/2012	Substitution of Counsel <i>Substitution Of Counsel as Conflict Public Defender</i>
11/06/2012	Request for Discovery and Inspection <i>Request For Discovery And Inspection/ Defendant</i>
11/06/2012	Response to Request for Discovery <i>Response To Request For Discovery/defendant</i>
11/07/2012	Order Appointing Public Defender <i>Defendant: Lemmons, Bryann Kristine Order Appointing Public Defender Public defender Timothy J Williams</i>
11/08/2012	Miscellaneous <i>Stipulated Agreement for Protective Order</i>
11/09/2012	Order

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

*Protective Order*

11/09/2012 Preliminary Hearing Waived (Bound Over)  
*Waiver Of Preliminary Hearing*

11/09/2012 Court Minutes  
*Court Minutes*


11/09/2012 Preliminary Hearing Waived (Bound Over)  
*Hearing result for Preliminary scheduled on 11/09/2012 08:15 AM: Preliminary Hearing Waived (bound Over)*

11/09/2012 Order  
*Order Holding Defendant To Answer To District Court*

11/09/2012 Hearing Scheduled  
*Hearing Scheduled (Arraignment 11/19/2012 09:00 AM)*

11/09/2012 Miscellaneous  
*Notice Of Hearing*

11/09/2012 **Preliminary Hearing (8:15 AM)** (Judicial Officer: Harris, Roger B.)

11/13/2012  Information Filed  
*Information for Felonies, Namely: Two Counts of Conspiracy to Traffic in Methamphetamine*

11/19/2012 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Arraignment scheduled on 11/19/2012 09:00 AM: District Court Hearing Held Court Reporter: Vasquez Number of Transcript Pages for this hearing estimated:*

11/19/2012 Court Minutes  
*Court Minutes*

11/19/2012 Request for Discovery and Inspection  
*Request For Discovery/plaintiff*

11/19/2012 Response to Request for Discovery  
*Response To Request For Discovery/plaintiff*

11/19/2012 Stipulation  
*Stipulation to Transfer Case and Reset Arraignment*

11/19/2012 **Arraignment (9:00 AM)** (Judicial Officer: Stoker, Randy J.)

11/21/2012 Order  
*Order*

11/21/2012 Change Assigned Judge  
*Change Assigned Judge*

11/21/2012 Hearing Scheduled  
*Hearing Scheduled (Arraignment 12/10/2012 08:30 AM)*

11/21/2012 Miscellaneous  
*Notice Of Hearing*

12/10/2012 Arraignment  
*Hearing result for Arraignment scheduled on 12/10/2012 08:30 AM: Arraignment / First Appearance*

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

12/10/2012	DC Hearing Held: Court Reporter: # of Pages: <i>District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:</i>
12/10/2012	Court Minutes <i>Court Minutes</i>
12/10/2012	Appear & Plead Not Guilty <i>Appear &amp; Plead Not Guilty</i>
12/10/2012	<b>Arraignment (8:30 AM)</b> (Judicial Officer: Bevan, G. Richard)
12/11/2012	Hearing Scheduled <i>Hearing Scheduled (Jury Trial 03/13/2013 09:00 AM) 3 days</i>
12/11/2012	Hearing Scheduled <i>Hearing Scheduled (Pretrial Conference 03/04/2013 11:00 AM)</i>
12/11/2012	Order <i>Order Governing Further Criminal Proceedings and Notice of Trial Setting</i>
12/13/2012	Motion to Disqualify <i>Motion To Disqualify Alternate Judge</i>
12/14/2012	Order <i>Order of Disqualification (Elgee)</i>
01/30/2013	Affidavit <i>Affidavit of Counsel for Appointment of New Conflict Counsel</i>
02/05/2013	Hearing Scheduled <i>Hearing Scheduled (Status 02/11/2013 09:30 AM)</i>
02/05/2013	Miscellaneous <i>Notice Of Hearing</i>
02/11/2013	Failure to Appear for Hearing Or Trial <i>Hearing result for Status scheduled on 02/11/2013 09:30 AM: Failure To Appear For Hearing Or Trial</i>
02/11/2013	Court Minutes <i>Court Minutes</i>
02/11/2013	<b>Status Conference (9:30 AM)</b> (Judicial Officer: Bevan, G. Richard)
02/12/2013	Warrant/Det Order Issued - Bench <i>Warrant Issued - Bench Bond amount: 75000.00 Failed to Appear Defendant: Lemmons, Bryann Kristine</i>
02/14/2013	Order <i>Order to Appoint Special Conflict Public Defender</i>
02/14/2013	Notice of Appearance <i>Defendant: Lemmons, Bryann Kristine Appearance Greg J Fuller</i>
02/25/2013	Substitution of Counsel <i>Substitution of Attorney</i>
02/25/2013	Notice of Appearance <i>Defendant: Lemmons, Bryann Kristine Appearance M. Lynn Dunlap</i>

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

02/26/2013	Notice of Hearing <i>Notice Of Hearing</i>
02/26/2013	Motion to Continue <i>Motion To Continue</i>
02/26/2013	Affidavit <i>Affidavit in Support of Motion to Continue</i>
02/26/2013	Motion <i>Motion to Quash Arrest Warrant</i>
02/27/2013	Stipulation <i>Stipulation to Continue</i>
02/28/2013	Jury Instructions <i>State's Requested Jury Instructions</i>
02/28/2013	Supplemental Response to Request for Discovery <i>Supplemental Response To Request For Discovery and Witness List</i>
02/28/2013	Miscellaneous <i>Summary of Expected Testimony of Expert Witness</i>
02/28/2013	Miscellaneous <i>State's Exhibit List</i>
03/04/2013	Miscellaneous <i>Warrant Recall Notice Sent</i>
03/04/2013	Warrant or Detention Order Quashed <i>Warrant Quashed Failed to Appear Defendant: Lemmons, Bryann Kristine</i>
03/04/2013	DC Hearing Held: Court Reporter: # of Pages: <i>Hearing result for Pretrial Conference scheduled on 03/04/2013 11:00 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated: also Motion to Continue and Motion to Quash</i>
03/04/2013	Court Minutes <i>Court Minutes</i>
03/04/2013	Order <i>Order to Quash Arrest Warrant</i>
03/04/2013	Order <i>Order to Continue</i>
03/04/2013	Order <i>Order Regarding Bond and Special Conditions (Remains as set with Court Compliance)</i>
03/04/2013	Continued (Judicial Officer: Bevan, G. Richard ) <i>Continued (Jury Trial 05/22/2013 09:00 AM) 2 days</i>
03/04/2013	Hearing Scheduled <i>Hearing Scheduled (Pretrial Conference 05/13/2013 11:00 AM)</i>
03/04/2013	Miscellaneous <i>Notice Of Hearing</i>
03/04/2013	<b>Pre-trial Conference (11:00 AM) (Judicial Officer: Bevan, G. Richard)</b>



TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**

**CASE NO. CR-2012-10131**

*also Motion to Continue and Motion to Quash Hearing result for Pretrial Conference scheduled on 03/04/2013 11:00 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

03/06/2013 Agreement in Lieu of Detention  
*Twin Falls County Court Compliance Program Agreement in Lieu of Incarceration*

03/06/2013 Motion  
*State's Ex Parte Motion to Re-Set Jury Trial*

03/11/2013 Hearing Vacated  
*Hearing result for Jury Trial scheduled on 05/22/2013 09:00 AM: Hearing Vacated 2 days*

03/11/2013 Hearing Vacated  
*Hearing result for Pretrial Conference scheduled on 05/13/2013 11:00 AM: Hearing Vacated*

03/11/2013 Order  
*Order Granting State's Ex Parte Motion to Re-Set Jury Trial*

03/12/2013 Substitution of Counsel  
*Substitution of Attorney*

03/18/2013 Hearing Scheduled  
*Hearing Scheduled (Motion 03/25/2013 10:15 AM) to reset trial dates*

03/18/2013 Miscellaneous  
*Unavailable Dates for Trial*

03/19/2013 Notice of Hearing  
*Notice Of Hearing*

03/19/2013 Supplemental Response to Request for Discovery  
*Supplemental Response To Request For Discovery and Amended Witness List*

03/19/2013 Ex-Parte Motion  
*Ex-parte Motion for an Order to Revoke Bond and Issue Warrant*

03/21/2013 Ex Parte Order  
*Ex-parte Order to Revoke Probation and issue Warrant*

03/21/2013 Bench Warrant/Det Order Issued  
*Warrant Issued - Arrest Bond amount: 100000.00 Defendant: Lemmons, Bryann Kristine*

03/21/2013 Case Sealed  
*Case sealed*

03/25/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Motion scheduled on 03/25/2013 10:15 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated: to reset trial dates*

03/25/2013 Court Minutes  
*Court Minutes*

03/25/2013 **Motion Hearing (10:15 AM)** (Judicial Officer: Bevan, G. Richard)  
*to reset trial dates Hearing result for Motion scheduled on 03/25/2013 10:15 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

03/26/2013 Hearing Scheduled  
*Hearing Scheduled (Jury Trial 05/29/2013 09:00 AM) 2 days*

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

03/26/2013 Hearing Scheduled  
*Hearing Scheduled (Pretrial Conference 05/20/2013 11:00 AM)*

03/26/2013 Hearing Scheduled  
*Hearing Scheduled (Bond Reduction 04/08/2013 10:30 AM)*

03/26/2013 Miscellaneous  
*Notice Of Hearing*

03/26/2013 Warrant/Det Order Returned - Served  
*Warrant Returned Defendant: Lemmons, Bryann Kristine*

03/26/2013 Case Un-sealed  
*Case Un-sealed*

03/26/2013 County Jail Packet  
*Twin Falls County Jail Packet*

03/26/2013 Sheriff's Inmate Screening Report  
*TF County Sheriff's Inmate Screening Report*

03/26/2013 Notice of Hearing  
*Notice Of Hearing*

03/26/2013 Motion for Bond Reduction  
*Motion For Bond Reduction*

03/26/2013 Arraignment  
*Arraignment / First Appearance*

03/26/2013 Court Minutes  
*Court Minutes*

03/26/2013 Bond Set  
*BOND SET: at 100000.00 Per Warrant*

03/27/2013 Notice of Hearing  
*Amended Notice Of Hearing*

03/28/2013 Motion  
*State's Motion in Limine*

03/29/2013 Notice of Hearing  
*Notice Of Hearing*

04/08/2013 Bond Posted - Surety  
*Bond Posted - Surety (Amount 50000.00 )*

04/08/2013 Miscellaneous  
*Miscellaneous Payment: Sheriff Fees Paid by: A-1 Auto Sales Receipt number: 1309294  
Dated: 4/8/2013 Amount: \$10.00 (Cash)*

04/08/2013 DC Hearing Held; Court Reporter: # of Pages:  
*Hearing result for Bond Reduction scheduled on 04/08/2013 10:30 AM: District Court  
Hearing Held Court Reporter: Sabrina Vasquez Number of Transcript Pages for this hearing  
estimated: Also Motion in Limine (15 minutes)*

04/08/2013 Court Minutes  
*Court Minutes*

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

04/08/2013 Order  
*Order Regarding Bond and Special Conditions (Reduced to \$50,000.00)*

04/08/2013 **Motion for Bond Reduction (10:30 AM)** (Judicial Officer: Bevan, G. Richard)  
*Also Motion in Limine (15 minutes) Hearing result for Bond Reduction scheduled on 04/08/2013 10:30 AM: District Court Hearing Held Court Reporter: Sabrina Vasquez Number of Transcript Pages for this hearing estimated:*

04/10/2013 Agreement in Lieu of Detention  
*Twin Falls County Court Compliance Program Agreement in Lieu of Incarceration*

04/10/2013 Hearing Scheduled  
*Hearing Scheduled (Status 05/01/2013 09:30 AM) Status of Court Compliance*

04/10/2013 Miscellaneous  
*Notice Of Hearing*

05/01/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Status scheduled on 05/01/2013 09:30 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated: Status of Court Compliance*

05/01/2013 Court Minutes  
*Court Minutes*

05/01/2013 **Status Conference (9:30 AM)** (Judicial Officer: Bevan, G. Richard)  
*Status of Court Compliance Hearing result for Status scheduled on 05/01/2013 09:30 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

05/13/2013 **Pre-trial Conference (11:00 AM)** (Judicial Officer: Bevan, G. Richard)

05/20/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Pretrial Conference scheduled on 05/20/2013 11:00 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

05/20/2013 Court Minutes  
*Court Minutes*

05/20/2013 Memorandum  
*Pretrial Conference Memorandum Pursuant to I.C.R. 18*

05/20/2013 **Pre-trial Conference (11:00 AM)** (Judicial Officer: Bevan, G. Richard)

05/22/2013 Witness List  
*Defendant's Witness and Exhibit List*

05/22/2013 Notice of Change of Address  
*Change of Address Form from Misdemeanor Probation*


05/22/2013 **Jury Trial (9:00 AM)** (Judicial Officer: Bevan, G. Richard)  
**05/22/2013-05/23/2013**  
*2 days Hearing result for Jury Trial scheduled on 05/22/2013 09:00 AM: Hearing Vacated*

05/28/2013 DC Hearing Held: Court Reporter: # of Pages:  
*District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

05/28/2013 Court Minutes  
*Court Minutes*

**CASE SUMMARY**

**CASE No. CR-2012-10131**

05/29/2013	DC Hearing Held: Court Reporter: # of Pages: <i>Hearing result for Jury Trial scheduled on 05/29/2013 08:30 AM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated: 2 days</i>
05/29/2013	Miscellaneous <i>Preliminary Jury Instructions</i>
05/29/2013	<b>Jury Trial (8:30 AM) (Judicial Officer: Stoker, Randy J.)</b> <b>05/29/2013-05/30/2013</b> <i>2 days Hearing result for Jury Trial scheduled on 05/29/2013 08:30 AM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:</i>
05/30/2013	Jury Instructions <i>Defendant's Supplemental Jury Instruction</i>
05/30/2013	Miscellaneous <i>Final Jury Instructions</i>
05/30/2013	 Verdict form <i>Verdict Form Guilty 4 Counts</i>
05/30/2013	Miscellaneous <i>Post Jury Instruction</i>
05/30/2013	Order <i>Order Returning Property to Investigating Law Enforcement Agency</i>
05/30/2013	Court Minutes <i>Court Minutes</i>
05/30/2013	Found Guilty after Trial <i>Found Guilty After Trial</i>
05/31/2013	Hearing Scheduled <i>Hearing Scheduled (Sentencing 07/29/2013 03:30 PM)</i>
05/31/2013	Miscellaneous <i>Notice Of Hearing</i>
05/31/2013	Witness List <i>Witness List</i>
05/31/2013	Miscellaneous <i>Defendant's Exhibit List</i>
05/31/2013	Miscellaneous <i>State's Exhibit List</i>
05/31/2013	Pre-Sentence Investigation Evaluation Ordered <i>Order for Pre-Sentence Investigation Report and Mental Health Assessment</i>
05/31/2013	Pre-Sentence Investigation Evaluation Ordered <i>Order for Presentence Investigation Report and Substance Abuse Assessment</i>
05/31/2013	Motion <i>Motion to Revoke Bond and Issue a Warrant</i>
06/03/2013	Order

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

*Order to Revoke Bond and Issue Warrant*

06/04/2013 Bench Warrant/Det Order Issued  
*Warrant Issued - Arrest Bond amount: NO BOND Defendant: Lemmons, Bryann Kristine*

06/04/2013 Case Sealed  
*Case sealed*

06/04/2013 Bond Exonerated  
*Surety Bond Exonerated (Amount 50,000.00)*

06/05/2013 Letter  
*Letter from P & P re: PSI*

06/06/2013 Hearing Scheduled  
*Hearing Scheduled (Status 06/13/2013 11:00 AM)*

06/06/2013 Miscellaneous  
*Notice Of Hearing*

06/10/2013 Warrant/Det Order Returned - Served  
*Warrant Returned Defendant: Lemmons, Bryann Kristine*

06/10/2013 Case Un-sealed  
*Case Un-sealed*

06/10/2013 County Jail Packet  
*Twin Falls County Jail Packet*

06/10/2013 Arraignment  
*Arraignment / First Appearance*

06/10/2013 Advisement of Rights  
*Notification Of Rights Felony*

06/10/2013 Court Minutes  
*Court Minutes*

06/10/2013 Bond Set  
*BOND SET: Bond per warrant to be held without bond*

06/12/2013 Hearing Vacated  
*Hearing result for Status scheduled on 06/13/2013 11:00 AM: Hearing Vacated*

06/13/2013 Hearing Scheduled  
*Hearing Scheduled (Motion 07/09/2013 09:00 AM) for Judgment of Acquittal or New Trial*

06/13/2013 Notice of Hearing  
*Notice Of Hearing*

06/13/2013 Motion  
*Renewed Motion for Judgment of Acquittal and Motion for New Trial*

06/13/2013 **Status Conference** (11:00 AM) (Judicial Officer: Bevan, G. Richard)

06/20/2013 Continued (Judicial Officer: Bevan, G. Richard )  
*Continued (Motion 07/15/2013 10:30 AM) for Judgment of Acquittal or New Trial*

06/20/2013 Miscellaneous  
*Amended Notice Of Hearing*

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

06/24/2013 Memorandum  
*State's Memorandum Opposing Defendant's Motion for Judgment of Acquittal or New Trial*

07/10/2013 Memorandum  
*State's Supplemental Memorandum Opposing Defendant's Motion for Judgment of Acquittal or New Trial*

07/12/2013 Memorandum  
*Memorandum in Support of Defendant's Renewed Motion for Judgment of Acquittal and/or Motion for New Trial*

07/15/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Motion scheduled on 07/15/2013 10:30 AM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated: for Judgment of Acquittal or New Trial*

07/15/2013 Court Minutes  
*Court Minutes*

07/15/2013 Order  
*Order Granting Motion for New Trial in Part, Denying Motion for New Trial in Part and Denying Motion for Judgment of Acquittal*

07/15/2013 Hearing Vacated  
*Hearing result for Sentencing scheduled on 07/29/2013 03:30 PM: Hearing Vacated*

07/15/2013 Memorandum  
*Supplemental Memorandum in Support of Defendant's Renewed Motion for Judgment of Acquittal and/or Motion for New Trial*

07/15/2013 **Motion Hearing (10:30 AM)** (Judicial Officer: Stoker, Randy J.)  
*for Judgment of Acquittal or New Trial Hearing result for Motion scheduled on 07/15/2013 10:30 AM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

07/16/2013 Hearing Scheduled  
*Hearing Scheduled (Pretrial Conference 08/09/2013 01:30 PM)*

07/16/2013 Hearing Scheduled  
*Hearing Scheduled (Jury Trial 08/20/2013 08:30 AM)*

07/16/2013 Miscellaneous  
*Notice Of Hearing*

07/17/2013 Hearing Scheduled  
*Hearing Scheduled (Bond Reduction 07/29/2013 10:30 AM)*

07/18/2013 Notice of Hearing  
*Notice Of Hearing*

07/18/2013 Motion  
*Motion to Reinstate Bond*

07/24/2013 Notice of Appeal  
**NOTICE OF APPEAL**

07/24/2013 Appeal Filed in Supreme Court  
*Appealed To The Supreme Court*

07/25/2013 Motion for Reconsideration

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**

**CASE NO. CR-2012-10131**

*Motion For Reconsideration and Memorandum in Support Thereof*

07/29/2013 Notice of Hearing  
*Notice Of Hearing*

07/29/2013 Motion  
*Motion for Permissive Appeal and Memorandum in Support Thereof*

07/29/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Bond Reduction scheduled on 07/29/2013 10:30 AM: District Court Hearing Held Court Reporter: Virginia Bailey Number of Transcript Pages for this hearing estimated:*

07/29/2013 Court Minutes  
*Court Minutes*

07/29/2013 **Sentencing (3:30 PM)** (Judicial Officer: Bevan, G. Richard)

07/29/2013 **Motion for Bond Reduction (10:30 AM)** (Judicial Officer: Bevan, G. Richard)

07/31/2013 Order  
*Order of Reassignment*

08/01/2013 Change Assigned Judge  
*Change Assigned Judge*

08/01/2013 Clerk's Certificate of Appeal  
*Clerk's Certificate Of Appeal*

08/06/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed-Order Consolidating Appeals*

08/06/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed-Notice Of Appeal. Clerk's Record and Reporter's Transcript Due 11-12-13*

08/08/2013 Miscellaneous  
*Pages Estimate*

08/08/2013 Miscellaneous  
*Pages Estimate*

08/09/2013 Hearing Vacated  
*Hearing result for Jury Trial scheduled on 08/20/2013 08:30 AM: Hearing Vacated*

08/09/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Pretrial Conference scheduled on 08/09/2013 01:30 PM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

08/09/2013 Hearing Scheduled  
*Hearing Scheduled (Motion 08/23/2013 01:30 PM)*

08/09/2013 Miscellaneous  
*Notice Of Hearing*

08/09/2013 Court Minutes  
*Court Minutes*

08/09/2013 **Pre-trial Conference (1:30 PM)** (Judicial Officer: Stoker, Randy J.)

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**

**CASE NO. CR-2012-10131**

08/15/2013 Memorandum  
*State's Memorandum Opposing Defendant's Motion for Reconsideration*

08/20/2013 **Jury Trial (8:30 AM)** (Judicial Officer: Stoker, Randy J.)  
**08/20/2013-08/21/2013**

08/22/2013 Memorandum  
*Defendant's Final Memorandum in Support of Defendant's Renewed Motion for Judgment of Acquittal and Motion for New Trial and Dismissal*

08/23/2013 Bond Set  
*BOND SET: at 75000.00*

08/23/2013 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Motion scheduled on 08/23/2013 01:30 PM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated: Motion for Reconsideration and Bond Reduction*

08/23/2013 Court Minutes  
*Court Minutes*

08/23/2013 **Motion Hearing (1:30 PM)** (Judicial Officer: Stoker, Randy J.)  
*Motion for Reconsideration and Bond Reduction Hearing result for Motion scheduled on 08/23/2013 01:30 PM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

08/26/2013 Acquitted (after Trial)  
*Acquitted (after Trial) (I37-2732B(a)(4) {CY} Drug-(Conspiracy) Trafficking in Methamphetamine or Amphetamine)*

08/26/2013 Acquitted (after Trial)  
*Acquitted (after Trial) (I37-2732B(a)(4) {CY} Drug-(Conspiracy) Trafficking in Methamphetamine or Amphetamine)*

08/26/2013 Order  
*Order on Defendant's Motion for Reconsideration*

08/26/2013 **Disposition**  
1. Drug-(Conspiracy) Trafficking in Methamphetamine or Amphetamine  
Acquittal  
TCN: 4201031776 :

08/26/2013 **Disposition**  
2. Drug-(Conspiracy) Trafficking in Methamphetamine or Amphetamine  
Guilty  
TCN: 4201031776 :

08/29/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed Certified Copies of Order on Defendant's Motion for Reconsideration*

10/09/2013 Supreme Court Document Filed-Misc  
*Supreme Court Filed Notice of Cross Appeal. Supplemental Transcript Due 11-6-2013*

11/04/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed- Reset Due Date - Transcript and Clerk's Record Due 01-08-14*

11/08/2013 Notice of Hearing



**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

*Notice Of Hearing*

11/08/2013 Motion  
*Motion to Modify Terms of Release*

11/15/2013 Notice  
*Notice of Lodging, Tracy Barksdale; Jury Trial May 29 & 30, 2013 and Hearing July 15, 2013*

11/15/2013 Miscellaneous  
*Lodged: Transcript on Appeal by email*

11/22/2013 DC Hearing Held: Court Reporter: # of Pages:  
*District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

11/22/2013 Court Minutes  
*Court Minutes*

11/25/2013 Order  
*Order Re: Motion to Modify Terms of Release*

11/26/2013 Supreme Court Document Filed-Misc  
*Supreme Court -- Entered Order Conditionally Dismissing Appeal for Payment of Fees*

11/26/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed- Order Conditionally Dismissing Appeal*

11/26/2013 Supreme Court Document Filed-Misc  
*Supreme Court -- Entered Amended Order RE: Fees*

11/26/2013 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed- Amended Order RE Fees*

11/29/2013 Notice of Change of Address  
*Change of Address Form from Misdemeanor Probation*

12/12/2013 Notice  
*Request for Hearing and Notice of Review Hearing*

12/12/2013 Hearing Scheduled  
*Hearing Scheduled (Hearing Scheduled 01/14/2014 03:30 PM) Court Compliance Fee Review*

12/16/2013 Supreme Court Document Filed-Misc  
*Supreme Court -- Reset Due Date -- Transcript and Clerk's Record Due 01-27-14*

01/14/2014 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Hearing Scheduled scheduled on 01/14/2014 03:30 PM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated: Court Compliance Fee Review*

01/14/2014 Court Minutes  
*Court Minutes*

01/14/2014 **Hearing Scheduled (3:30 PM)** (Judicial Officer: Stoker, Randy J.)  
*Court Compliance Fee Review Hearing result for Hearing Scheduled scheduled on 01/14/2014 03:30 PM: District Court Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

01/15/2014 Order  
*Order Re Court Compliance Fees*

TWIN FALLS COUNTY DISTRICT COURT

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

01/23/2014 Motion  
*Ex Parte Motion for an Order to Revoke Bond and Issue Warrant*

01/24/2014 Supreme Court Document Filed-Misc  
*Supreme Court -- Received Clerk's Record, Reporter's Transcripts (2 Volumes), Exhibits and Confidential Exhibits. Set Due Date -- Appellant's Brief Due 02-28-14*

01/27/2014 Order  
*Ex Parte Order to Revoke Probation and Issue a Warrant*

01/27/2014 Bench Warrant/Det Order Issued  
*Warrant Issued - Arrest Bond amount: .00 Defendant: Lemmons, Bryann Kristine*

01/27/2014 Case Sealed  
*Case sealed*

01/27/2014 Bond Set  
*BOND SET: at 0*

01/28/2014 Warrant/Det Order Returned - Served  
*Warrant Returned Defendant: Lemmons, Bryann Kristine*

01/28/2014 Case Un-sealed  
*Case Un-sealed*

01/28/2014 County Jail Packet  
*Twin Falls County Jail Packet*

01/28/2014 Sheriff's Inmate Screening Report  
*TF County Sheriff's Inmate Screening Report*

01/28/2014 Arraignment  
*Arraignment / First Appearance*

01/28/2014 Court Minutes  
*Court Minutes*

01/28/2014 Bond Set  
*BOND SET: per warrant to be held without bond*

02/03/2014 Supreme Court Document Filed-Misc  
*Supreme Court -- Received Clerk's Record, Reporter Transcripts (2 Volumes), Exhibits, and Confidential Exhibits. Set Due Date - Appellant's Brief Due 2-28-14*

02/25/2014 Notice of Hearing  
*Notice Of Hearing*

02/25/2014 Motion  
*Motion to Set Bond and/or Bond Reduction*

02/26/2014 Notice of Hearing  
*Amended Notice Of Hearing*











02/26/2014 Motion for Bond Reduction  
*Amended Motion to Set bond and/or Bond Reduction*

02/26/2014 Hearing Scheduled  
*Hearing Scheduled (Bond Reduction 03/13/2014 11:00 AM)*

03/13/2014 DC Hearing Held: Court Reporter: # of Pages:  
*Hearing result for Bond Reduction scheduled on 03/13/2014 11:00 AM: District Court*

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

*Hearing Held Court Reporter: Barksdale Number of Transcript Pages for this hearing estimated:*

- 03/13/2014 Court Minutes  
*Court Minutes*
  
- 03/13/2014 **Motion for Bond Reduction (11:00 AM)** (Judicial Officer: Stoker, Randy J.)
  
- 11/14/2014 Supreme Court Document Filed-Misc  
*Supreme Court Document Filed- 2014 Unpublished Opinion No. 812 -- Reversed and Remanded*
  
- 11/21/2014 Supreme Court Document Filed-Misc  
*Supreme Court Filed (Appellant/Cross-Respondent's) Petition for Review by Supreme Court*
  
- 03/16/2015 Supplemental Response to Request for Discovery  
*Supplemental Response To Request For Discovery*
  
- 08/26/2015  Pre-Sentence Investigation Ordered
  
- 08/26/2015  Notice of Hearing
  
- 08/26/2015  Supreme Court Document Filed-Misc  
*2015 Opinion No. 79 -- Reversed*
  
- 09/18/2015  Supreme Court Document Filed-Misc  
*Remittitur*
  
- 09/23/2015  Restitution Request
  
- 09/29/2015  Supplemental Response to Request for Discovery
  
- 09/29/2015  PSI Face Sheet
  
- 10/13/2015  **Sentencing (2:30 PM)** (Judicial Officer: Stoker, Randy J.)
  
- 10/13/2015 DC Hearing Held: Court Reporter: # of Pages:  
*TBarksdale*
  
- 10/13/2015  Court Minutes
  
- 10/14/2015  Judgment of Conviction & Order of Commitment
  
- 10/15/2015 **Amended Disposition**
  - 1. Drug-(Conspiracy) Trafficking in Methamphetamine or Amphetamine  
Guilty  
TCN: 4201031776 :
  
- 10/15/2015 **Sentence** (Judicial Officer: Stoker, Randy J.)
  - 1. Drug-(Conspiracy) Trafficking in Methamphetamine or Amphetamine  
Felony Sentence  
Fee Totals:
    - Court Costs - 280.50
    - Felony - Drug

**CASE SUMMARY**  
**CASE NO. CR-2012-10131**

Fine Program - 10,000.00  
 Drug  
 Fee Totals \$ 10,280.50  
 Confinement  
 Type:  
 Facility: Idaho Department of Corrections  
 Effective Date: 10/15/2015  
 Determinate: 3 Years  
 Indeterminate: 12 Years


10/15/2015

**Sentence** (Judicial Officer: Stoker, Randy J.)  
 2. Drug-(Conspiracy) Trafficking in Methamphetamine or Amphetamine  
 Felony Sentence  
 Fee Totals:  
 Fine Program - 10,000.00  
 Drug  
 Fee Totals \$ 10,000.00  
 Confinement  
 Type:  
 Facility: Idaho Department of Corrections  
 Effective Date: 10/15/2015  
 Determinate: 3 Years  
 Indeterminate: 12 Years

10/15/2015

Case Final Judgment Entered

11/12/2015

 Notice of Appeal

11/12/2015

 Ex-Parte Motion  
*Ex- Parte Motion for Appointment of State Appellate Public Defender*

11/12/2015

Appeal Filed in Supreme Court


11/13/2015

 Order Appointing State Appellate Public Defender


11/13/2015

 Clerk's Certificate of Appeal


11/18/2015

 Order  
*of Restitution*


11/25/2015

 Supreme Court Document Filed-Misc  
*Filed Notice(s) of Appeal - Transcript Requested- Entered Order to Augment Prior Appeal Nos. 41278, 41279 and 42823 and Consolidate Appeal Nos. 43720 and 43721 for All Purposes Set Due Date - Reporter's Transcript (Lodging 12-21-15) and Clerk's Record Due 1-25-16*

11/25/2015

 Supreme Court Document Filed-Misc  
*1 Augment Prior Appeal Nos. 41278, 41279 and 42823. 2. Consolidate Appeal Nos. 43720 and 43721 for All Purposes*

12/18/2015

 Supreme Court Document Filed-Misc  
*Filed Notice of Transcript Lodged By T. Barksdale (27 pages)*

DATE

FINANCIAL INFORMATION

<b>Defendant</b> Lemmons, Bryann Kristine	
Total Charges	20,290.50
Total Payments and Credits	10.00
<b>Balance Due as of 1/5/2016</b>	<b>20,280.50</b>

**TWIN FALLS COUNTY DISTRICT COURT**

**CASE SUMMARY**

**CASE NO. CR-2012-10131**

2015 SEP 23 AM 10:01

GRANT P. LOEBS  
Prosecuting Attorney  
for Twin Falls County  
P.O. Box 126  
Twin Falls, Idaho 83303  
Phone: (208) 736-4020  
Fax: (208) 736-4120

BY \_\_\_\_\_  
CLERK  
\_\_\_\_\_ *SP* \_\_\_\_\_  
DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE  
OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

STATE OF IDAHO,	)	Case No. CR 11-14836 <u>and</u>
	)	CR 12-10131
Plaintiff,	)	
	)	
vs.	)	RESTITUTION REQUEST
	)	
BRYANN KRISTINE LEMMONS,	)	
	)	
Defendant.	)	
	)	

---

COMES NOW Peter M. Hatch, Deputy Prosecuting Attorney and submits the following Time Sheet for Restitution Pursuant to Idaho Code Section 37-2732(k). The Twin Falls Prosecuting Attorney's Office seeks restitution for attorney time in the above-entitled case as follows, at a rate of \$75.00 per hour:

	CR 11-14836	CR 12-10131
Review and analyze charging request and make filing decision.	.2	.2
Draft, review, revise, and file complaint.	.3	.3
Attend first appearance.	.2	.2
Conference re: appropriate offer to make to defense attorney and prepare offer.	.4	.4

Prepare for preliminary hearing, review and analyze police reports, prepare discovery, conference w/ witnesses.	1.3	1.3
Preliminary hearing held on 3/30/2012.	1.3	n/a
Preliminary hearing set for 10/1/2012 (continued by Defendant)	n/a	.2
Preliminary hearing set for 11/19/2012 (Waived)	n/a	.2
Draft Information.	.2	.2
Arrestment hearing held 4/18/2012	.2	n/a
Entry of Plea hearing held 5/29/2012.	.1	n/a
Review file and begin trial preparations.	.3	n/a
Draft Witness List, Exhibit List, Jury Instructions	.3	n/a
Pre-Trial Conference held 8/27/2012.	.2	n/a
Status Hearing held 9/4/2012.	.3	n/a
Status Hearing held 11/13/2012.	.2	n/a
Arrestment hearing held 12/10/2012	n/a	.2
Review file and begin trial preparations.	n/a	.3

**THE CASES STARTED RUNNING PARALLEL AT THIS POINT**

Status Hearing held 2/11/2013 (Defendant FTA'd).	.1
Prepare new settlement offer to defense attorney.	.2
Pre-Trial Conference held 3/4/2013.	.1
Prepare Court Compliance Program Violation w/ Warrant	.1
First Appearance on CCP Violation on 3/26/2013.	.1
Research and Prepare for Jury Trial	30.00
Jury Trial held 5/29/2013	11.2
Post Trial Motions, Briefs, and Hearings	15.0
First Appearance on Warrant re: FTA for PSI on 6/10/2013	.1

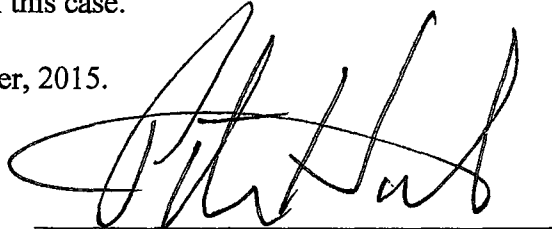
Prepare Court Compliance Program Violation w/ Warrant. (1/23/14)	.1	
First Appearance on CCP Violation on 1/28/2014.	.1	
Bond Reduction hearing held on 3/13/2014.	.1	
Review Presentence Investigation Report	.5	
Sentencing set for October 13, 2015.	.3	
SUBTOTAL	63.5	3.5
TOTAL TIME	67	

**Total Restitution Request:**

**\$ 5,025.00**

I, Peter M. Hatch, Deputy Prosecuting Attorney, for Twin Falls County hereby certify the above accurately reflects the time spent on this case.

DATED this 22<sup>nd</sup> day of September, 2015.

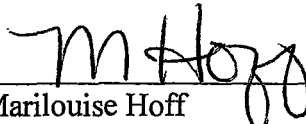


Peter M. Hatch  
Deputy Prosecuting Attorney



**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of September, 2015, I served a copy of the foregoing **RESTITUTION REQUEST** thereof into the mail slot for **DAN BROWN** located at the District Court Services Office and for delivery on the regular delivery route made every morning and afternoon to all Courthouse offices receiving mail from the Prosecutor's Office.

  
\_\_\_\_\_  
Marilouise Hoff  
Legal Assistant

DISTRICT COURT  
TWIN FALLS CO., IDAHO  
FILED

2015 SEP 29 PM 3:09

BY \_\_\_\_\_ CLERK  
\_\_\_\_\_ DEPUTY

GRANT P. LOEBS  
Prosecuting Attorney  
for Twin Falls County  
P.O. Box 126  
Twin Falls, ID 83303  
Phone: (208) 736-4020  
Fax: (208) 736-4120

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE  
OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

STATE OF IDAHO, )  
)  
Plaintiff, )  
)  
vs. )  
)  
BRYANN KRISTINE LEMMONS, )  
)  
Defendant. )  
\_\_\_\_\_ )

Case No. CR 11-14836  
CR 12-10131

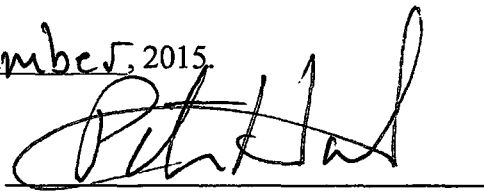
**SUPPLEMENTAL RESPONSE TO  
REQUEST FOR DISCOVERY**

COMES NOW, the Twin Falls County Prosecuting Attorney's Office by and through its  
Attorney of Record, Peter Hatch, Deputy Prosecuting Attorney, and submits the following  
Supplemental Response to the Request for Discovery:

- 1. Copy of supplements numbered D191 through D192.

The State reserves the right to supplement discovery as information becomes available.

DATED this 29<sup>th</sup> day of September, 2015.



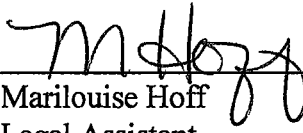
Peter Hatch  
Deputy Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29 day of Sept, 2015, I served a copy of the foregoing **Supplemental Response to Request for Discovery and  Unredacted copy of Supplemental Discovery and/or  Redacted copy of Supplemental Discovery** thereof to the following:

**Dan Brown  
Fuller Law Office**

**Court Folder  
E-mail  
U.S. Mail**

  
\_\_\_\_\_  
Marilouise Hoff  
Legal Assistant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

OCT 13 2015

By d Clerk  
Deputy Clerk

JUDGE R. STOKER  
CLERK A. AGUIRRE  
REPORTER T. BARKSDALE  
COURTROOM 2

CASE # CR-2011-14836/12-10131  
DATE 10/13/2015  
TIME 2:30PM  
CD 238 / 252/317

STATE OF IDAHO,  
VS.

BRYANN LEMMONS  DEFENDANT IN CUSTODY

CHARGES: \_\_\_\_\_

**SENTENCING MINUTES**

**APPEARANCES:**

Defendant \_\_\_\_\_  Prosecutor Hatch  
 Def. Counsel Brown  Other \_\_\_\_\_

**PROCEEDINGS AND ADVISEMENT OF RIGHTS:**

- Defendant is informed of the charges against him/her and all legal rights including the right to representation
- Defendant is advised of the effect of a guilty plea and the maximum penalties
- Defendant indicated that he/she understands rights and penalties
- Waived reading of the "Information"  Name verified  Public Defender is confirmed/appointed

11-14836 ct 1 / ct 2 CR 12-10131 ct 1 / ct 2  
**SENTENCE:**  Court and Counsel reviewed the PSI  Counsel gave recommendations to the Court  Withheld Jdmt  
 Penitentiary 5/15 5/15 Determinate 3/3 3/3 Indeterminate 12/12 12/12  
 Credit for time served days  Concurrent CR 11-14836 counts  Consecutive \_\_\_\_\_  
 \_\_\_\_\_ days Retained Jurisdiction  RJTR  RJCAPP  RJTC  RJCAPS  RJSO  RJNR

**FINES/FEES/COSTS:**  Court Costs  Fine \$10,000 each count  Suspended \_\_\_\_\_  
 Public Defender Fees \_\_\_\_\_  Court Compliance Fees \_\_\_\_\_  
 Restitution 30 days to object  Payment plan set up through P & P  
 Payments to begin \_\_\_\_\_ at \_\_\_\_\_ per month Final payment due \_\_\_\_\_

**PROBATION:**  Probation Time \_\_\_\_\_  Exhibit 1 submitted  
 Other Terms:  \_\_\_\_\_ days county jail  \_\_\_\_\_ days credit for county jail  Work Release, if approved  
 \_\_\_\_\_ days county jail held in abeyance until review hearing on \_\_\_\_\_  
 \_\_\_\_\_ Random UAs per week for \_\_\_\_\_ days, then at PO's discretion  \_\_\_\_\_ Hair Follicle tests per year  
 \_\_\_\_\_ AA/NA meetings in \_\_\_\_\_ days  Obtain a Sponsor by \_\_\_\_\_  
 Report to 12 step Meeting/Aftercare within 24 hours  Obtain all treatment pursuant to I.C. 19-2524  
 Follow Rec. in PSI  Follow Rec. of Sub Abuse Assessment  Follow Rec. of Mental Health Eval  
 No Assn w/ persons noted by P&P or with anyone if you don't know their last name.  Provide a No Contact list  
 Do not purchase, possess or consume controlled substances/alcohol or be where they are present  
 Create a Budget  No checking acct unless approved  No indebtedness of \$250.00 or more unless approved  
 Apologize to Victim by \_\_\_\_\_  GED to be completed by \_\_\_\_\_  
 Driving privileges suspended \_\_\_\_\_ years  \_\_\_\_\_ years ABSOLUTE  Interlock device until \_\_\_\_\_  
 \_\_\_\_\_ hrs Community Service within \_\_\_\_\_ days; \_\_\_\_\_ hrs to be served on County Work Detail  
 Comply with all court orders  DNA Sample  Thumbprint  Job Search  
 Transfer of Probation approved to CR 11-14836 \$10000 - 12-10131 declined  
 Enroll with Probation and Parole within 5 days of returning to the U.S. or within 48 hours to the State of Idaho  
 Waiver of Fourth Amendment Rights  Right to Appeal Waived due to Plea Agreement  Right to Appeal Given

Other: M Brown made connections to PSI (243) M Brown presented double jeopardy comments. Comments by Defendant: (309) The Court gave facts and findings (332)

OCT 14 2015

By \_\_\_\_\_ 1:30 PM  
Clark  
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

State of Idaho,

Plaintiff,

vs.

Case No. CR-2012-10131

Bryann Kristine Lemmons

SSN [REDACTED]

DOB [REDACTED]

Defendant.

JUDGMENT OF CONVICTION  
UPON A VERDICT OF GUILTY TO TWO FELONY COUNTS, AND ORDER OF  
COMMITMENT.

I. APPEARANCES.

1. The date of sentencing was 10/13/15, (hereinafter called sentencing date).
2. The State of Idaho was represented by counsel, Peter Hatch, of the Twin Falls County Prosecutor's office.
3. The defendant, Bryann Kristine Lemmons, appeared personally. I.C. § 19-2503.
4. The defendant was represented by counsel, Dan Brown.
5. Randy J. Stoker, District Judge, presiding.

II. ARRAIGNMENT FOR SENTENCING; I.C. § 19-2510, I.C.R. 33.

1. **Arraignment:** The defendant, Bryann Kristine Lemmons, was informed by the Court at the time of the sentencing of the nature of charges, which in this case were:

### COUNT I

**Crime of:** Conspiracy to Traffic in Methamphetamine, a felony.

**Maximum Penalty:** Court costs, restitution, life imprisonment, \$100,000 fine, or both such fine and imprisonment, and substance abuse treatment can be ordered at the defendant's expense.

**Idaho Code Section(s):** 37-2732B(a)(4).

**Guilty by Verdict** -- date of: 05/30/2013.

### COUNT II

**Crime of:** Conspiracy to Traffic in Methamphetamine, a felony.

**Maximum Penalty:** Court costs, restitution, life imprisonment, \$100,000 fine, or both such fine and imprisonment, and substance abuse treatment can be ordered at the defendant's expense.

**Idaho Code Section(s):** 37-2732B(a)(4).

**Guilty by Verdict** -- date of: 05/30/2013.

### III. SENTENCING DATE PROCEEDINGS.

At sentencing, the Court proceeded as follows:

1. Determined that more than two (2) days had elapsed from the verdict to the date of sentencing. I.C. § 19-2501, I.C.R. 33(a)(1).
2. Discussed the presentence report and relevant matters with the parties pursuant to I.C. § 20-220 and I.C.R. Rule 32.
3. Determined victim's rights and restitution issues pursuant to I.C. § 19-5301 and Article 1, § 22 of the Idaho Constitution.
4. Offered an aggravation and/or mitigation hearing to both parties, including the right to present evidence pursuant to I.C.R. 33(a)(1).

5. Heard comments and sentencing recommendations of both counsel and asked the defendant personally if the defendant wished to make a statement and/or to present any information in mitigation of punishment. I.C.R. 33(a)(1).
6. The Court made its comments pursuant to I.C. § 19-2512, and discussed one or more of the criteria set forth in I.C. § 19-2521.

#### **IV. THE SENTENCE.**

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, as follows:**

1. **Court Costs:** The defendant shall pay court costs, including contribution to the Victim's Crime Fund, in the sum of \$285.50. An additional \$100 surcharge will be added for each additional count.
2. **Restitution:** The defendant shall pay any restitution or financial obligation ordered by the Court in the future pursuant to an Order of Restitution or as otherwise authorized by law. Such restitution or financial obligation is payable through the Clerk of the District Court to be disbursed to the appropriate recipients. The defendant shall have 30 days from the sentencing date to file any objections to the State's restitution request.

#### **Count I**

3. **Crime of:** Conspiracy to Traffic in Methamphetamine, a felony.
4. **Fine:** The defendant is fined the sum of \$10,000, a mandatory fine, and the defendant shall pay all costs, fees and fines ordered by this Court. This judgment that the defendant pay a fine and costs shall constitute a lien in like manner as a judgment for money in a civil action. I.C. § 19-2518, I.C. § 19-2702.
5. **Penitentiary:** The defendant, Bryann Kristine Lemmons, shall be committed to the custody of the Idaho State Board of Correction, Boise, Idaho for a unified sentence (I.C. § 19-2513) of **15 years**; which unified sentence is comprised of a minimum (fixed) period of confinement of **3 years**, followed by an indeterminate period of custody of **12 years**, with the precise time of the indeterminate portion to be set by said Board according to law, with the total sentence not to exceed 15 years.

#### **Count II**

6. **Crime of:** Conspiracy to Traffic in Methamphetamine, a felony.
7. **Fine:** The defendant is fined the sum of \$10,000, a mandatory fine, and the defendant shall pay all costs, fees and fines ordered by this Court. This judgment that the defendant pay a fine and costs shall constitute a lien in like manner as a judgment for money in a civil action. I.C. § 19-2518, I.C. § 19-2702.

8. **Penitentiary**: The defendant, Bryann Kristine Lemmons, shall be committed to the custody of the Idaho State Board of Correction, Boise, Idaho for a unified sentence (I.C. § 19-2513) of **15 years**; which unified sentence is comprised of a minimum (fixed) period of confinement of **3 years**, followed by an indeterminate period of custody of **12 years**, with the precise time of the indeterminate portion to be set by said Board according to law, with the total sentence not to exceed 15 years.
9. **Concurrent or Simultaneous Prison Sentences**: Pursuant to I.C. § 18-308, these prison sentences, but not the fines, shall run concurrent with each other and with Twin Falls County CR-2011-14836.
10. **Credit for Time Served**: The defendant is given credit for time previously served, if any, locally and with the Idaho Department of Corrections against the foregoing sentence. I.C. § 18-309.
11. **Treatment Expense**: If the Court has ordered an Alcohol / Substance Abuse Evaluation and Treatment and/or a Mental Health Evaluation and Treatment pursuant to I.C. § 19-2524, the expenses of the assessments, examinations, and any treatment ordered by the court shall be borne by the department of health and welfare. I.C. § 19-2524(6).
12. Nothing contained in this judgment shall preclude a victim from independently enforcing an order of restitution.

#### **V. BOND/CONDITIONS OF RELEASE.**

The defendant has satisfied the conditions of release in this case. Any cash bond posted in this case shall be applied to the costs and fine imposed in this case with the surplus, if any, refunded to the posting party. I.C. § 19-2922. Any surety bond posted in this case is hereby exonerated. I.C.R. 46(g). If the defendant was subject to any conditions of release, those conditions are ordered dismissed. I.C.R. 46(g).

#### **VI. ORDER ON PRESENTENCE INVESTIGATION REPORTS.**

The parties are hereby ordered to return their respective copies of the presentence investigative reports to the deputy clerk of the court's custody and use of said report shall thereafter be governed by I.C.R. 32(h)(1), (2), and (3).

#### **VII. ORDER OF COMMITMENT.**

It is ADJUDGED and ORDERED that the defendant be committed to the custody of the Sheriff of Twin Falls County, Idaho, for delivery forthwith to the Director of the Idaho State Board of Correction at the Idaho State Penitentiary, or other facility within the State designated by the State Board of Correction. I.C. § 20-237.



**VIII. ENTRY OF JUDGMENT – INCARCERATION - RECORD BY CLERK.**

The Court orders the Judgment and record be entered upon the minutes and that the record be assembled, prepared and filed by the Clerk of the Court in accordance with I.C. § 19-2519(a). In addition, and in accordance with I.C. § 19-2519(b), as soon as possible upon the entry of Judgment of Conviction the Clerk shall deliver to the Sheriff of Twin Falls County a copy of the Judgment pursuant to I.C. § 20-237.

**IX. RIGHT TO APPEAL/LEAVE TO APPEAL IN FORMA PAUPERIS.**

**The Right:** The Court advised the defendant, of the right to appeal this judgment within forty two (42) days of the date it is file stamped by the clerk of the court. I.C.R. 33(a)(3), I.A.R. 14(a).

**In Forma Pauperis:** The Court further advised the defendant of the right of a person who is unable to pay the costs of an appeal to apply for leave to appeal in forma pauperis, meaning the right as an indigent to proceed without liability for court costs and fees and the right to be represented by a court appointed attorney at no cost to the defendant. I.C.R. 33(a)(3), I.C. § 19-852(a)(1) and (b)(2).

IT IS SO ORDERED.

Dated this 14 day of October 2015.

  
\_\_\_\_\_  
Randy J. Stoker  
District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14 day of October 2015, I caused to be served a true and correct copy of the foregoing, by the method indicated below, and addressed to the following:

Peter Hatch  
Twin Falls County Prosecuting Attorney  
P.O. Box 126  
Twin Falls, ID 83303

- U.S. Mail
- Hand delivered
- Faxed
- Court Folder

Dan Brown  
Fuller Law  
PO Box L  
161 Main Ave W.  
Twin Falls, ID 83303-0055

- U.S. Mail
- Hand delivered
- Faxed
- Court Folder

Idaho Department of Corrections  
Community Corrections Division  
Central Records Division  
Twin Falls County Probation Office

- Email

Twin Falls County Jail

- Email

  
\_\_\_\_\_  
Dorothy McMullen  
Deputy Clerk

ORIGINAL

**Greg J. Fuller**  
**Daniel S. Brown**  
**FULLER LAW OFFICES**  
Attorneys at Law  
P. O. Box L  
161 Main Avenue West  
Twin Falls, ID 83303  
Telephone: (208) 734-1602  
Facsimile: (208) 734-1606  
ISB #1442  
ISB #7538

DISTRICT COURT  
TWIN FALLS CO., IDAHO  
FILED

2015 NOV 12 PM 4:03

BY \_\_\_\_\_  
CLERK

SP \_\_\_\_\_  
DEPUTY

Attorneys for Defendant/Appellant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\*\*\*\*\*

THE STATE OF IDAHO, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 BRYANN KRISTINE LEMMONS, )  
 )  
 Defendant. )

Case No. CR-2012-10131

NOTICE OF APPEAL

\*\*\*\*\*

TO: The above named Respondents, State of Idaho and its attorney, Lawrence G. Wasden, Idaho Attorney General, Grant Loeb, Twin Falls County Prosecutor, and to the Clerk of the above-entitled Court:

NOTICE IS HEREBY GIVEN:

1. The above-named Defendant/Appellant, Bryann Kristine Lemmons, appeals

against the above-named Respondents to the Idaho Supreme Court from the Judgment of Conviction Upon a Verdict of Guilty to Two Felony Counts, and Order of Commitment file stamped in the above-entitled action on or about the 14<sup>th</sup> day of October, 2015, the Honorable Randy J. Stoker presiding.

2. The Appellant 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 I.A.R. 11(c)(1).

3: A preliminary statement of the issues on appeal which the Appellant then intends to assert in the appeal includes, but is not limited to, the following:

(A) Whether or not Idaho Code requires the Court to impose multiple fines as opposed to one fine?

(B) Whether or not the Defendant/Appellant's right to be free from double jeopardy was violated?

4. No Order has been entered sealing all or any portion of the record in this matter.

5. (a) A reporter's transcript is requested.

(b) The appellant requests the preparation of the following portions of the reporter's transcript: Sentencing hearing conducted October 13, 2015.

6. The Appellant requests the documents included in the clerk's record automatically under Rule 28, I.A.R. No Order has been entered sealing all or any part of the record or transcript.

7. I certify:

(a) That a copy of this Notice of Appeal has been served on each reporter of

whom a transcript has been requested as named below at the address set out below: Tracy Barksdale, Court Reporter, P. O. Box 126, Twin Falls, ID 83303-0126.

(b) That the Court Reporter, Tracy Barksdale, has not been paid the estimated fee for the preparation of the designated reporter's transcript as the Defendant is indigent.

(c) That the Clerk of the Court has not been paid the estimated fee for preparation of the designated Clerk's Record as the Defendant is indigent.

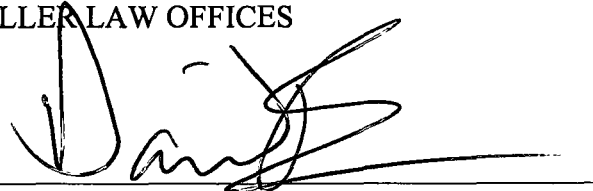
(d) That there are no appellate filing fees in the instant case.

(e) That service has been made upon all parties required to be served pursuant to Rule 20 and also upon the Attorney General of the State of Idaho pursuant to Idaho Code Section 67-1401(1).

DATED This 12 day of November, 2015.

FULLER LAW OFFICES

By

  
DANIEL S. BROWN

Attorneys for Defendant/Appellant

CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 12<sup>th</sup> day of November, 2015, a true and correct copy of the foregoing Notice of Appeal was mailed, postage paid to:

Lawrence G. Wasden  
Idaho Attorney General  
P. O. Box 83720  
Statehouse Mail  
Boise, ID 83720

Grant Loebis  
Twin Falls County Prosecutor  
P. O. Box 126  
Twin Falls, ID 83303-0126

Tracy Barksdale  
Court Reporter  
Twin Falls County Courthouse  
P. O. Box 126  
Twin Falls, ID 83303-0126



A handwritten signature in cursive script, appearing to read "Lawrence G. Wasden", is written over a horizontal line.

ORIGINAL

**Greg J. Fuller**  
**Daniel S. Brown**  
**FULLER LAW OFFICES**  
Attorneys at Law  
P. O. Box L  
161 Main Avenue West  
Twin Falls, ID 83303  
Telephone: (208) 734-1602  
Facsimile: (208) 734-1606  
ISB #1442  
ISB #7538

Attorneys for Defendant/Appellant

DISTRICT COURT  
TWIN FALLS CO., IDAHO  
FILED

2015 NOV 12 PM 4: 03

BY \_\_\_\_\_ CLERK  
                  *SP* DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\*\*\*\*\*

THE STATE OF IDAHO,	)	
	)	Case No. CR-2012-10131
Plaintiff/respondent,	)	
	)	
vs.	)	<u>EX-PARTE MOTION FOR</u>
	)	<u>APPOINTMENT OF STATE</u>
BRYANN KRISTINE LEMMONS,	)	<u>APPELLATE PUBLIC DEFENDER</u>
	)	
Defendant/appellant.	)	

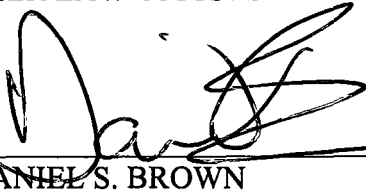
\*\*\*\*\*

COMES NOW Bryann Kristine Lemmons, above-named Defendant/Appellant, by and through her attorney of record, Daniel S. Brown, and hereby moves this Honorable Court for an Order pursuant to Idaho Code Section 19-867, appointing the State Appellate Public Defender's Office to represent said Defendant/Appellant in all further appellate

proceedings and allowing counsel for Defendant to withdraw as counsel of record. This Motion is made and based upon the grounds and for the reasons that the Defendant/Appellant is currently incarcerated and is indigent; the State Appellate Public Defender's Office is authorized by statute to represent the Defendant/Appellant in all felony appellate proceedings; and it is in the interests of justice for them to do so in this case since the Defendant/Appellant is indigent and any further proceedings on this case will be appeals.

DATED This 12 day of November, 2015.

FULLER LAW OFFICES

By   
DANIEL S. BROWN  
Attorneys for Defendant/Appellant

CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 12th day of November, 2015, a true and correct copy of the foregoing was mailed, postage paid to:

Grant Loeb  
Twin Falls County Prosecutor  
P. O. Box 126  
Twin Falls, ID 83303-0126





ORIGINAL

**Greg J. Fuller**  
**Daniel S. Brown**  
**FULLER LAW OFFICES**  
Attorneys at Law  
P. O. Box L  
161 Main Avenue West  
Twin Falls, ID 83303  
Telephone: (208) 734-1602  
Facsimile: (208) 734-1606  
ISB #1442  
ISB #7538

Attorneys for Defendant/Appellant

DISTRICT COURT  
TWIN FALLS CO. IDAHO  
FILED

2015 NOV 13 PM 1:02

BY \_\_\_\_\_  
*pc*  
CLERK  
DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\*\*\*\*\*

STATE OF IDAHO,	)	
	)	Case No. CR-2012-10131
Plaintiff/Respondent,	)	
	)	
vs.	)	<u>EX-PARTE ORDER FOR</u>
	)	<u>APPOINTMENT OF STATE</u>
BRYANN KRISTINE LEMMONS,	)	<u>APPELLATE PUBLIC DEFENDER</u>
	)	
Defendant/Appellant.	)	

\*\*\*\*\*

BASED UPON the Ex-Parte Motion for Appointment of State Appellate Public  
Defender filed by Defendant/Appellant, and good cause appearing therefore;

IT IS HEREBY ORDERED pursuant to Idaho Code Section 19-867, that the State  
Appellate Public Defender's Office is hereby appointed to represent said Defendant/  
Appellant in all further appellate proceedings and counsel for the Defendant is hereby

allowed to withdraw as counsel of record.

DATED This 13<sup>th</sup> day of November, 2015

  
\_\_\_\_\_  
DISTRICT JUDGE

**CLERK'S CERTIFICATE OF MAILING**

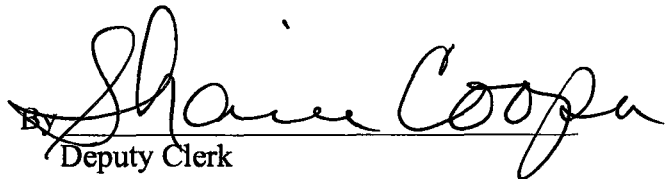
I hereby certify that the above document was mailed on the 13 day of Nov, 2015 to the following persons at the address listed, by first class, postage prepaid:

Gant Loëbs  
Twin Falls County Prosecutor  
P. O. Box 126  
Twin Falls, ID 83303-0126

\_\_\_\_ U.S. Mail  
\_\_\_\_ Hand-Delivery  
\_\_\_\_ Facsimile Transmission  
 Courthouse Folder

Daniel S. Brown  
FULLER LAW OFFICES  
Attorneys at Law  
P.O. Box L  
Twin Falls, ID 83303

\_\_\_\_ U.S. Mail  
\_\_\_\_ Hand-Delivery  
\_\_\_\_ Facsimile Transmission  
 Courthouse Folder

By   
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

2015 NOV 13 PM 2:59

STATE OF IDAHO, )  
 )  
 Plaintiff/Respondent, )  
 )  
 vs )  
 )  
 BRYANN KRISTINE LEMMONS, )  
 )  
 Defendant/Appellant. )

BY \_\_\_\_\_ CLERK  
 \_\_\_\_\_ DEPUTY  
 CASE NO. CR 11-14836  
 CR 12-10131  
 CLERK'S CERTIFICATE  
 OF APPEAL

APPEAL FROM: Fifth Judicial District, Twin Falls County.  
Honorable Randy J. Stoker, presiding

CASE NUMBER FROM COURT: CR 11-14836 and CR 12-10131

ORDER OR JUDGMENT APPEALED FROM: Judgment of Conviction Upon a  
Verdict of Guilty to Two Felony Counts, and Order of Commitment which was entered  
in the above-entitled matter on October 14, 2015.

ATTORNEY FOR RESPONDENT: Lawrence Wasden

ATTORNEY FOR APPELLANT: Sara Thomas

APPEALED BY: Bryann Kristine Lemmons

APPEALED AGAINST: State of Idaho

NOTICE OF APPEAL FILED: November 12, 2015

AMENDED APPEAL FILED:

NOTICE OF CROSS-APPEAL FILED:

AMENDED NOTICE OF CROSS-APPEAL FILED:

APPELLATE FEE PAID: exempt

ESTIMATED CLERK'S RECORD FEE PAID: exempt

**RESPONDENT OR CROSS-RESPONDENT'S REQUEST FOR ADDITIONAL RECORD FILED:**

**RESPONDENT OR CROSS-RESPONDENT'S REQUEST FOR ADDITIONAL REPORTER'S TRANSCRIPT FILED:**

**WAS DISTRICT COURT REPORTER'S TRANSCRIPT REQUESTED:** Yes

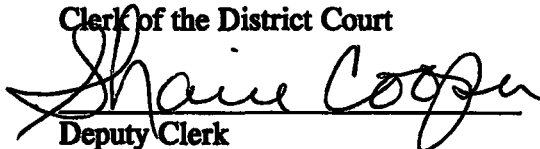
**ESTIMATED NUMBER OF PAGES:** \_\_\_\_\_.

**IF SO, NAME OF EACH REPORTER OF WHOM A TRANSCRIPT HAS BEEN REQUESTED AS NAMED BELOW AT THE ADDRESS SET OUT BELOW:**

**NAME AND ADDRESS:** Tracy Barksdale, P. O. Box 126, Twin Falls, ID 83303-0126

**DATED:** November 13, 2015

**KRISTINA GLASCOCK**  
Clerk of the District Court

  
Deputy Clerk

*C. O'ann*

DISTRICT COURT  
TWIN FALLS CO. IDAHO  
FILED

2015 NOV 18 AM 10:55

BY \_\_\_\_\_  
CLERK  
*[Signature]*  
DEPUTY

GRANT P. LOEBS  
Prosecuting Attorney  
for Twin Falls County  
P.O. Box 126  
Twin Falls, ID 83303  
Phone: (208) 736-4020  
Fax: (208) 736-4120

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE  
OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

STATE OF IDAHO,	)	Case No. CR 11-14836 <u>and</u>
	)	CR 12-10131
Plaintiff,	)	
	)	
vs.	)	<b>ORDER OF RESTITUTION</b>
	)	
BRYANN KRISTINE LEMMONS,	)	
	)	
Defendant.	)	
_____	)	

IT IS HEREBY ORDERED that BRYANN KRISTINE LEMMONS pay restitution totaling \$10,338.96 to the victims/entities following this paragraph.

Idaho State Police Headquarters	\$ 5,313.96
Attn: Financial Service, MC	lab fee & Law Enforcement fees
700 South Stratford	Joint & Several with Haffner
Meridian ID 83642-6202	

Twin Falls County Prosecuting Attorney	\$5,025.00
PO Box 126	
Twin Falls, ID 83303-0126	

**ORIGINAL**

That such payments be *monitored* by said Probation Officer through the Probation and Parole Office, and *paid* to the Clerk of the Court, P.O. Box 126, Twin Falls, Idaho, 83303.

**Restitution in the amount of \$5,313.96, to Idaho State Police shall be joint and several with SARA BETH HAFFNER, CR 11-14698 and the remaining balance shall be the sole responsibility of the defendant, BRYANN KRISTINE LEMMONS, CR 11-14836 and CR 12-10131.**

All restitution to be paid as ordered by the Court. If restitution is not paid in full by the date for termination of probation, said probation may be extended until restitution is paid in full.

Additionally, pursuant to Idaho Code § 19-5305, after forty-two (42) days from the entry of an Order of Restitution or at the conclusion of a hearing to reconsider an Order of Restitution, whichever occurs later, an Order of Restitution may be recorded as a judgment and the victim may execute as provided by law for civil judgments.

DATED this 17<sup>th</sup> day of NOV, 2015.

  
\_\_\_\_\_  
Randy J. Stoker  
District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on the 18 day of Nov., 2012, I served a copy of the foregoing **ORDER OF RESTITUTION** thereof to the following:

**Peter M. Hatch**  
**Deputy Prosecuting Attorney**

**Court Folder**

**FULLER LAW OFFICE**  
**Attorney for Defendant**

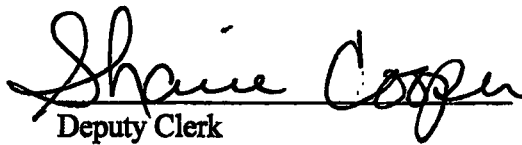
**Court Folder**

**Probation and Parole-District V**

**Court Folder**

**Central Records**  
**IDOC**  
**PO Box 83720**  
**Boise ID 83720-0018**

**U.S. Mail**

  
Deputy Clerk

**Sharie Cooper**

DISTRICT COURT  
TWIN FALLS CO. IDAHO  
FILED

**From:** supremecourtdocuments@idcourts.net  
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**To:** tbarksdale@co.twin-falls.id.us; RSTOKER@CO.TWIN-FALLS.ID.US;  
STHOMAS@SAPD.STATE.ID.US; scooper@co.twin-falls.id.us; ecf@ag.idaho.gov;  
documents@sapd.state.id.us  
**Subject:** 43720 43721 - STATE v. LEMMONS (Twin Falls CR-2011-14836 & CR-2012-10134)  
**Attachments:** 43721 NOA.pdf; 43720 43721 CONSOLIDATE & AUGMENT.pdf; 43720 43721 CC.pdf;  
43720 NOA.pdf

2015 NOV 25 PM 3:46

CLERK  
DEPUTY

FILED NOTICE(S) OF APPEAL - TRANSCRIPT REQUESTED - ENTERED ORDER TO AUGMENT  
PRIOR APPEAL NOS. 41278, 41279 AND 42823 AND CONSOLIDATE APPEAL NOS. 43720 AND 43721  
FOR ALL PURPOSES - PLEASE SEE ATTACHMENTS. \*\*SET DUE DATE - REPORTER'S  
TRANSCRIPT (Reporter's Lodging Date: 12-21-15) AND CLERK'S RECORD DUE 01-25-16\*\* Please  
review the CLERK'S CERTIFICATE OF APPEAL (ATTACHED) and notify the Court of any errors.



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

STATE OF IDAHO,	)	Supreme Court No. <u>43720</u>
	)	43721
Plaintiff/Respondent,	)	CASE NO. CR 11-14836
	)	CR 12-10131
vs	)	CLERK'S CERTIFICATE
	)	OF APPEAL
BRYANN KRISTINE LEMMONS,	)	
	)	
<u>Defendant/Appellant.</u>	)	

APPEAL FROM: Fifth Judicial District, Twin Falls County.  
Honorable Randy J. Stoker, presiding

CASE NUMBER FROM COURT: CR 11-14836 and CR 12-10131

ORDER OR JUDGMENT APPEALED FROM: Judgment of Conviction Upon a  
Verdict of Guilty to Two Felony Counts, and Order of Commitment which was entered  
in the above-entitled matter on October 14, 2015.

ATTORNEY FOR RESPONDENT: Lawrence Wasden

ATTORNEY FOR APPELLANT: Sara Thomas

APPEALED BY: Bryann Kristine Lemmons

APPEALED AGAINST: State of Idaho

NOTICE OF APPEAL FILED: November 12, 2015

AMENDED APPEAL FILED:

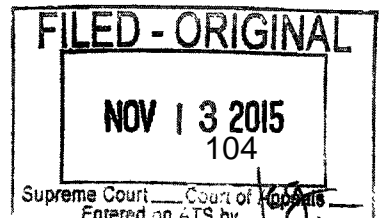
NOTICE OF CROSS-APPEAL FILED:

AMENDED NOTICE OF CROSS-APPEAL FILED:

APPELLATE FEE PAID: exempt

ESTIMATED CLERK'S RECORD FEE PAID: exempt

CLERK'S CERTIFICATE OF APPEAL - 1



**RESPONDENT OR CROSS-RESPONDENT'S REQUEST FOR ADDITIONAL RECORD FILED:**

**RESPONDENT OR CROSS-RESPONDENT'S REQUEST FOR ADDITIONAL REPORTER'S TRANSCRIPT FILED:**

**WAS DISTRICT COURT REPORTER'S TRANSCRIPT REQUESTED:** Yes

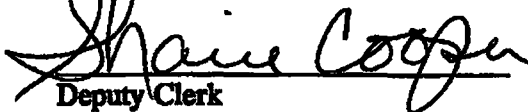
**ESTIMATED NUMBER OF PAGES:** \_\_\_\_\_.

**IF SO, NAME OF EACH REPORTER OF WHOM A TRANSCRIPT HAS BEEN REQUESTED AS NAMED BELOW AT THE ADDRESS SET OUT BELOW:**

**NAME AND ADDRESS:** Tracy Barksdale, P. O. Box 126, Twin Falls, ID 83303-0126

**DATED:** November 13, 2015

**KRISTINA GLASCOCK**  
Clerk of the District Court

  
Deputy Clerk

# In the Supreme Court of the State of Idaho

DISTRICT COURT  
TWIN FALLS CO. IDAHO  
FILED  
2015 NOV 25 PM 3:46

By \_\_\_\_\_  
CLERK  
DEPUTY

STATE OF IDAHO, )  
 )  
 Plaintiff-Respondent, )  
 )  
 v. )  
 )  
 BRYANN KRISTINE LEMMONS, )  
 )  
 Defendant-Appellant. )  
 \_\_\_\_\_ )  
 STATE OF IDAHO, )  
 )  
 Plaintiff-Respondent, )  
 )  
 v. )  
 )  
 BRYANN KRISTINE LEMMONS, )  
 )  
 Defendant-Appellant. )

**ORDER:**

1. AUGMENT PRIOR APPEAL NOS. 41278, 41279 AND 42823
2. CONSOLIDATE APPEAL NOS. 43720 AND 43721 FOR ALL PURPOSES

Supreme Court Docket No. 43720-2015  
Twin Falls County No. CR-2011-14836

Supreme Court Docket Nos. 43721-2015  
Twin Falls County No. CR-2012-10131

A Clerk's Record, Reporter's Transcripts and Exhibits were filed *electronically* with this Court in previously consolidated appeal Nos. 41278 and 41279, *State v. Lemmon* (Twin Falls County Nos. CV-2011-14836 and CV-2012-10131). Furthermore, it appearing that appeal Nos. 43720 and 43721 should be consolidated for all purposes; therefore,

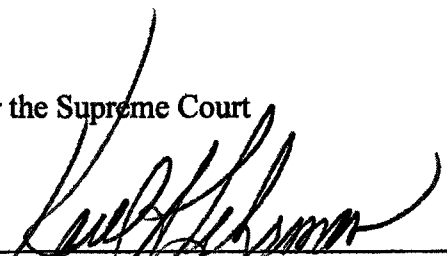
IT HEREBY IS ORDERED that this Record on Appeal shall be AUGMENTED to include the Supreme Court file, Clerk's Record and Reporter's Transcript filed *electronically* with this Court in previously consolidated appeal Nos. 41278 and 41279, *State v. Lemmon* (Twin Falls County Nos. CV-2011-14836 and CV-2012-10131).

IT FURTHER IS ORDERED that the above entitled appeal Nos. 43720 and 43721 shall be CONSOLIDATED FOR ALL PURPOSES under appeal No. 43720.

IT FURTHER IS ORDERED that the District Court Clerk shall prepare a CLERK'S RECORD, which shall include the documents requested in these Notices of Appeal, together with a copy of this Order. Furthermore, the Court Reporter shall prepare the REPORTER'S TRANSCRIPT, which shall include the transcript requested in each of these Notices of Appeal.

DATED this 23<sup>rd</sup> day of November, 2015.

For the Supreme Court

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

cc: Counsel of Record  
District Court Clerk  
Court Reporter  
District Judge Randy J. Stoker

Entered on JSI  
By: kg.

**Sharie Cooper**

DISTRICT COURT  
TWIN FALLS CO. IDAHO  
FILED

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**To:** tbarksdale@co.twin-falls.id.us; scooper@co.twin-falls.id.us  
**Subject:** 43720 43721 - STATE v. LEMMONS (Twin Falls CR-2011-14836 & CR-2012-10131)

2015 DEC 18 AM 10:46

BY \_\_\_\_\_  
CLERK

FILED NOTICE OF TRANSCRIPT LODGED - BY T. BARKSDALE (27 pages)

\_\_\_\_\_  
DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

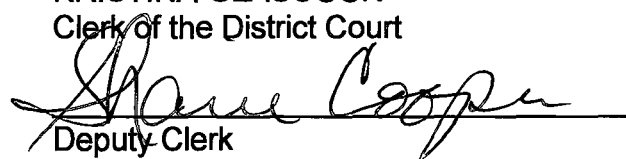
STATE OF IDAHO,	)	
	)	SUPREME COURT NOS. 43720
Plaintiff/Respondent,	)	43721
	)	DISTRICT COURT NO. CR 11-14836
vs.	)	CR 12-10131
	)	
BRYANN KRISTINE LEMMONS	)	CLERK'S CERTIFICATE
	)	
Defendant/Appellant.	)	

I, KRISTINA GLASCOCK, Clerk of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, do hereby certify that the foregoing CLERK'S RECORD on Appeal in this cause was compiled and bound under my direction and is a true, correct and complete Record of the pleadings and documents requested by Appellate Rule 28.

I do further certify that all exhibits, offered or admitted in the above-entitled cause, have been duly lodged with the Clerk of the Supreme Court.

WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this 5<sup>th</sup> day of January, 2016.

KRISTINA GLASCOCK  
Clerk of the District Court

  
Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

STATE OF IDAHO,	)	
	)	SUPREME COURT NOS. 43720
Plaintiff/Respondent,	)	43721
	)	DISTRICT COURT NO. CR 11-14836
vs.	)	CR 12-10131
	)	
BRYANN KRISTINE LEMMONS	)	CERTIFICATE OF SERVICE
	)	
<u>Defendant/Appellant.</u>	)	

I, KRISTINA GLASCOCK, Clerk of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, do hereby certify that I have personally served or mailed, by United States Mail, one copy of the CLERK'S RECORD and REPORTER'S TRANSCRIPTS to each of the Attorneys of Record in this cause as follows:

SARA THOMAS  
State Appellate Public Defender  
P.O. Box 2816  
Boise, ID 83701

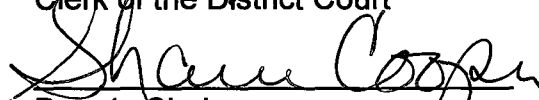
LAWRENCE WASDEN  
Attorney General  
Statehouse Mail Room 210  
P.O. Box 83720  
Boise, Idaho 83720-0010

ATTORNEY FOR APPELLANT

ATTORNEY FOR RESPONDENT

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said this 5<sup>th</sup> day of January, 2016.

KRISTINA GLASCOCK  
Clerk of the District Court

  
Deputy Clerk