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### State v. Vaughn Clerk's Record Dckt. 45104

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IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,  
Plaintiff-Respondent,  
vs.  
RONALD EUGENE VAUGHN,  
Defendant-Appellant.

Supreme Court Case No. 45104

CLERK'S RECORD ON APPEAL

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

HONORABLE SAMUEL HOAGLAND

STATE APPELLATE PUBLIC DEFENDER  
ATTORNEY FOR APPELLANT  
BOISE, IDAHO

LAWRENCE G. WASDEN  
ATTORNEY FOR RESPONDENT  
BOISE, IDAHO

ADA COUNTY DISTRICT COURT  
**CASE SUMMARY**  
CASE NO. CR-FE-2016-9419

State of Idaho  
vs.  
Ronald Eugene Vaughn

§  
§  
§  
§  
§  
§  
§

Location: Ada County District Court  
Judicial Officer: Hoagland, Samuel  
Filed on: 07/25/2016  
Appear by: 07/25/2016  
Case Number History:  
Police Reference Number: 16-617755  
Previous Case Number: G16-57

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Criminal
Jurisdiction: <b>Boise City Police Department</b>					
1. Drug-Trafficking in Heroin (7 grams to Less Than 28 grams) TCN: 1150002763 Arrest:	I37-2732B(a)(6) (B)	FEL	07/22/2016		
2. Controlled Substance-Possession of  TCN: 1150002763 Arrest:	I37-2732(c)(1) {F}	FEL	07/23/2016		
3. Drug Paraphernalia-Use or Possess With Intent to Use TCN: 1150002763 Arrest:	I37-2734A(1)	MIS	07/23/2016		

DATE

CASE ASSIGNMENT

**Current Case Assignment**

Case Number	CR-FE-2016-9419
Court	Ada County District Court
Date Assigned	08/02/2016
Judicial Officer	Hoagland, Samuel

PARTY INFORMATION

State	State of Idaho	<i>Lead Attorneys</i> Reilly, Heather C. 208-287-7700(W)
Defendant	Vaughn, Ronald Eugene	Stewart, David Alan <i>Public Defender</i> 208-287-7420(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

07/25/2016	New Case Filed - Felony Party: Defendant Vaughn, Ronald Eugene <i>New Case Filed - Felony</i>
07/25/2016	Prosecutor Assigned Party: Defendant Vaughn, Ronald Eugene <i>Prosecutor assigned Ada County Prosecutor</i>
07/25/2016	Hearing Scheduled Party: Defendant Vaughn, Ronald Eugene <i>Hearing Scheduled (Video Arraignment 07/25/2016 01:30 PM)</i>
07/25/2016	Criminal Complaint Party: Defendant Vaughn, Ronald Eugene <i>Criminal Complaint</i>

ADA COUNTY DISTRICT COURT  
**CASE SUMMARY**  
CASE NO. CR-FE-2016-9419

07/25/2016 Arraignment  
Party: Defendant Vaughn, Ronald Eugene  
*Hearing result for Video Arraignment scheduled on 07/25/2016 01:30 PM: Arraignment / First Appearance*

07/25/2016 Change Assigned Judge: Administrative  
Party: Defendant Vaughn, Ronald Eugene  
*Judge Change: Administrative*


07/25/2016 Order Appointing Public Defender  
Party: Defendant Vaughn, Ronald Eugene  
*Order Appointing Public Defender Ada County Public Defender*


07/25/2016 Hearing Scheduled  
Party: Defendant Vaughn, Ronald Eugene  
*Hearing Scheduled (Preliminary 08/08/2016 08:30 AM)*


07/25/2016 Bond Set  
Party: Defendant Vaughn, Ronald Eugene  
*BOND SET: at 400000.00 - (137-2732B(a)(4) Drug-Trafficking in Methamphetamine or Amphetamine)*

07/25/2016 Miscellaneous  
Party: Defendant Vaughn, Ronald Eugene  
*Notice & Order Of Hearing/appointment Of Pd*

07/25/2016 Video Arraignment (1:30 PM) (Judicial Officer: Steckel, Daniel L.)

07/27/2016  Motion for Bond Reduction  
Party: Defendant Vaughn, Ronald Eugene  
*Motion For Bond Reduction*


07/27/2016  Notice of Hearing  
Party: Defendant Vaughn, Ronald Eugene  
*Notice Of Hearing*

08/02/2016  Indictment  
Party: Defendant Vaughn, Ronald Eugene  
*Indictment*

08/02/2016 Change Assigned Judge: Administrative  
Party: Defendant Vaughn, Ronald Eugene  
*Judge Change: Administrative*


08/02/2016 Hearing Vacated  
Party: Defendant Vaughn, Ronald Eugene  
*Hearing result for Preliminary scheduled on 08/08/2016 08:30 AM: Hearing Vacated*


08/02/2016 Hearing Scheduled  
Party: Defendant Vaughn, Ronald Eugene  
*Hearing Scheduled (Arraignment 08/11/2016 09:00 AM)*


08/03/2016  Request for Discovery  
Party: Defendant Vaughn, Ronald Eugene  
*Defendant's Request for Discovery*


08/08/2016 **CANCELED Preliminary Hearing (8:30 AM)** (Judicial Officer: Cawthon, James S.)  
*Vacated*


ADA COUNTY DISTRICT COURT  
**CASE SUMMARY**  
CASE NO. CR-FE-2016-9419


08/11/2016  **Arraignment (9:00 AM)** (Judicial Officer: Hoagland, Samuel)


08/11/2016  Court Minutes

08/24/2016  Motion for Bond Reduction  
*Motion for Bond Reduction*


08/24/2016  Notice of Hearing  
*Notice of Hearing (Motion for Bond Reduction)*


08/24/2016  Motion  
*Motion for Grand Jury Transcripts*


08/24/2016  Order  
*for Grand Jury Transcripts*


08/24/2016  Request for Discovery  
*Specific Request for Discovery*

08/25/2016 **Entry of Plea (9:30 AM)** (Judicial Officer: Hoagland, Samuel)


08/25/2016  Court Minutes


08/25/2016  Waiver of Speedy Trial


08/31/2016  Motion  
*Motion for Limited Unsealing of Search Warrant*

08/31/2016  Order  
*for Limited Unsealing of Search Warrant*


09/01/2016 **Motion for Bond Reduction (9:30 AM)** (Judicial Officer: Hoagland, Samuel)

09/01/2016  Court Minutes


09/01/2016  Notice of Preparation of Transcript  
*- GJ*

09/07/2016  Response to Request for Discovery  
*/ Specific*

09/15/2016 **Entry of Plea (9:30 AM)** (Judicial Officer: Hoagland, Samuel)

09/15/2016  Court Minutes

10/06/2016 **Entry of Plea (9:30 AM)** (Judicial Officer: Hoagland, Samuel)

10/06/2016  Court Minutes


10/06/2016 **Plea (Judicial Officer: Hoagland, Samuel)**  
1. Drug-Trafficking in Heroin (7 grams to Less Than 28 grams)

ADA COUNTY DISTRICT COURT  
**CASE SUMMARY**  
CASE NO. CR-FE-2016-9419


Not Guilty  
TCN: 1150002763 :


2. Controlled Substance-Possession of  
Not Guilty  
TCN: 1150002763 :


3. Drug Paraphernalia-Use or Possess With Intent to Use  
Not Guilty  
TCN: 1150002763 :


10/12/2016  Order for Pretrial & Notice of Trial Setting

11/10/2016 **Motion Hearing (9:30 AM)** (Judicial Officer: Hoagland, Samuel)  
*Info part 2*


11/10/2016  Court Minutes


12/14/2016  Motion to Suppress  
*and Memorandum in Support thereof*


12/21/2016  Notice  
*notice of hearing (motion to suppress)*

01/18/2017  Notice  
*Notice of Hearing*


01/20/2017 **CANCELED Motion to Suppress (10:00 AM)** (Judicial Officer: Hoagland, Samuel)  
*Vacated*


02/03/2017  Motion  
*to Seal Pursuant to ICR 32 (Filed Under Seal)*


02/03/2017  Response  
*State's Response and Supporting Brief in Opposition to Defendant's Motion to Suppress/Filed under seal*


02/03/2017  Order Sealing Documents Per Rule 32(i)

02/10/2017 **Motion to Suppress (10:00 AM)** (Judicial Officer: Hoagland, Samuel)

02/10/2017  Court Minutes


02/10/2017  Motion  
*Defendant's Supplement to Motion to Suppress*

02/14/2017  Response to Request for Discovery


02/14/2017  Request for Discovery


02/23/2017 **CANCELED Pre-trial Conference (9:30 AM)** (Judicial Officer: Hoagland, Samuel)  
*Vacated*


ADA COUNTY DISTRICT COURT  
**CASE SUMMARY**  
CASE NO. CR-FE-2016-9419


02/23/2017  Notice  
*Notice of Intent to Use Evidence Pursuant to 404(b)*

02/24/2017 **Motion to Suppress (3:30 PM)** (Judicial Officer: Hoagland, Samuel)

02/24/2017  Court Minutes


02/28/2017  Witness List  
*State's List of Potential Trial Witnesses*


02/28/2017  Motion  
*motion in limine*

03/01/2017  Response to Request for Discovery  
*/Addendum*


03/06/2017 **Status Conference (8:30 AM)** (Judicial Officer: Hoagland, Samuel)

03/06/2017 **Jury Trial (9:00 AM)** (Judicial Officer: Hoagland, Samuel)


03/06/2017  Court Minutes


03/06/2017  Court Minutes

03/06/2017 Jury Trial Started


03/06/2017  Jury Packet  
*Jury Trial Work Product Documentation- Misc Documents*

03/07/2017 **Jury Trial (9:00 AM)** (Judicial Officer: Hoagland, Samuel)


03/07/2017  Court Minutes


03/07/2017  Amended Information


03/08/2017 **Jury Trial (9:00 AM)** (Judicial Officer: Hoagland, Samuel)

03/08/2017  Jury Instructions Filed

03/08/2017 Found Guilty after Trial

03/08/2017  Verdict form

03/08/2017  Order for Pre-Sentence Report (PSI)

03/08/2017  PSI Face Sheet


03/08/2017 **Disposition** (Judicial Officer: Hoagland, Samuel)  
1. Drug-Trafficking in Heroin (7 grams to Less Than 28 grams)  
Guilty (After Trial)  
TCN: 1150002763 :

2. Controlled Substance-Possession of

ADA COUNTY DISTRICT COURT  
**CASE SUMMARY**  
CASE NO. CR-FE-2016-9419

Guilty (After Trial)  
TCN: 1150002763 :

3. Drug Paraphernalia-Use or Possess With Intent to Use  
Guilty (After Trial)  
TCN: 1150002763 :

04/04/2017  Order Returning Property to Investigating Law Enf. Agency

04/27/2017  Pre-Sentence Report  
*Ronald Vaughn PSI Report*

05/04/2017 **Sentencing (2:00 PM)** (Judicial Officer: Hoagland, Samuel)

05/04/2017  Court Minutes

05/04/2017 **Sentence** (Judicial Officer: Hoagland, Samuel)  
1. Drug-Trafficking in Heroin (7 grams to Less Than 28 grams)  
Felony Sentence  
Confinement  
Type:  
Facility: Idaho Department of Correction  
Effective Date: 05/04/2017  
Determinate: 10 Years  
Indeterminate: 10 Years  
Credit Term: 286 Days

Fee Totals:  
Court Costs - 285.50  
Felony - Drug  
Fine Program - 15,000.00  
Drug  
Fee Totals \$ 15,285.50

05/04/2017 **Sentence** (Judicial Officer: Hoagland, Samuel)  
2. Controlled Substance-Possession of  
Felony Sentence  
Confinement  
Type:  
Facility: Idaho Department of Correction  
Effective Date: 05/04/2017  
Determinate: 3 Years  
Indeterminate: 4 Years  
Concurrent with other charge - this case  
Pre-Sentence Credit for Time Served  
Credit Term: 286 Days

Fee Totals:  
Court Costs - 285.50  
Felony - Drug  
Fee Totals \$ 285.50

05/04/2017 **Sentence** (Judicial Officer: Hoagland, Samuel)  
3. Drug Paraphernalia-Use or Possess With Intent to Use  
Felony Sentence  
Confinement  
Type:  
Facility: Idaho Department of Correction  
Term: 180 Days  
Effective Date: 05/04/2017  
Concurrent with other charge - this case  
Pre-Sentence Credit for Time Served  
Credit Term: 286 Days



ADA COUNTY DISTRICT COURT  
**CASE SUMMARY**  
CASE NO. CR-FE-2016-9419

Fee Totals:	
Court Costs - Misd	197.50
- Drug (BC)	
Fee Totals \$	197.50
Fee Totals:	
Restitution (PA) -	
Agency/Other	393.30
(Interest Bearing)	
Restitution (PA) -	
Agency/Other	1,724.78
(Interest Bearing)	
Restitution (PA) -	
Agency/Other	2,328.58
(Interest Bearing)	
Fee Totals \$	4,446.66

05/04/2017	Case Final Judgment Entered
05/05/2017	 Judgment of Conviction
05/09/2017	 Order of Restitution and Judgment
05/09/2017	Interest Ordered on Restitution Int Start Dt: 05/05/2017
05/12/2017	 Notice of Appeal
05/12/2017	Appeal Filed in Supreme Court
05/16/2017	 Order Appointing State Appellate Public Defender
08/03/2017	 Notice <i>of Transcript Lodged - Supreme Court No. 45104</i>

DATE

FINANCIAL INFORMATION

<b>Defendant</b> Vaughn, Ronald Eugene	
Total Charges	20,215.16
Total Payments and Credits	0.00
<b>Balance Due as of 8/3/2017</b>	<b>20,215.16</b>

JUL 25 2016

CHRISTOPHER D. RICH, Clerk  
By STORMY MCCORMACK  
DEPUTY

DR # 16-617755

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

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

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

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
RONALD EUGENE VAUGHN, )  
)  
Defendant. )  
\_\_\_\_\_ )

Case No. CR-FE-2016-0009419

**COMPLAINT**

Vaughn's [REDACTED]  
Vaughn's [REDACTED]

PERSONALLY APPEARED Before me this 25<sup>th</sup> day of July 2016, Michael Anderson, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, who, being first duly sworn, complains and says: that RONALD EUGENE VAUGHN, on or between the 22nd day of July, 2016 and the 23rd day of July, 2016, in the County of Ada, State of Idaho, did commit the crimes of: I. TRAFFICKING IN HEROIN, FELONY, I.C. §37-2732B(a)(6), II. POSSESSION OF A CONTROLLED SUBSTANCE, FELONY, I.C. §37-2732(c) and III. POSSESSION OF DRUG PARAPHERNALIA, MISDEMEANOR, I.C. §37-2734A as follows:

SM

COUNT I

That the Defendant, RONALD EUGENE VAUGHN, on or about the 22nd day of July, 2016, in the County of Ada, State of Idaho, did knowingly possess and/or bring into this state seven (7) grams or more of heroin, a Schedule I(c) controlled substance, or of any salt, isomer, salt of an isomer thereof, or of any mixture or substance containing a detectable amount of any such substance.

COUNT II

That the Defendant, RONALD EUGENE VAUGHN, on or about the 23rd day of July, 2016, in the County of Ada, State of Idaho, did unlawfully possess a controlled substance, to-wit: Methamphetamine, a Schedule II controlled substance.


COUNT III

That the Defendant, RONALD EUGENE VAUGHN, on or about the 23rd day of July, 2016, in the County of Ada, State of Idaho, did use and/or possess with the intent to use drug paraphernalia, to-wit: syringe(s), a scale, baggies and/or tin foil, used to inject, test, analyze, store, pack and/or prepare a controlled substance.

7-23-16  
PCX3  
M.L

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

**JAN M. BENNETTS**  
Ada County Prosecutor

  
Michael Anderson  
Deputy Prosecuting Attorney

SUBSCRIBED AND Sworn to before me this 25<sup>th</sup> day of July 2016.

  
Magistrate

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

STATE OF IDAHO, ADA COUNTY, MAGISTRATE DIVISION

PROBABLE CAUSE FORM

STATE OF IDAHO

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

vs. Vaughn, Ronald E

CLERK \_\_\_\_\_

PROSECUTOR H Reilly

DATE 7/23/2016 TIME \_\_\_\_\_

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

CASE ID. \_\_\_\_\_ BEG. \_\_\_\_\_

COURTROOM \_\_\_\_\_ END 33:44

INTOX \_\_\_\_\_

JUDGE

STATUS

- BIETER
  - CAWTHON
  - ELLIS
  - FORTIER
  - GARDUNIA
  - HARRIGFELD
  - HAWLEY
  - JURRIES
  - KIBODEAUX
  - LOJEK
  - \_\_\_\_\_
  - \_\_\_\_\_
- MacGREGOR IRBY
  - MANWEILER
  - McHENRY
  - MINDER
  - OTHS
  - STECKEL
  - SWAIN
  - WALKER
  - WATKINS

- STATE SWORN
- PC FOUND \_\_\_\_\_
- COMPLAINT SIGNED \_\_\_\_\_
- AMENDED COMPLAINT SIGNED \_\_\_\_\_
- AFFIDAVIT SIGNED \_\_\_\_\_
- JUDICIAL NOTICE TAKEN \_\_\_\_\_
- NO PC FOUND \_\_\_\_\_
- EXONERATE BOND \_\_\_\_\_
- SUMMONS TO BE ISSUED \_\_\_\_\_
- WARRANT ISSUED \_\_\_\_\_
- BOND SET \$ \_\_\_\_\_
- NO CONTACT \_\_\_\_\_

- D.R. # \_\_\_\_\_
- DISMISS CASE \_\_\_\_\_
- IN CUSTODY \_\_\_\_\_

COMMENTS

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

Trafficking Heroin 71  
pos ds (Fel) ~~12~~ (16 grams) #  
para

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

PROBABLE CAUSE FORM

STATE OF IDAHO

CASE NO. FE-16-09419

vs Ronald E. Vaughn

CLERK C.HO

DATE 07 / 25 / 2016 TIME 10:45

PROSECUTOR: MICHAEL ANDERSON SHAWNA DUNN

CASE ID GARDUNIA BEG. 11 2258

JILL LONGHURST

COURTROOM 204 END 11 2402

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

INTOX \_\_\_\_\_

JUDGE

STATUS

- BEREZ
  - BIETER
  - CAWTHON
  - COMSTOCK
  - ELLIS
  - FORTIER
  - GARDUNIA**
  - HARRIGFELD
  - HAWLEY
  - HICKS
  - KIBODEAUX
  - \_\_\_\_\_
  - \_\_\_\_\_
- MacGREGOR-IRBY
  - MANWEILER
  - McDANIEL
  - MINDER
  - OTHS
  - REARDON
  - SCHMIDT
  - STECKEL
  - SWAIN
  - WATKINS

- STATE SWORN**
- PC FOUND \_\_\_\_\_
- COMPLAINT SIGNED
- AMENDED COMPLAINT SIGNED
- AFFIDAVIT SIGNED
- JUDICIAL NOTICE TAKEN
- NO PC FOUND \_\_\_\_\_
- EXONERATE BOND \_\_\_\_\_
- SUMMONS TO BE ISSUED
- WARRANT ISSUED
- BOND SET \$ \_\_\_\_\_
- NO CONTACT
- \_\_\_\_\_
- DR# \_\_\_\_\_
- MOTION TO REVOKE OR INCREASE BOND FOR NON-COMPLIANCE W/PT RELEASE CONDITIONS
- SET HEARING AT AR DATE ON MOTION TO REVOKE OR INCREASE BOND
- DISMISS CASE
- IN CUSTODY

COMMENTS

- AGENTS WARRANT w/JUDGE PV AR set
- OUT OF COUNTY -RULE 5(B) \_\_\_\_\_ COUNTY \_\_\_\_\_ BOND \$ \_\_\_\_\_
- FUGITIVE (STATE) \_\_\_\_\_
- MOTION & ORDER TO CONSOLIDATE W/ \_\_\_\_\_

ADA COUNTY MAGISTRATE MINUTES

Ronald Eugene Vaughn CR-FE-2016-0009419



Scheduled Event: Video Arraignment Monday, July 25, 2016 01:30 PM

Judge: Daniel L Steckel Clerk: SB Interpreter: \_\_\_\_\_

Prosecuting Agency: X AC BC EA GC MC Pros: Lindsey

PD Attorney: Clark

- 1 I37-2732B(a)(4) Drug-Trafficking in Methamphetamine or Amphetamine F
- 2 I37-2732(c)(1) F Controlled Substance-Possession of F
- 3 I37-2734A(1) Drug Paraphernalia-Use or Possess With Intent to Use M

35933 Case Called Defendant: X Present Not Present X In Custody

X Advised of Rights Waived Rights X PD Appointed Waived Attorney

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

X Bond \$ 400,000 ROR Pay / Stay Payment Agreement

In Chambers PT Memo Written Guilty Plea No Contact Order

PH 8-8-14 8:30 w/ Cawthon

Finish ( ) Release Defendant

FILED  
 AM. 11 P.M.  
 Monday, July 25, 2016  
 CHRISTOPHER D. RICH, CLERK OF THE COURT  
 BY: [Signature]  
 DEPUTY CLERK

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

STATE OF IDAHO,  
 Plaintiff.

vs.

Ronald Eugene Vaughn  
 3800 Ringneck Dr.  
 Nampa, ID 83686

Defendant.

)  
 ) Case No: CR-FE-2016-0009419  
 ) **NOTICE OF APPOINTMENT OF PUBLIC DEFENDER**  
 ) **AND SETTING CASE FOR HEARING**  
 )  Ada  Boise  Eagle  Garden City  Meridian

TO: Ada County Public Defender

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

Preliminary .... Monday, August 08, 2016 .... 08:30 AM  
 Judge: James Cawthon

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

TO: The above named defendant

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

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

I hereby certify that copies of this Notice were served as follows on this date of Monday, July 25, 2016.

Defendant: Mailed \_\_\_\_\_ Hand Delivered 2 Signature Shockley 5505  
 Clerk / date \_\_\_\_\_ / \_\_\_\_\_ Phone ( ) \_\_\_\_\_

Prosecutor: Interdepartmental Mail  Clerk / date SB, 7-26

Public Defender: Interdepartmental Mail  Clerk / date SB, 7-26

[Signature]  
 Deputy Clerk

Cite Pay Website: <https://www.citepayusa.com/payments>  
 Supreme Court Repository: <https://www.idcourts.us>



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

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

JUL 27 2016

CHRISTOPHER D. RICH, Clerk  
By ARIC SHANK  
DEPUTY

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

STATE OF IDAHO,  
Plaintiff

vs.

RONALD EUGENE VAUGHN,  
Defendant.

Case No. CR-FE-2016-0009419

MOTION FOR BOND REDUCTION

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

DATED, Wednesday, July 27, 2016.

*Steven A Botimer*

STEVEN A BOTIMER  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on Wednesday, July 27, 2016, I mailed a true and correct copy of the within instrument to:

ADA COUNTY PROSECUTOR  
Counsel for the State of Idaho

CR-FE-2016-9419  
MFBR  
Motion for Bond Reduction  
103696



by placing said same in the Interdepartmental Mail.

*Quayle*

MOTION FOR BOND REDUCTION

000016

*227  
PH  
8/8  
8:20*

*\$*

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

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

JUL 27 2016

CHRISTOPHER D. RICH, Clerk  
By ARIC SHANK  
DEPUTY

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

STATE OF IDAHO,  
Plaintiff  
vs.  
RONALD EUGENE VAUGHN,  
Defendant.

Case No. CR-FE-2016-0009419

NOTICE OF HEARING

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

YOU, AND EACH OF YOU, are hereby notified that the defendant will call for a hearing on MOTION FOR BOND REDUCTION, now on file in the above-entitled matter, on Monday, August 08, 2016, at the hour of 08:30 AM, in the courtroom of the above-entitled court, or as soon thereafter as counsel may be heard.

DATED, Wednesday, July 27, 2016.

*Steven A. Botimer*

STEVEN A BOTIMER  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on Wednesday, July 27, 2016, I mailed a true and correct copy of the within instrument to:

ADA COUNTY PROSECUTOR  
Counsel for the State of Idaho

by placing said same in the Interdepartmental Mail.

CR - FE - 2016 - 9419  
NOTH  
Notice of Hearing  
103697



*Quinn Harris*

NOTICE OF HEARING

000017

\$

AUG 02 2016

CHRISTOPHER D. RICH, Clerk  
By RIC NELSON  
DEPUTY

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

**Heather C. Reilly**  
Deputy Prosecuting Attorney  
200 West Front Street Room 3191  
Boise, Idaho 83702  
Telephone: (208) 287-7700

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

STATE OF IDAHO, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 RONALD EUGENE VAUGHN, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

**Grand Jury No. 16-57**  
**Case No. CR-FE-2016-0009419**

**INDICTMENT**

Defendant's [REDACTED]  
Defendant's [REDACTED]

RONALD EUGENE VAUGHN is accused by the Grand Jury of Ada County by this Indictment, of the crime(s) of: I. TRAFFICKING IN HEROIN, FELONY, I.C. §37-2732B(a)(6)(B), II. POSSESSION OF A CONTROLLED SUBSTANCE, FELONY, I.C. §37-2732(c) and III. POSSESSION OF DRUG PARAPHERNALIA, MISDEMEANOR, I.C. §37-2734A committed as follows:

**COUNT I**

That the Defendant, RONALD EUGENE VAUGHN, on or about the 22<sup>nd</sup> day of July, 2016, in the County of Ada, State of Idaho, did knowingly possess and/or bring into this state Heroin, to-wit: seven (7) grams or more of Heroin, a Schedule I narcotic controlled substance, or of

SM

any salt, isomer, salt of an isomer thereof, or of any mixture or substance containing a detectable amount of any such substance.

COUNT II

That the Defendant, RONALD EUGENE VAUGHN, on or about the 22<sup>nd</sup> day of July, 2016, in the County of Ada, State of Idaho, did unlawfully possess a controlled substance, to-wit: Methamphetamine, a Schedule II controlled substance.


COUNT III

That the Defendant, RONALD EUGENE VAUGHN, on or about the 22<sup>nd</sup> day of July, 2016, in the County of Ada, State of Idaho, did use and/or possess with the intent to use drug paraphernalia, to-wit: syringe(s), a scale, baggies and/or tin foil, used to inject, test, analyze, store, pack and/or prepare a controlled substance.

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

**A TRUE BILL**

Presented in open Court this 2 day of August 2016.



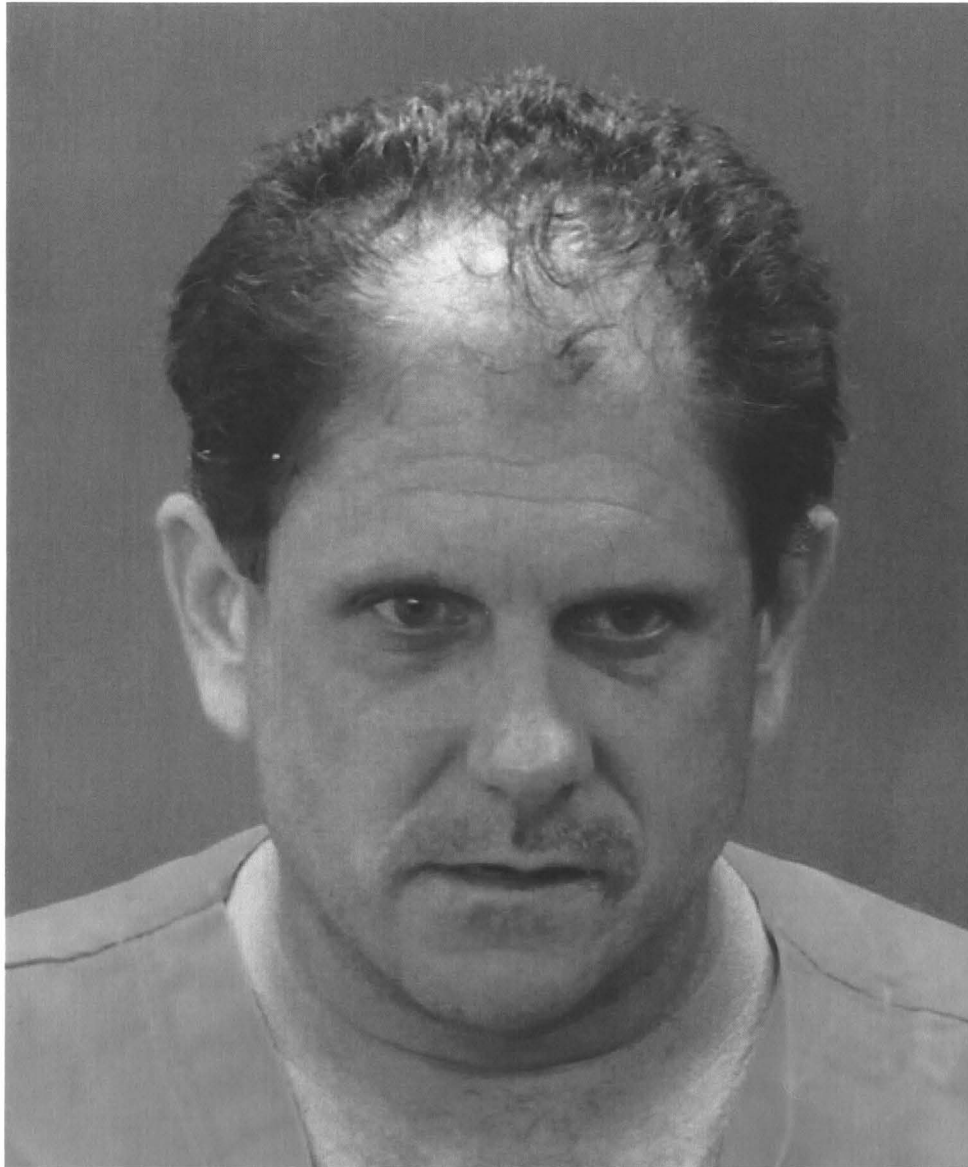
Presiding Juror of the Grand Jury of  
Ada County, State of Idaho.

# Ada County Mugshot - Prosecutor's Office



User: PRFLEMSM

000020



**Name:** VAUGHN, RONALD EUGENE

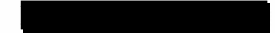
**Case #:** CR-FE-2016-0009419

**LE Number:** 1069230



**Height:** 510

**Weight:** 200



**Sex:** M   **Race:** W   **Eye Color:** BLU   **Hair Color:** BRO   **Facial Hair:**

**Marks:** ARM, RIGHT

**Scars:**

**Tattoos:**

**Photo Taken:** 2016-07-23 01:16:22

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

NO. \_\_\_\_\_ FILED \_\_\_\_\_  
A.M. \_\_\_\_\_ P.M. 4

AUG 03 2016

CHRISTOPHER D. RICH, Clerk  
By MICHAEL PAANANEN  
DEPUTY

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

STATE OF IDAHO,

Plaintiff

vs.

RONALD EUGENE VAUGHN,

Defendant.

Case No. CR-FE-2016-0009419

REQUEST FOR DISCOVERY

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

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

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



- 6) All reports of physical or mental examinations and of scientific tests or experiments within the possession, control, or knowledge of the prosecutor, the existence of which is known or is available to the prosecutor by the exercise of due diligence.
- 7) A written list of the names, addresses, records of prior felony convictions, and written or recorded statements of all persons having knowledge of facts of the case known to the prosecutor and his agents or any official involved in the investigatory process of the case.
- 8) A written summary or report of any testimony that the state intends to introduce pursuant to rules 702, 703, or 705 of the Idaho Rules of Evidence at trial or hearing; including the witness' opinions, the facts and data for those opinions, and the witness' qualifications.
- 9) All reports or memoranda made by police officers or investigators in connection with the investigation or prosecution of the case, including what are commonly referred to as "ticket notes."
- 10) Any writing or object that may be used to refresh the memory of all persons who may be called as witnesses, pursuant to IRE 612.
- 11) Any and all audio and/or video recordings made by law enforcement officials during the course of their investigation.
- 12) Any evidence, documents, or witnesses that the state discovers or could discover with due diligence after complying with this request.

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

**DATED**, Wednesday, August 03, 2016.



---

**DAVID A STEWART**  
**Attorney for Defendant**

**CERTIFICATE OF MAILING**

**I HEREBY CERTIFY**, that on Wednesday, August 03, 2016, I mailed a true and correct copy of the within instrument to:

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

by placing said same in the Interdepartmental Mail.



---

Irene Barrios

Time	Speaker	Note
09:35:06 AM		<del>CRFE16.05228</del> - State v. Ronald Vaughn - Arraignment - Custody - Charlene Davis for David Stewart - Heather Reilly
09:36:12 AM	Defendant	Reads and writes English
09:36:33 AM		Received and reviewed indictment
09:36:40 AM		Waives formal reading
09:36:41 AM		True name
09:36:43 AM		Spelled correctly
09:36:45 AM		Personal information correct
09:36:58 AM		Understood rights
09:37:02 AM	Judge Samuel Hoagland	Reviews charges and penalties
09:38:19 AM	Defendant	Understands charges and penalties
09:38:24 AM	Defense Counsel	Would like 2 weeks for EOP and bond argument
09:38:43 AM	Judge Samuel Hoagland	Sets EOP for 8/25/1 @ 9:30 and bond argument, will also correct fine amount with defendand
09:38:59 AM		End of Case



ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant

DAVID A. STEWART, ISB #7932  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN,

Defendant.

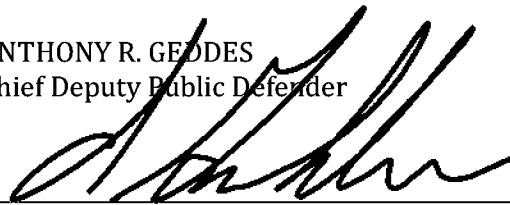
Case No. CR-FE-2016-9419

MOTION FOR BOND REDUCTION

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

DATED August 24, 2016.

ANTHONY R. GEDDES  
Chief Deputy Public Defender



For David A. Stewart  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on August 24, 2016, I electronically served a true and correct copy of the within instrument to the Ada County Prosecutor via the iCourt Portal.

\_\_\_\_\_  
Quincy Harris

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant

DAVID A. STEWART, ISB #7932  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN,

Defendant.

Case No. CR-FE-2016-9419

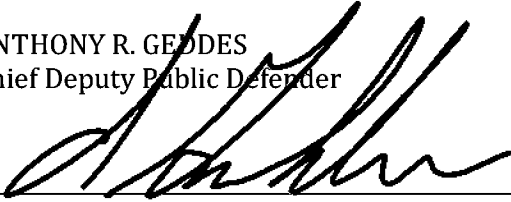
NOTICE OF HEARING  
(MOTION FOR BOND REDUCTION)

TO: THE STATE OF IDAHO, Plaintiff, and to the Ada County Prosecutor:

YOU, AND EACH OF YOU, are hereby notified that Defendant will call on for hearing Motion for Bond Reduction, which is now on file with the Court. Said hearing shall take place at **9:30 am on September 01, 2016**, in the courtroom of the above-entitled court, or as soon thereafter as counsel may be heard.

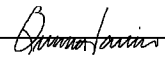
DATED August 24, 2016.

ANTHONY R. GEDDES  
Chief Deputy Public Defender

  
\_\_\_\_\_  
For David A. Stewart  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on August 24, 2016, I electronically served a true and correct copy of the within instrument to the Ada County Prosecutor via the iCourt Portal.

  
\_\_\_\_\_  
Quincy Harris

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant

DAVID A. STEWART, ISB #7932  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN,

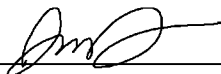
Defendant.

Case No. CR-FE-2016-9419

MOTION FOR GRAND JURY TRANSCRIPT


COMES NOW, Ronald Eugene Vaughn, the defendant above-named, by and through counsel of the Ada County Public Defender's office, David A. Stewart, and moves this Court to ORDER that a transcript of the grand jury proceedings held in this case be prepared and provided to counsel for Defendant and Plaintiff. This motion is made pursuant to the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution; Article I, section 13, of the Idaho Constitution; and Idaho Criminal Rules 6 and 7. Defendant, being indigent, requests that the transcript be prepared at the cost of the County, and as soon as possible.

August 24, 2016.

  
\_\_\_\_\_  
David A. Stewart  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on August 24, 2016, I electronically served a true and correct copy of the within instrument to the Trial Court Administrator via the iCourt Portal.

  
\_\_\_\_\_  
Quincy Harris

MOTION FOR GRAND JURY TRANSCRIPT

000026

ADA COUNTY PUBLIC DEFENDER  
Attorney for Defendant

DAVID A. STEWART, ISB #7932  
Handling Attorney  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN,

Defendant.

Case No. CR-FE-2106-9419

SPECIFIC REQUEST FOR DISCOVERY

TO: THE STATE OF IDAHO, Plaintiff, and to the Ada County Prosecutor:

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

1. Any and all police/incident reports from Detective Bruner regarding narcotic investigation of Ronald E. Vaughn.

Dated August 24, 2016.



DAVID A. STEWART  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on August 24, 2016, I electronically served a true and correct copy of the within instrument to the Ada County Prosecutor via Odyssey File & Serve.



Quincy Harris

<b>Description</b>	Hoagland - Hardy - Olesek - August 25, 2016		
<b>Date</b>	8/25/2016	<b>Location</b>	1A-CRT504
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">09:31:04 AM</a>		CRFE16.09419 - State v. Ronald Vaughn - Entry of Plea - Custody - David Stewart - Heather Reilly	
<a href="#">09:31:21 AM</a>	Judge Samuel Hoagland	Reviews file	
<a href="#">09:31:46 AM</a>	Defense Counsel	Needs a set over, wants to see discovery before dealing or setting for trial, asks for EOP for 9/15/16	
<a href="#">09:32:25 AM</a>	Judge Samuel Hoagland	Questions speedy trial waiver	
<a href="#">09:32:34 AM</a>	Defendant	Answers questions	
<a href="#">09:32:53 AM</a>	Judge Samuel Hoagland	Will find that defendant has waived speedy trial, will set EOP for 9/15/16 @ 9:30 am	
<a href="#">09:33:19 AM</a>	State's Attorney	Corrects minimums/maximums	
<a href="#">09:34:02 AM</a>	Judge Samuel Hoagland	Reviews maxs and mins w/defendant to clear up any issues	
<a href="#">09:34:47 AM</a>	Defendant	Understands information	
<a href="#">09:35:02 AM</a>		End of Case	
<a href="#">09:35:02 AM</a>			

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[www.fortherecord.com](http://www.fortherecord.com)

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant

DAVID A. STEWART, ISB # 7932  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN

Defendant.

Case No. CR-FE-2016-9419

ORDER FOR GRAND JURY TRANSCRIPT

Upon motion of Defendant, pursuant to the requirements of ICR 6 and 16, and for good cause appearing, this Court hereby grants Defendant's Motion for Grand Jury Transcript.

A typewritten transcript of the testimony of those witnesses appearing before the grand jury, and the grand jury proceedings, in the above-entitled matter shall be prepared for use by counsel for Defendant and Plaintiff. Said transcript shall be prepared at the expense of the County, and as soon as possible.

The transcription department is directed to make a physical recording of the proceedings available to a certified court reporter for transcribing. Upon receipt of its estimated fees as provided for in the case of transcripts for preliminary hearings, the transcription department shall have prepared and delivered to the Court a sealed, typewritten original transcript and two sealed copies. Each sealed copy of the transcript shall be made available by the Court to counsel for Defendant and Plaintiff.

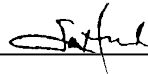
Upon application of the prosecuting attorney, and with good cause shown, the Court may direct that the transcript be edited and cause to be deleted any material in the transcript that does not pertain to the instant proceeding and which is part of other, on-going investigation not relevant to the instant proceedings, any identification of individual grand jury members, and any comments by grand jury members other than comments that are part of specific questions of witnesses.

Copies of the transcript; with a notation of the nature, but not the content, of any redaction; will be made available to counsel for Defendant and Plaintiff by the Court.

All such transcripts of grand jury testimony are to be used exclusively by counsel for Defendant and Plaintiff in their preparation of this case, and for no other purpose. None of the material may be copied or disclosed to any other person other than counsel for Defendant and Plaintiff without specific authorization by the Court. However, authorization is hereby granted to permit disclosure of the transcript to associates and staff assistants to counsel for Defendant and Plaintiff who agree to be bound by this Order, and only in connection with the preparation of this case. Counsel may discuss the contents of the transcript with their respective clients, but may not release the transcript themselves. Defendant, defense counsel, and the prosecutor shall be allowed to review the entire grand jury transcript. In addition, a witness whose testimony was given during grand jury proceedings may review the typed portion of the transcript that contains their specific testimony only.

Violation of any provisions of this Order shall be considered a contempt. Each counsel receiving such transcript from the Court shall endorse a copy of this Order acknowledging that each such counsel is aware of the terms thereof, and agreeing to bound hereby.

ORDERED: Signed: 8/26/2016 12:40 PM



District Judge

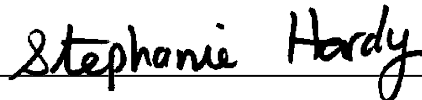
CERTIFICATE OF SERVICE

Signed: 8/29/2016 11:35 AM

I HEREBY CERTIFY that on \_\_\_\_\_

\_\_\_\_\_, I served a true and correct electronic copy to:

Ada County Prosecutor	acpocourtdocs@adaweb.net
Ada County Public Defender	public.defender@adacounty.id.gov
Ada County Transcripts	transcripts@adaweb.net



Deputy Clerk

AUG 29 2016

WAIVER OF SPEEDY TRIAL


CHRISTOPHER D. RICH, Clerk  
By STEPHANIE HARDY  
DEPUTY

Case Name: State of Idaho v. Ronald E. Vaughn  
Case Number: CRFE 2016-9419

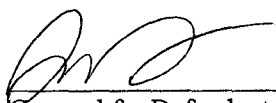
I, Ronald E. Vaughn, do hereby declare and state that:

1. I am the above-named Defendant in the above-entitled matter. I am represented by David A. Stewart, Attorney and Counselor at Law.
2. I am fully competent to act on my own behalf. I am over the age of 18 years, and not under the influence of any drugs, alcohol or other substances that interfere with my ability to know and understand what I am doing. Additionally, I am not suffering from any mental or psychological illness, injury or condition that interferes with my ability to know and understand what I am doing. I understand the nature, extent and seriousness of the criminal charges against me.
3. I acknowledge and understand that I have the right to a speedy trial, as guaranteed by the Sixth Amendment of the United States Constitution and by Article 1 §13 of the Constitution of the State of Idaho.
4. I also acknowledge and understand that to give effect to my right to a speedy trial, Idaho Code §19-3501 requires a trial to be held within six (6) months of the date of filing of the Information (or the Arraignment before the district court on an Indictment), unless the trial is postponed by my own application or with my consent.
5. I understand that if the State violates my right to a speedy trial, the Court must dismiss all charges.
6. I have discussed my speedy trial rights with my attorney, and the consequences and benefits of waiving (giving up) my speedy trial rights in this case. I have sufficient education and experience to understand the advice and counsel of my attorney, who has explained my speedy trial rights to my full and complete satisfaction.
7. Having read and understanding the above rights, I hereby WAIVE (give up) my right to a speedy trial within the time requirements provided in Idaho Code §19-3501, and I hereby consent and agree that my attorney may hereafter act in my name, place and stead to ensure that my best interests are protected regarding the date and time of the trial.
8. This waiver of my speedy trial right shall remain in full force and effect from the date hereof unless and until revoked, in writing, by me or my attorney and filed with the Court.
9. I understand that by waiving my right to a speedy trial, I am not waiving my right to have a trial, nor am I waiving my right to a jury trial, nor am I waiving any other rights guaranteed by the Constitution of the United States or the State of Idaho.
10. I hereby swear or affirm, under penalty of perjury, that I execute (sign and date) this document and thereby waive (give up) my speedy trial rights, upon the advice and consent of my attorney, but as my own free and voluntary act, being under no undue influence, force, pressure, constraint or duress, and fully satisfied that doing so is in my own best interest.

DATED: Aug 25 2016

  
DEFENDANT

APPROVED BY:

  
Counsel for Defendant

WAIVER OF SPEEDY TRIAL



**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

**Heather C. Reilly**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Phone: 287-7700  
Fax: 287-7709

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

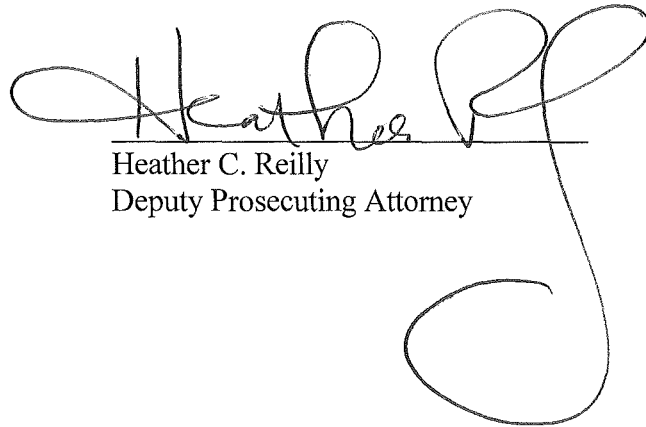
THE STATE OF IDAHO,	)	
	)	<b>Case No. CR-FE-2016-0009419</b>
Plaintiff,	)	
	)	<b>MOTION FOR <u>LIMITED</u></b>
vs.	)	<b>UNSEALING OF AFFIDAVIT FOR</b>
	)	<b>SEARCH WARRANT, SEARCH</b>
RONALD EUGENE VAUGHN,	)	<b>WARRANT, AND RETURN OF</b>
	)	<b>SEARCH WARRANT</b>
Defendant.	)	
_____	)	

**COMES NOW**, Heather C. Reilly, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, and hereby moves this Court to unseal the Affidavit for Search Warrant, Search Warrant, and the Return of Search Warrant, for: 3108 Rose Hill Street, all of which were previously filed under seal on or about the 31<sup>st</sup> day of May 2016. This motion is made for the limited purpose of disclosure by the State to Defense Counsel pursuant to I.C.R. 16.

The State of Idaho request that after certified copies are provided to the State, the Search Warrant, Affidavit for Search Warrant, and Return of Search Warrant, remain sealed for all other purposes.

DATED this 31 day of August 2016.

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney



Heather C. Reilly  
Deputy Prosecuting Attorney

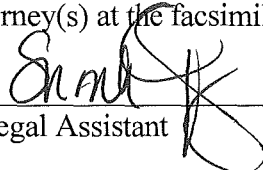
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 31<sup>st</sup> day of August 2016, I caused to be served, a true and correct copy of the foregoing Motion for Limited Unsealing of Search Warrant upon the individual(s) named in the manner noted:

**David Stewart, Ada County Public Defender's Office, 200 W Front St., R1107, Boise, ID 83702**

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

*\* Court File and Serve*

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

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

**Heather C. Reilly**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Phone: 287-7700  
Fax: 287-7709

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

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
)  
vs. )  
)  
RONALD EUGENE VAUGHN, )  
)  
Defendant. )  
\_\_\_\_\_ )

**Case No. CR-FE-2016-9419**

**LIMITED ORDER TO UNSEAL**  
**AFFIDAVIT FOR SEARCH**  
**WARRANT, SEARCH**  
**WARRANT, AND RETURN OF**  
**SEARCH WARRANT**

The Court, being fully advised in the premises and good cause being shown;

**IT IS HEREBY ORDERED AND THIS DOES ORDER**, that the documents outlined in the State’s Motion to Unseal are hereby unsealed for the limited purpose of disclosure by the State to Defense Counsel in Case Number CR-FE-2016-9419

**DATED** this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Signed: 9/5/2016 12:24 PM

  
\_\_\_\_\_  
Judge

**CLERK'S CERTIFICATE OF MAILING**

The undersigned, a Deputy Clerk of the Court of Ada County, hereby certifies that s/he caused a true and correct copy of the within and foregoing document to be sent to the following:

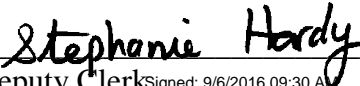
**David Stewart**  
**200 W. Front St. Rm 1107**  
**Boise, ID 83702**

U.S. Mail, postage prepaid  
 Facsimile  
 Email  
public.defender@adacounty.id.gov

**Heather C. Reilly**  
**200 W. Front St. Rm 3191**  
**Boise, ID 83702**

U.S. Mail, postage prepaid  
 Facsimile  
 Email  
acpocourtdocs@adaweb.net

**CHRISTOPHER D. RICH**  
Ada County Clerk of the Court

  
Deputy Clerk Signed: 9/6/2016 09:30 AM

<b>Description</b>	Hoagland - Hardy - Olesek - September 1, 2016		
<b>Date</b>	9/1/2016	<b>Location</b>	1A-CRT504
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">10:56:20 AM</a>		<b>CRFE16.09419 - State v. Ronald Vaughn - Motion to Reduce Bond - Custody - David Stewart - Heather Reilly</b>	
<a href="#">10:56:32 AM</a>	Judge Samuel Hoagland	Reviews file	
<a href="#">10:56:51 AM</a>	Defense Counsel	Argues to reduce bond to \$100,000	
<a href="#">10:58:11 AM</a>	State's Attorney	Oppose any motion to reduce bond	
<a href="#">11:05:04 AM</a>	Defense Counsel	No final comments	
<a href="#">11:05:07 AM</a>	Judge Samuel Hoagland	Motion to reduce bond is denied	
<a href="#">11:06:39 AM</a>		End of Case	

SEP 01 2016

CHRISTOPHER D. RICH, Clerk  
By RAE ANN NIXON  
DEPUTY

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

STATE OF IDAHO,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CRFE-2016-0009419
	)	
RONALD E. VAUGHN,	)	NOTICE OF PREPARATION
	)	OF GRAND JURY TRANSCRIPT
Defendant,	)	
_____	)	

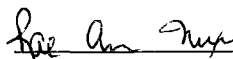
An Order for transcript was filed in the above-entitled matter on August 29, 2016, and a copy of said Order was received by the Transcription Department on August 31, 2016. I certify the estimated cost of preparation of the transcript to be:

Type of Hearing: Grand Jury Hearing  
Date of Hearing: August 2, 2016  
47 Pages x \$3.25 = \$152.75

In this case, the Ada County Public Defender's Office has agreed to pay for the cost of the transcript fee upon completion of the transcript.

The Transcription Department will prepare the transcript and file it with the Clerk of the District Court within thirty (30) days (or expedited days) from the date of this notice. The transcriber may make application to the District Judge for an extension of time in which to prepare the transcript.

Date: September 1, 2016.

  
\_\_\_\_\_  
RAE ANN NIXON  
Ada County Transcript Coordinator

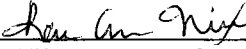


aw

CERTIFICATE OF MAILING

I certify that on September 1, 2016, a true and correct copy of the Notice of Preparation of Transcript was forwarded to Defendant's attorney of record, by first class mail, at:

Ada Co. Public Defender's Office  
200 West Front Street Ste 1107  
Boise, Idaho 83702  
DAVID STEWART

  
\_\_\_\_\_  
RAE ANN NIXON  
Ada County Transcript Coordinator



**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

**Heather C. Reilly**  
Deputy Prosecuting Attorney  
200 West Front Street, Room 3191  
Boise, Idaho 83702  
Telephone: (208) 287-7700

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

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
RONALD EUGENE VAUGHN, )  
)  
Defendant. )  
\_\_\_\_\_)  
)

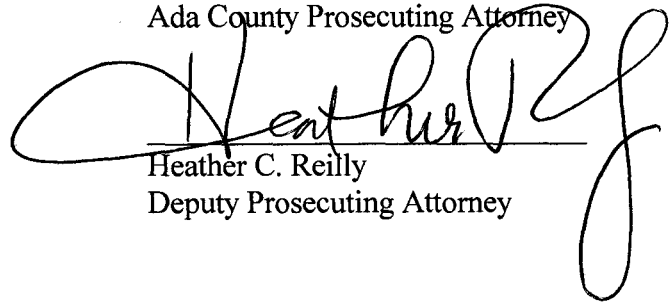
**Case No. CR-FE-2016-9419**

**STATE'S RESPONSE TO  
DEFENDANT'S SPECIFIC  
REQUEST FOR DISCOVERY  
TO COURT**

**COMES NOW**, Heather C. Reilly, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, and informs the Court that the State has responded to and/or complied with the Defendant's Specific Request for Discovery.

RESPECTFULLY SUBMITTED this 7<sup>th</sup> day of September 2016.

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

  
\_\_\_\_\_  
Heather C. Reilly  
Deputy Prosecuting Attorney

<b>Description</b>	Hoagland - Hardy - Olesek - September 15, 2016		
<b>Date</b>	9/15/2016	<b>Location</b>	1A-CRT504
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">09:28:31 AM</a>		<b>CRFE16.09419 - State v. Ronald Vaughn - Entry of Plea - Custody - David Stewart - Heather Reilly</b>	
<a href="#">09:28:46 AM</a>	Judge Samuel Hoagland	Reviews file	
<a href="#">09:29:10 AM</a>	Defense Counsel	Asks for another set over, wants to discuss the offer and additional discovery, ask for three weeks	
<a href="#">09:29:42 AM</a>	State's Attorney	No objection, discusses discovery	
<a href="#">09:30:54 AM</a>	Judge Samuel Hoagland	Will set EOP for 10/6/16 @ 9:30 am	
<a href="#">09:31:29 AM</a>		End of Case	

<b>Description</b>	Hoagland - Hardy - Olesek - October 6, 2016		
<b>Date</b>	10/6/2016	<b>Location</b>	1A-CRT503
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">10:54:56 AM</a>		<b>CRFE16.09419 - State v. Ronald Vaughn - Entry of Plea - Custody - David Stewart - Heather Reilly</b>	
<a href="#">10:55:10 AM</a>	Judge Samuel Hoagland	Reviews file	
<a href="#">10:55:13 AM</a>	Defense Counsel	Will enter NG plea	
<a href="#">10:55:18 AM</a>	Judge Samuel Hoagland	sets JT for 2 days; JT: 3/6/17 @ 9:00 am; PTC: 2/23/17 @ 9:30 am	
<a href="#">10:58:15 AM</a>	State's Attorney	Asks for status for change in plea or info part 2 date	
<a href="#">10:59:29 AM</a>	Defense Counsel	Asks for date at the end of Oct	
<a href="#">10:59:44 AM</a>	State's Attorney	No objection	
<a href="#">10:59:46 AM</a>	Judge Samuel Hoagland	Sets status for 11/10/16 @ 9:30, will be info part 2 or change in plea	
<a href="#">11:00:19 AM</a>		End of Case	

FILED By: <u>Stephanie Hardy</u> Deputy Clerk Fourth Judicial District, Ada County CHRISTOPHER D. RICH, Clerk
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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

State of Idaho  
vs.

Ronald Eugene Vaughn

Case No. CR-FE-2016-9419

Order for Pretrial Proceedings  
Notice of Trial Setting

Event Code: OPTNTS

IT IS HEREBY ORDERED:

The above entitled matter is set for trial before the court and/or jury trial as follows:

Hearing Type	Date	Time
Motion to File Information Part 2	November 10, 2016	at 9:30 AM
Pre-trial Conference	February 23, 2017	at 9:30 AM
Status Conference	March 6, 2017	at 8:30 AM
Jury Trial	March 6, 2017	at 9:00 AM

**THE COURT ORDERS THE DEFENDANT SHALL BE PRESENT IN COURT FOR THE PRETRIAL CONFERENCE.**

- Any pretrial motion under I.C.R. Rule 12(b) must be filed within 28 days of this date and will be heard within 14 days thereafter unless otherwise ordered.
- Each party will provide the other party with all materials subject to discovery under I.C.R. Rule 16, at least 28 days before trial.
- Pretrial motions including motions in limine must be filed and with the court in sufficient time to allow them to be set for a hearing, to be scheduled at least 21 days before trial. The hearing shall be set pursuant to the requirements of local rules for the Fourth Judicial District.
- Requested jury instructions must be lodged with the clerk at least 5 days prior to trial.
- If this case is set for jury trial, voir dire of prospective jurors by counsel will be limited to a total of one hour per side unless otherwise ordered by the court.
- Unless otherwise specified, no trial proceedings will take place on Thursday, due to criminal arraignments.
- Copies of all electronically taken statements whether preserved by tape, video tape, or upon DVD, CD, or by other means, shall be provided by the State to the Defense no less than thirty (30) days before trial. If not so provided, the State will be deemed to have waived any right to use such evidence at trial. The Defense shall review such evidence, and if it seeks any redactions, or objects to the use of such evidence shall make a request for the redactions to the State in writing no less than fifteen (15) days before trial or shall file a written objection to the use of such evidence and the basis for such objection including citation to legal authority and case law and call the clerk to set the matter for hearing no later than 12 days before trial. Failure to make such

a request will be deemed a waiver of any objection to the State's evidence, except for foundational objections.

If the parties are unable to reach agreement as to redactions, they shall each have at the time of the pretrial conference: (1) a copy of the original full statement; and (2) a copy of their proposed redacted copy. The parties shall be prepared to argue as to the admissibility at the pretrial if a prior motion has not been filed. Failure to provide the required material will be deemed a waiver by the party failing to meet the deadlines established herein – to either use the evidence at trial or object to the use of the evidence at the trial, as the case may be except as to foundational matters.

8. Due to the disruption caused to the court's calendar and the inconvenience and cost incurred by the State and individual jurors when last minute pleas are entered on the day of trial, counsel are advised that the time set for the pretrial conference is the last date on which the Court will accept any plea to lesser offense or dismiss a pending charge pursuant to any plea agreement. **Any plea after the pretrial date must be a "straight up" guilty plea to all charged offenses or the matter will proceed to trial unless dismissed by the State.**
9. NOTICE IS HEREBY GIVEN, pursuant to I.C.R. 25(a)(6), that an alternate judge may be assigned to preside over the trial of this case. The following is a list of potential alternate judges:

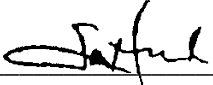
Hon. G. D. Carey  
Hon. Cheri C. Copsey  
Hon. Dennis Goff  
Hon. Renae Hoff.  
Hon. James Judd  
Hon. D. Duff McKee

Hon. Thomas Neville  
Justice Gerald Schroeder  
Hon. Kathryn Sticklen  
Hon. Darla Williamson  
Hon. Ronald Wilper  
**All Sitting Fourth District Judges**

Unless a party has previously exercised their right to disqualification without cause under I.C.R. 25(a)(6), each party shall have the right to file one(1) motion for disqualification without cause as to any alternate judge not later than ten(10) days after service of this notice.

10. TAKE FURTHER NOTICE that in the event of an acquittal, the defendant, if in custody, will be released unless other charges are pending or if on bond, the bond will be exonerated. In the event of conviction for any felony or for a misdemeanor involving physical violence, assault, or domestic violence or assault, the defendant will be taken into custody at the conclusion of the trial pending final sentencing.

Dated Signed: 10/11/2016 05:03 PM

  
\_\_\_\_\_  
SAMUEL A. HOAGLAND  
District Judge

CERTIFICATE OF MAILING

I hereby certify that on <sup>Signed: 10/12/2016 10:12 AM</sup> \_\_\_\_\_, I served a true and correct copy of the within instrument to:

ADA COUNTY PROSECUTOR  
Email: acpocourtdocs@adaweb.net

ADA COUNTY PUBLIC DEFENDER  
Email: public.defender@adacounty.id.gov

CHRISTOPHER D. RICH  
Clerk of the District Court

By: Stephanie Hardy  
Deputy Court Clerk

<b>Description</b>	Hoagland - Hardy - Olesek - November 10, 2016		
<b>Date</b>	11/10/2016	<b>Location</b>	1A-CRT508
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">10:13:46 AM</a>		<b>CRFE16.09419 - State v. Ronald Vaughn - M/Info Part 2 - Custody - David Stewart - Heather Reilly</b>	
<a href="#">10:14:04 AM</a>	Judge Samuel Hoagland	Reviews file	
<a href="#">10:14:40 AM</a>	State's Attorney	Hasn't filed Info Part II	
<a href="#">10:15:01 AM</a>	Defense Counsel	Will reject the state's offer	
<a href="#">10:15:18 AM</a>	Judge Samuel Hoagland	Will let the state file their Info Part II and have a hearing on that	
<a href="#">10:15:36 AM</a>		End of Case	
<a href="#">10:15:36 AM</a>			

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant

DAVID A. STEWART, ISB #7932  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN,

Defendant.

Case No. CR-FE-2016-9419

MOTION TO SUPPRESS AND  
MEMORANDUM IN SUPPORT OF  
MOTION TO SUPPRESS

COMES NOW, Ronald Eugene Vaughn, the above-named Defendant, by and through counsel, David A. Stewart, of the Ada County Public Defender's office, and moves this Court for an Order suppressing evidence seized as a result of a violation of defendant's rights against unreasonable searches and seizures as afforded to him under the Fourth Amendment of the United States Constitution and hereby submits the following memorandum in support of his motion to suppress.

Mr. Vaughn was charged by way of Indictment with Count 1: TRAFFICKING IN HEROIN, FELONY I.C. §37-2732B(a)(4)(A), Count 2: POSSESSION OF A CONTROLLED SUBSTANCE, FELONY I.C. §37-2732(c) and Count 3: POSSESSION OF DRUG PARAPHERNALIA, MISDEMEANOR, I.C. §37-2734A on August 2, 2016. Mr. Vaughn now files his Motion to Suppress and the following Memorandum in Support.

**RELEVANT FACTS**

(All facts gleaned from Corporal Beaudoin's incident report attached as Exhibit A and Grand Jury Transcript attached as Exhibit B)

On July 22, 2016, Corporal Beaudoin (hereafter, "Beaudoin") observed a white Ford F150 traveling westbound on I-84 near the Eisenmann exit travelling at 90 to 95 miles per hour in a marked 80 mph zone. Beaudoin initiated traffic stop where the Ford F150 pulled to the side of the freeway. Beaudoin approached the vehicle and requested from the driver his driving license, insurance and registration. Beaudoin told the driver, who was identified as Ronald Vaughn, the purpose of the stop—speeding.

Beaudoin took defendant's information and began running it through dispatch. Some time later a K9 unit arrived on scene. Beaudoin instructed defendant out of the vehicle and to sit on the side rail of the

MOTION

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freeway while Ada County Sheriff's Deputy Case (hereinafter, "Case") ran his K9 dog around the truck. Case observed his dog alert and then allowed the dog to enter the cab of the truck. A subsequent search Case located a needle cap with tested presumptive positive for methamphetamine. Beaudoin arrested defendant and transported defendant down to the station for interviewing.

Detective Bruner requested that the truck be transported to Ada County Sheriff's office where an extensive search of the vehicle could be conducted. Search of the vehicle produce 14 ounces of heroin. Defendant was ultimately charged with Trafficking and possession of a controlled substance.

A citation for speeding was never initiated or issued.

### ARGUMENT

The Fourth Amendment protects "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." U.S. Const. amend. IV; Idaho Const. Art. I, § 17. The purpose of these constitutional rights is to "impose a standard of reasonableness upon the exercise of discretion by governmental agents and thereby safeguard an individual's privacy and security against arbitrary invasions." *State v. Maddox*, 137 Idaho 821, 824, 54 P.3d 464, 467 (Ct. App. 2002) (citing *Delaware v. Prouse*, 440 U.S. 648, 653-654 (1979)). The United States Supreme Court has held that when evidence is obtained in violation of the Fourth Amendment, the judicially developed exclusionary rule usually precludes its use in a criminal proceeding against the victim of the illegal search and seizure. *Illinois v. Krull*, 480 U.S. 340, 347 (1987) (citing *Mapp v. Ohio*, 367 U.S. 643 (1961); *Weeks v. United States*, 232 U.S. 383 (1914)).

In addition, the Idaho Supreme Court has held that "when an officer abandons his or her original purpose, the officer has for all intents and purposes initiated a new seizure with a new purpose; one which requires its own reasonableness under the Fourth Amendment. This new seizure cannot piggy-back on the reasonableness of the original seizure. In other words, unless some new reasonable suspicion or probable cause arises to justify the seizure's new purpose, a seized party's Fourth Amendment rights are violated when the original purpose of the stop is abandoned (unless that abandonment falls within some established exception)." *State v. Linze*, No. 43960, 2016 Ida. LEXIS 354 (Nov. 10, 2016). If evidence is not seized pursuant to a recognized exception to the warrant requirement, the evidence discovered as a result of the illegal search must be excluded as the "fruit of the poisonous tree." *Wong Sun v. United States*, 371 U.S. 471 (1963).

Mr. Vaughn contends that, based on the totality of the circumstances; Beaudoin unreasonably extended his detention after the purpose of the stop had been abandoned. *Rodriguez v. United States*, 135 S. Ct. 1609 (2015); *State v. Aguirre*, 141 Idaho 560, 112 P.3d 848 (Ct. App. 2005); *State v. Gutierrez*, 137 Idaho 467, 51 P.3d 461 (Ct. App. 2002); *State v. Linze, supra*. In doing so, defendant's constitutional rights were violated. As a result, under the exclusionary rule, all evidence directly or indirectly obtained as a result of the constitutional violations must be excluded as "fruit of the poisonous tree." *Wong Sun, supra*.

A law enforcement officer may conduct an investigatory detention only when he or she has a "particularized and objective" suspicion that criminal activity is afoot. *United States v. Cortez*, 449 U.S. 411, 417-18 (1981). An officer cannot base the detention on an "inchoate and unparticularized suspicion or hunch." *Terry v. Ohio*, 392 U.S. 1, 27 (1968).

Additionally, an investigative detention "must be carefully tailored to its underlying justification." *U.S. v. Chavez Valenzuela*, 268 F.3d 719, 724 (9th Cir. 2001). The officer may expand the scope only if he notices particularized, objective factors arousing his suspicion. *Id.* Whether or not reasonable suspicion existed is not based upon the officer's subjective beliefs, but, rather, it is judged upon an objective standard. *State v. Hobson*, 95 Idaho 920, 523 P.2d 523 (1974). In discussing the proper standard of review, the Idaho Supreme Court stated:

The information underlying the initiation of the investigative stop must possess specificity and some indicia of reliability. In this regard the officer's conduct must be judged against an 'Objective standard': would the facts available to the officer, at the moment of the seizure or search warrant a man of reasonable caution in the belief that the action taken was appropriate. Anything less would invite intrusions upon constitutionally guaranteed rights based on nothing more substantial than inarticulate hunches. And simple 'good faith on the part of the officer is not enough'. If subjective good faith alone were the test, the protections of the Fourth Amendment would evaporate, and the people would be secure in their persons, house, papers and effects, only in the discretion of the police.

*Hobson*, 95 Idaho at 925.

The United States Supreme Court developed a two prong analysis to determine whether an investigative detention is reasonable: (1) "whether the officer's action was justified at its inception" and (2) "whether it was reasonably related in scope to the circumstances which justified the interference in the first place." *Terry*, 392 U.S. at 20-21. "A detention must be temporary and last no longer than is necessary to effectuate the purpose of the stop" and an individual "may not be detained *even momentarily* without reasonable, objective grounds for doing so." *Gutierrez*, 137 Idaho at 651, 51 P.3d at 465 (quoting *Florida v. Royer*, 460 U.S. 491, 498 (1983) (emphasis added and internal quotation marks omitted)). The officer may not prolong the stop without the reasonable suspicion necessary to detain an individual. *Rodriguez*, 135 S. Ct. at 1615; *Linze*, No. 43960 at \*1.

MOTION

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Idaho's Constitution stands on its own, and although we may look to the rulings of the federal courts on the United States Constitution for guidance in interpreting our own state constitutional guarantees, we interpret a separate and in many respects independent constitution." *Hellar v. Cenarrusa*, 106 Idaho 586, 590, 682 P.2d 539, 543 (1984). Idaho's Constitution, specifically Article I, § 17, provides more privacy protection as well as more remedial protection including suppression. Idaho's exclusionary rule was applied in 1927 in *State v. Arregui*, 44 Idaho 43, 254 P. 788 (1927), 34 years before the federal exclusionary rule was applied to the states in *Mapp v. Ohio*, 367 U.S. 643 (1961). Thus, Idaho has a long history of recognizing both the efficacy and importance of the exclusionary rule. In *State v. Rauch*, 99 Idaho 586, 586 P.2d 671 (1978), the Idaho Supreme Court recognized that to admit illegally seized evidence would constitute an independent constitutional violation by the court in addition to the violation occurring at the time of the illegal search.

In *Rodriguez v. United States*, the United States Supreme Court held that a traffic stop exceeding the time necessary to complete the mission of that stop is an unreasonable seizure. 135 S. Ct. at 1616-17. Rodriguez was initially stopped by a K9 officer for driving on the highway shoulder. *Id.* at 1612. After completion of his traffic mission, the officer requested permission to conduct a dog sniff with his canine on the exterior of the vehicle. *Id.* at 1613. Rodriguez refused permission and was subsequently detained by the officer until a backup arrived. *Id.* When the second officer arrived, the K9 was utilized for a drug detection sniff which alerted positive. *Id.* A search was conducted that revealed methamphetamine. *Id.*

The issue presented to the Court was whether a dog sniff may be permitted under the Fourth Amendment, after a traffic stop's completion. *Id.* at 1612. In its analysis, the Court stated that dog sniffs are not part of an officer's traffic mission, but rather are aimed at detecting general criminal wrongdoing. *Id.* at 1615. The Court then reasoned that the critical question was not when the dog sniff occurs, but whether it adds time, thus causing an extension of the stop. *Id.* at 1616. The Court held that, absent reasonable, articulable suspicion to justify otherwise, a stop that detains an individual longer than necessary to complete the traffic mission violates the Fourth Amendment's shield against unreasonable seizures. *Id.* at 1612. Further, the Court reasoned that seizure to handle a traffic violation is justification only for that matter and cannot be used to expand the scope of the investigation. *Id.* at 1615.

The Idaho Court of Appeals addressed whether the use of the drug dog was reasonably related in scope to the circumstances which justified the traffic stop. The court noted that in previous cases upholding the use of a drug dogs, the stop's duration was not extended beyond what was necessary to address the traffic violation. *Id.* at 563. In contrast, the facts presented to the court in *Aguirre* indicated that law enforcement officers made no further effort to pursue the initial purpose of the stop and made no effort to delegate responsibility for concurrent investigations. *Id.* at 564. The court considered that "... the collective effort of the police was uniformly directed at a drug investigation completely unrelated to

the traffic stop. The purpose that justified the stop – the issuance of a traffic citation – was immediately abandoned.” *Id.* Though the entire stop lasted only five to seven minutes, because the dog sniff was not reasonably related in scope to the circumstances that justified the traffic stop, and no further probable cause justified the extension, the court held that the sniff unconstitutionally expanded the traffic stop. *Id.* at 850, 852.

Idaho courts have held even a minimal extension may be unconstitutional where no additional grounds for doing so are discovered before the initial justification for the stop is resolved. *State v. Gutierrez*, 51 P.3d at 466. In *Gutierrez*, an officer stopped a car for speeding and then noticed the driver exhibited “undue nervousness.” *Id.* at 463. The officer ensured the driver’s license was valid, and returned to the car to issue the driver a warning. Rather than concluding the stop, the officer began asking the driver if illegal items were in the car. The officer noted that the driver’s body language suggested he was lying. The officer obtained consent to search the vehicle and subsequently discovered marijuana. *Id.* The court held that, although the stop was extended for only “sixty to ninety seconds,” it was an impermissible extension because the officer did not have “reasonable, objective grounds for doing so.” *Id.* at 466.

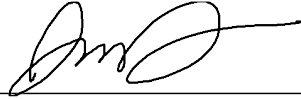
In *State v. Linze*, a traffic stop was unlawfully extended by two and one-half minutes to conduct a canine drug sniff because it was not supported by reasonable, articulable suspicion. 2016 Ida. App. LEXIS 354. The initial traffic stop in *Linze* was made on the basis of a cracked windshield. *Id.* at \*2. After checking the identifications of the driver (*Linze*) and passenger, the officer discovered that *Linze* had an extensive history with drugs and had recently been found in possession of paraphernalia by other law enforcement. *Id.* at \*2. Nine (9) minutes after the initial stop, the officer requested a K9 unit, and then proceeded to continue writing a citation for the cracked windshield. *Id.* Ten (10) minutes later, the K9 officer arrived, was denied permission to conduct a drug detection sniff by the vehicle’s occupants, and proceeded to walk his dog around the vehicle and receive an alert. *Id.* The sweep added two and one-half minutes to the traffic stop. *Id.* The Idaho Court of Appeals addressed the issue of whether the canine drug detection sniff extended the traffic stop. *Id.* at \*8. The court held that in light of *Rodriguez*, even a brief extension of time during a traffic stop to conduct a canine sweep, where there is no reasonable, articulable suspicion of drug activity, is unconstitutional. *Id.* at \*9-10.

Here, *Beaudoin* initially stopped defendant for speeding. Like *Rodriguez*, where he was stopped for driving on the highway shoulder, the justification for the stop was to issue a citation for a minor traffic violation. Prior to defendant’s detention, the interaction between the Officer and defendant was brief. During that time, *Beaudoin* questioned defendant on a variety of topics including where he was going, who owned the vehicle, and where he was coming from. After initially questioning defendant about his speeding, interaction focused on other questions not related to the purpose of the stop.

**CONCLUSION**

Because there was no reasonable, articulable suspicion of criminal activity, this was an unreasonable extension of a traffic stop in violation of the Fourth Amendment. The evidence seized was based upon an unlawful detention and must be suppressed as fruit of the poisonous tree. Accordingly, Mr. Vaughn respectfully requests this Court grant his motion to suppress

DATED December 13, 2016.



---

David A. Stewart  
Attorney for Defendant

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that on December 13, 2016, I served a true and correct copy of the within instrument to the Ada County Prosecutor.



---

Quincy Harris

**Boise Police Department  
Narrative Report**

RD: **DR# 2016-617755**

<b>1. Incident Topic</b> CONTROLLED SUBSTANCE-FELONY POSSESSION OF DRUG PARAPHERNALIA-USE OR POSSESS WITH INTENT TO USE DRUG-TRAFFICKING IN HEROIN (7 GRAMS OR MORE BUT LESS THAN 28 GRAMS)		<b>2. Subject/Victim's Name</b> STATE OF IDAHO,	
<b>3. Address</b> BOISE		<b>4. Phone</b>	
<b>5. Date Occurred</b> 07/22/2016	<b>6. Time Occured</b> 19:44	<b>7. Route To</b> County Prosecutor, BANDIT	<b>8. Division</b> PATROL

**INITIAL RESPONSE/CONTACT:**

On this date, I was contacted by Detective Bruner to assist them in a narcotics investigation. Detective Bruner advised there was a male subject, later identified as Ronald E. Vaughn, driving westbound on I-84 near the Jerome/Bliss area. Detective Bruner requested patrol assistance to initiate a traffic stop on Vaughn. Detective Bruner advised there was reason to believe that Vaughn was transporting narcotics to the Boise area.

At approximately 1940 hours, I was given information that Vaughn was near the Eisenmann exit at I-84. Detective Teuber advised he was following Vaughn and described his vehicle as being a white Ford F150 pickup, license plate # 2CMD043. Detective Teuber advised that Vaughn was driving at an estimated 90-95mph in a posted 80mph zone.

I entered onto I-84 from Eisenmann and observed Vaughn as he passed me. Vaughn saw my patrol vehicle and immediately slammed on his brakes to slow down. I pulled in behind Vaughn and followed him. I activated my patrol lights near Gowan/I-84. Vaughn was slow to pull over and appeared to be looking down and moving his right hand towards his groin area. I believed that Vaughn was possibly hiding something. Vaughn eventually pulled over near Gowan and I-84.

I pulled in behind Vaughn and waited for Officer Martinez to arrive to assist. I then approached Vaughn and advised him of the reason I had stopped him. Vaughn appeared to be very nervous during my contact with him. At one point, Vaughn started crying and stated he was driving from Utah after visiting his dying/sick sister. Vaughn stated his sister was suffering from cancer and had tumors. Vaughn admitted to speeding.

I asked Vaughn to step out of the vehicle. Ada County K9 Officer Cain arrived to assist. I walked Vaughn away from his vehicle and Officer Martinez stood near him. Deputy Cain deployed his K9 and advised the K9 positively alerted to the odor of narcotics on or in the vehicle.

Both myself and Deputy Cain searched the interior of the vehicle. Deputy Cain found an empty candy package that contained a syringe cap, two small balls of aluminum foil with burnt residue and two plastic baggies with one having white residue. The candy package was found on the driver's side rear floorboard. See Deputy Cain's supplement for further.

During the search, I located a spoon with white residue. The spoon was hidden inside of the tool storage directly below the rear passenger seat. There was also a large amount of baggies and a box of aluminum foil in the vehicle.

<b>Admin</b>	
Officer(s) Reporting Cpl. Tim Beaudoin	Ada No. 612
Approved Supervisor Sgt. Matt Konvalinka	Ada No. 712
	Approved Date 07/23/2016 05:08

**000006**  
000053

**Boise Police Department  
Narrative Report**

RD: DR# 2016-617755

<b>1. Incident Topic</b> CONTROLLED SUBSTANCE-FELONY POSSESSION OF DRUG PARAPHERNALIA-USE OR POSSESS WITH INTENT TO USE DRUG-TRAFFICKING IN HEROIN (7 GRAMS OR MORE BUT LESS THAN 28 GRAMS)		<b>2. Subject/Victim's Name</b> STATE OF IDAHO,	
<b>3. Address</b> BOISE		<b>4. Phone</b>	
<b>5. Date Occurred</b> 07/22/2016	<b>6. Time Occured</b> 19:44	<b>7. Route To</b> County Prosecutor, BANDIT	<b>8. Division</b> PATROL

I NIK tested both the burnt aluminum foil and the white residence from the spoon. The burnt foil NIK tested presumptive positive for Heroin. The white residence NIK tested presumptive positive for amphetamines.

All items were seized from the vehicle.

During the contact with Vaughn, he admitted to being a meth user and showed me his recent needle marks on his left arm. Vaughn admitted to using meth approximately 30 minutes prior to our contact with him. Vaughn also readily admitted the items found inside his vehicle belonged to him.

I advised Detective Bruner of the items we had located in the vehicle. Detective Bruner requested I transport Vaughn to CID and to leave the truck/keys on the side of the road. Detective Bruner advised they would take the truck and search it thoroughly in a controlled environment.

I transported Vaughn to CID and placed him in an interview room. Vaughn was agitated about why he was being placed into the interview room. I spoke with Vaughn but did not question him further about the items found in his vehicle or any other narcotics related activities. I only spoke with Vaughn to try to calm him down until Narcotics Officers could respond.

Vaughn was eventually interviewed Narcotics Officers.

Both myself and Officer Martinez processed the items we had seized from the vehicle. Officer Martinez placed those items into evidence.

Vaughn was eventually arrested for Trafficking of Heroin, Possession of Methamphetamines and Possession of drug paraphernalia.

**CONCLUSION:**

Vaughn was transported to jail. I did advised Ada County Jail Deputies that Vaughn had made several suicidal statements after he realized he was being arrested.

Route to County Prosecutors for further action.

<b>Admin</b>	
Officer(s) Reporting Cpl. Tim Beaudoin	Ada No. 612
Approved Supervisor Sgt. Matt Konvalinka	Ada No. 712
Approved Date 07/23/2016 05:08	

**000007**  
000054

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

-----	x	GRAND JURY NO. 16-57
	:	CASE NO. CR-FE-2016-0009419
STATE OF IDAHO,	:	
	:	
Plaintiff,	:	NO. _____
vs.	:	
	:	
RONALD EUGENE VAUGHN,	:	<b>OCT 03 2016</b>
	:	<b>CHRISTOPHER D. RICH, Clerk</b>
Defendant.	:	<b>By RAE ANN NIXON</b>
-----	x	<b>DEPUTY</b>

Transcript of audiotaped proceedings had before the  
Grand Jury of the Fourth Judicial District, State of Idaho,  
County of Ada, commencing on August 2, 2016,  
Heather Reilly, Deputy Prosecuting Attorney,  
representing Jan M. Bennetts, Ada County  
Prosecuting Attorney.

Transcribed by  
Tiffany Fisher, RPR  
CSR No. 979

COPY



S T A T E' S W I T N E S S E S

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		<b>PAGE:</b>
<b>CORY BRUNER</b>		
	Examination by Ms. Reilly.....	12
<b>KERRY HOGAN</b>		
	Examination by Ms. Reilly .....	39

\* \* \* \* \*

S T A T E' S E X H I B I T S

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		<b>MARKED</b>	<b>ADMITTED</b>
1.	Photograph of Defendant.....	4	27

\* \* \* \* \*

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

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: CASE NO. CR-FE-2016-0009419  
STATE OF IDAHO, :  
: Plaintiff, :  
vs. :  
RONALD EUGENE VAUGHN, :  
: Defendant. :  
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**STATE'S WITNESSES**

**PAGE:**

**CORY BRUNER**

Examination by Ms. Reilly..... 12

**KERRY HOGAN**

Examination by Ms. Reilly ..... 39

\* \* \* \* \*

**STATE'S EXHIBITS**

**MARKED**

**ADMITTED**

1. Photograph of Defendant..... 4 27

\* \* \* \* \*

August 2, 2016  
BOISE, IDAHO

(State's Exhibit 1 was premarked for  
identification.)

MS. REILLY: [Onset of audio] -- hear  
everything? Everyone good? Okay. Let's go ahead  
and get started.

Good morning, members of the  
Grand Jury. Heather Reilly, Deputy Ada County  
Prosecuting Attorney, here to present evidence on  
a proposed indictment under Grand Jury No. 16-57,  
charging Ronald Eugene Vaughn with two felony  
counts and one misdemeanor.

Obviously, I won't be presenting  
evidence necessarily on the misdemeanor. But on  
the two felonies, I will.

Count I is trafficking in heroin, a  
felony, under Idaho Code 37-2732B(a)(6)(B). And  
you have the statute in your binder. This is a  
trafficking at the second tier, which is 7 grams  
or more.

And so for Count I, as you can see in  
the indictment, the State must show today that the  
defendant, Ronald Eugene Vaughn, on or about the

000058

5

1 22nd day of July, 2016, in the County of Ada,  
2 State of Idaho, did knowingly possess and/or bring  
3 into this state Heroin, to wit: 7 grams or more of  
4 Heroin, a Schedule I narcotic controlled  
5 substance, or of any salt, isomer, salt of an  
6 isomer thereof, or any mixture or substance  
7 containing a detectible amount of any such  
8 substance.

9 Count II is charged under Idaho Code  
10 37-2732(c). This is also in your binders under  
11 drug cases. And on this count, the State must  
12 show probable cause that the defendant,  
13 Ronald Eugene Vaughn, on or about the same date,  
14 in the County of Ada, State of Idaho, did  
15 unlawfully possess a controlled substance, to wit:  
16 Methamphetamine, a Schedule II controlled  
17 substance.

18 And so those are the two felony counts  
19 that we will be asking you to consider. Heroin  
20 and methamphetamine are both schedules. Heroin is  
21 Schedule I, narcotic. Methamphetamine is  
22 Schedule II, nonnarcotic. Both of those schedules  
23 are in your binders.

24 And we will have a chemist here today,  
25 Corinna Hogan, who will testify as to her

7

1 Special Agent Williams authored and drafted an  
2 affidavit for a search warrant for the application  
3 of a GPS tracker device onto Mr. Vaughn's vehicle.

4 Mr. Vaughn, when the investigation  
5 began, lived here in Boise, but during the course  
6 of the investigation moved over to Canyon County.

7 I expect you to hear that  
8 Detective Bruner is aware that the affidavit that  
9 Special Agent Williams authored was presented to a  
10 federal magistrate here in this district, District  
11 of Idaho, and was approved. And so a GPS tracker  
12 was applied to a truck that Ronald Eugene Vaughn  
13 commonly drove.

14 And the reason was that the  
15 investigation revealed that Mr. Vaughn was  
16 believed to be trafficking heroin from the state  
17 of Utah. And so officers wanted to be able to  
18 surveil that travel without necessarily following  
19 him all the way to Utah during the course of the  
20 investigation.

21 During the course of the investigation,  
22 and while the tracker was applied and authorized,  
23 the data revealed that the vehicle Mr. Vaughn was  
24 driving commonly did, in fact, travel in a  
25 direction that was consistent with going to

6

1 analysis, the weight, and that they are both  
2 schedule drugs and what schedule drugs she  
3 confirms.

4 I expect to call Detective Cory Bruner,  
5 as well. He's a Boise police officer. He is  
6 assigned to BANDIT, which is their narcotics and  
7 vice division for Boise Police. And he's also  
8 what's referred to as a task force officer for the  
9 Drug Enforcement Administration, DEA.

10 Detective Bruner, I expect, will  
11 explain to you that he began conducting an  
12 investigation, along with Special Agent  
13 Mike Williams from the DEA, into the conduct of  
14 Ronald Eugene Vaughn.

15 This was an investigation that spanned  
16 several months and involved the use of a  
17 confidential informant at times, in terms of  
18 information, as well as the officers used standard  
19 investigative techniques to conduct surveillance.

20 God bless you, to whoever sneezed.

21 UNIDENTIFIED SPEAKER: Thank you.

22 MS. REILLY: You're welcome.

23 Used investigative techniques to  
24 conduct surveillance on Mr. Vaughn, and ultimately  
25 were able to gather enough information so that

8

1 Salt Lake City, Utah, which was meaningful to the  
2 detectives based upon the investigation, and led  
3 them to believe that Mr. Vaughn was once again on  
4 his way to Utah in order to pick up heroin.

5 And so the officers monitored that GPS  
6 tracker and the data, and were able to isolate  
7 when he returned closer to Idaho, had live  
8 officers conducting the surveillance when the  
9 vehicle came back into Idaho, including  
10 Detective Bruner, Detective Joel Teuber, who is a  
11 Boise officer. They also had a marked unit, Boise  
12 City Police Officer Tim Beaudoin, who was in  
13 uniform, driving a Boise Police marked unit, and  
14 an Ada County deputy who was a certified K9  
15 handler in the area when this vehicle returned to  
16 the state.

17 While conducting surveillance, once the  
18 vehicle that the GPS tracker was affixed to, which  
19 is a white Ford pickup -- bless you --

20 UNIDENTIFIED SPEAKER: Thank you.

21 MS. REILLY: -- came into Ada County, a  
22 number of the officers who were conducting  
23 surveillance observed as the vehicle traveled in  
24 excess of the speed limit.

25 It was traveling at approximately 000059

1 90, or 95 at times, in an 80 mile-per-hour zone,  
2 which was out, I guess, before Eisenman, if you're  
3 familiar with that area.

4 And so Boise City Officer Beaudoin was  
5 informed of this information, pulled into the area  
6 where that vehicle was located, and ultimately  
7 initiated a traffic stop on the vehicle, the  
8 truck.

9 Ronald Eugene Vaughn was identified as  
10 the driver. The K9 officer was there, utilized  
11 the K9 on the vehicle. Detective Bruner was  
12 watching both the traffic stop, as well as the K9,  
13 and learned from Officer Beaudoin that the K9  
14 officer stated that his dog had alerted on the  
15 vehicle.

16 The vehicle was searched initially  
17 there, where it was stopped, and drug  
18 paraphernalia was located. And so at  
19 Detective Bruner's direction, Mr. Vaughn was taken  
20 to the police station for interview.

21 Detective Bruner and Special Agent  
22 Mike Williams took custody of that vehicle and  
23 actually transported it, drove it to a secure  
24 location where it could be further searched in a  
25 safe environment.

1 believe it was just over 12 -- without the  
2 packaging, 12 grams of heroin, and then one -- a  
3 little over 1 gram of methamphetamine.

4 That's essentially what I expect you to  
5 hear.

6 Anyone, based upon the evidence as I  
7 expect it to come out, the charge, or the deputy  
8 prosecutor presenting the case, or the witnesses,  
9 who feels like you cannot be fair and impartial on  
10 this finding of probable cause, by a show of  
11 hands?

12 So, for the record, I see no hands. So  
13 we'll go ahead and get started with  
14 Detective Cory Bruner.

15 (Brief pause in the proceedings.)

16 MS. REILLY: Come forward. Raise your right  
17 hand to be sworn.

18 UNIDENTIFIED SPEAKER: Do you solemnly swear  
19 or affirm that the testimony you shall give in the  
20 cause now before the Grand Jury will be the truth,  
21 the whole truth, and nothing but the truth, so  
22 help you God?

23 THE WITNESS: I do.

24 ///

25 ///

1 And once that was done, I expect  
2 Detective Bruner to tell you that -- so the pickup  
3 truck was, you know, standard front seats and then  
4 the bench seat in the back. Behind that bench  
5 seat, the carpet had been removed from what I  
6 guess you would call the wall of the cab. And so  
7 it was metal showing. And there was a nylon bag  
8 that had a magnet in it that was stuck to the back  
9 of that cab on the metal.

10 And inside that bag, officers located,  
11 total package weight, about 16 ounces of heroin,  
12 and then a little over 1 gram of -- I'm sorry,  
13 16 grams of heroin. I was going to say, wow, I  
14 have got the wrong charge.

15 16 grams, or about a 1/2 ounce of  
16 heroin, and then about another package of a little  
17 over 1 gram of methamphetamine. There was also  
18 syringes, I believe, a scale, baggies, tin foil,  
19 other items of paraphernalia located, which would  
20 make up Count III, which I'm not asking you to  
21 find probable cause on today.

22 And so that's the information I expect  
23 you to hear. In addition, as I mentioned, the  
24 chemist is Kerry Hogan. And she analyzed and will  
25 be able to explain to you that she confirmed -- I

1 CORY BRUNER,  
2 called as a witness by and on behalf of the  
3 State, having been first duly sworn, was examined  
4 and testified as follows:

5  
6 EXAMINATION

7 BY MS. REILLY:

8 Q. Good morning.

9 A. Good morning.

10 Q. Please state your name, spelling your  
11 last.

12 A. It's Cory Bruner, B-r-u-n-e-r.

13 Q. Actually, go ahead and spell your  
14 first, too.

15 A. C-o-r-y.

16 Q. Thank you.

17 How are you employed?

18 A. I'm a detective with the Boise Police  
19 Department.

20 Q. How long have you been with Boise City  
21 Police?

22 A. Coming up on 19 years now.

23 Q. Are you POST certified?

24 A. I am. I hold a master's certificate  
25 through Idaho POST Council.

000060

1 Q. And you mentioned you're a detective  
 2 now.  
 3 Which division are you assigned to?  
 4 A. I'm assigned to **BANDIT, working vice**  
 5 **and narcotics crimes, as well as to the Drug**  
 6 **Enforcement Administration's task force as a task**  
 7 **force officer.**  
 8 Q. How long have you been assigned as a  
 9 task force officer?  
 10 A. **Around three and a half years, I**  
 11 **believe.**  
 12 Q. And how long have you been assigned to  
 13 BANDIT?  
 14 A. **Coming up on 14 years now -- I'm sorry,**  
 15 **12 years now.**  
 16 Q. I take it you have had specialized  
 17 training regarding controlled substance  
 18 investigations?  
 19 A. **Yes, I have.**  
 20 Q. Can you please tell us a little bit  
 21 about that.  
 22 A. **Sure. I have in excess of 4,000 hours**  
 23 **specific to law enforcement training. A number of**  
 24 **those courses, of course, are specific to drug**  
 25 **investigations. The most notable would be the**

1 Do you have that investigation in mind?  
 2 A. **I do.**  
 3 Q. And did you work with a specific DEA  
 4 agent during the course of that investigation?  
 5 A. **Yes, Special Agent Mike Williams was**  
 6 **assisting me with this investigation.**  
 7 Q. And do you recall approximately when  
 8 you began your investigation into Mr. Vaughn?  
 9 A. **I initiated the initial investigation**  
 10 **in February of this year. And it was, I believe,**  
 11 **around April of 2016 that we identified Mr. Vaughn**  
 12 **as one of the involved parties to the**  
 13 **investigation.**  
 14 Q. So the investigation was larger than  
 15 just Mr. Vaughn?  
 16 A. **Yes.**  
 17 Q. Okay. And so during the course of that  
 18 investigation, did you utilize the assistance of  
 19 confidential informants or sources of information?  
 20 A. **I did.**  
 21 Q. Was there any particular confidential  
 22 informant that assisted you at times?  
 23 A. **Yes.**  
 24 Q. Do you recall that individual's  
 25 confidential informant number?

1 **Multijurisdictional Counterdrug Task Force**  
 2 **training center out of St. Petersburg, Florida, as**  
 3 **well as an advanced undercover course in Daytona,**  
 4 **Florida, through the International Association of**  
 5 **Undercover Officers.**  
 6 I have also been to a supervisory  
 7 school for narcotics investigation in Las Vegas,  
 8 Nevada, through the same organization. And there  
 9 are others, but those are the most notable.  
 10 Q. Thank you.  
 11 You mentioned, and we talked about you  
 12 being a task force officer.  
 13 What does that mean?  
 14 A. **It means that I'm assigned to the DEA**  
 15 **group. And I'm allowed to -- I have federal**  
 16 **credentials. So essentially, I can work**  
 17 **investigations throughout the United States.**  
 18 Q. And so as a task force officer, or even  
 19 just in your assignment with BANDIT, is it common  
 20 for you to work with DEA agents?  
 21 A. **Yes, all the time.**  
 22 Q. I would like to talk to you about an  
 23 investigation in which you were working with the  
 24 DEA involving the conduct of an individual  
 25 identified as Ronald Vaughn.

1 A. **I don't have that with me today, no.**  
 2 Q. Okay. Was that person documented by  
 3 Boise Police or DEA or both?  
 4 A. **By Boise Police.**  
 5 Q. Okay. And do you recall why that  
 6 particular confidential informant was assisting  
 7 law enforcement initially?  
 8 A. **Yes. He or she was seeking**  
 9 **consideration on a possession of heroin charge.**  
 10 Q. And were there any specific promises or  
 11 guarantees made to that individual of a benefit  
 12 that the person would receive for assisting  
 13 Boise Police or others?  
 14 A. **No.**  
 15 Q. Were you able to determine whether or  
 16 not that individual had a prior felony record?  
 17 A. **Yes, they did.**  
 18 Q. They did have a prior felony record?  
 19 A. **I mean, prior to the initial charge**  
 20 **what they were seeking consideration for?**  
 21 Q. Yes.  
 22 A. **No, I believe all of the prior arrests**  
 23 **were for misdemeanors.**  
 24 Q. Okay. And so was it -- it was a  
 25 possession of heroin charge? 000061

1 **A. Yes. But it was just over 2 grams,**  
2 **which would carry a trafficking, first degree**  
3 **trafficking sentence --**

4 **Q. Okay.**

5 **A. -- in Idaho.**

6 **Q. That's what I thought.**

7 So it was actually a trafficking?

8 **A. Correct.**

9 **Q. Right. And so it would have been the**  
10 **mandatory minimum of three, up to life in prison;**  
11 **is that correct?**

12 **A. That's correct.**

13 **Q. And during the course of the**  
14 **investigation, did there come a time when you**  
15 **discontinued actually working with this particular**  
16 **individual?**

17 **A. Yes.**

18 **Q. And so do you expect that this person**  
19 **will be charged?**

20 **A. I do.**

21 **Q. Okay. However, you did utilize**  
22 **information and/or assistance from this individual**  
23 **during the course of the investigation into**  
24 **Mr. Vaughn?**

25 **A. Yes, we did.**

1 **A. We conducted a lot of surveillance on**  
2 **Mr. Vaughn, both at his residence, as well as**  
3 **vehicular surveillance, as Mr. Vaughn was out and**  
4 **about driving in the community. I analyzed phone**  
5 **tolls or records of his phone activity. And we**  
6 **conducted surveillance of other parties involved**  
7 **with the investigation relating to Mr. Vaughn.**

8 **Q. And during the course of that**  
9 **surveillance -- you mentioned vehicles -- was**  
10 **there a particular vehicle that you were able to**  
11 **identify as one that Mr. Vaughn commonly drove?**

12 **A. Yes. He had a white Ford F150 that was**  
13 **registered to him, that he drove it almost**  
14 **exclusively.**

15 **Q. At some point, did you and/or**  
16 **Special Agent Williams draft an affidavit for the**  
17 **application of a GPS tracking device onto that**  
18 **white Ford F150 that you have just mentioned?**

19 **A. Yes, we did.**

20 **Q. And who did that?**

21 **A. Special Agent Williams. I assisted him**  
22 **with the information necessary in the affidavit.**  
23 **And he then submitted the affidavit or took it**  
24 **before a federal magistrate and requested a GPS**  
25 **tracker warrant.**

1 **Q. But we're not pursuing or presenting**  
2 **any charges that directly result from that**  
3 **information or assistance at this time?**

4 **A. That's correct.**

5 **Q. All right. When you began your**  
6 **investigation into Mr. Vaughn specifically, do you**  
7 **recall learning where he was living?**

8 **A. Yes.**

9 **Q. And where was that?**

10 **A. I believe it was 3801 Rose Hill, here**  
11 **in Boise, Idaho.**

12 **Q. And at some point during the course of**  
13 **your investigation, did you learn that Mr. Vaughn**  
14 **had moved from that residence?**

15 **A. Yes.**

16 **Q. And were you able to determine through**  
17 **your investigation where he moved to?**

18 **A. Yes.**

19 **Q. And where was that, generally speaking?**

20 **A. It was on Admiral Street in Nampa,**  
21 **Idaho.**

22 **Q. And so tell us, just generally, what**  
23 **types of things you did, aside from utilizing the**  
24 **confidential informant, to conduct your**  
25 **investigation into Mr. Vaughn.**

1 **Q. And was that tracker warrant approved?**

2 **A. It was.**

3 **Q. And so what happened after that?**

4 **A. Special Agent Williams and I placed the**  
5 **tracker on the Ford F150 in the late hours or**  
6 **early morning hours, I should say, as the vehicle**  
7 **was parked in Mr. Vaughn's driveway.**

8 **Q. Do you recall approximately when the**  
9 **application of the GPS tracker occurred?**

10 **A. I would have to go back to my case file**  
11 **notes. I don't recall the exact time. It was --**  
12 **I don't remember.**

13 **Q. All right. Fair enough.**

14 At some point while you were monitoring  
15 the data from that GPS tracker, did the direction  
16 or the areas in which the vehicle was driven catch  
17 your attention?

18 **A. Yes.**

19 **Q. And why was that?**

20 **A. Because we had information that**  
21 **Mr. Vaughn was sourcing his heroin from**  
22 **Salt Lake City. And on this particular date, in**  
23 **the early morning hours, the vehicle left Boise,**  
24 **headed east on I-84 towards Twin Falls, and then**  
25 **caught the junction at the I-15 and headed south**

000062

1 **towards Salt Lake City.**

2 **Q.** And as I understood it, you  
3 continued -- you and others continued to monitor  
4 the data from the GPS tracker on the white  
5 Ford F150 registered to Mr. Vaughn?

6 **A. Yes.**

7 **Q.** And at some point, did you observe that  
8 the vehicle was being -- was traveling in a  
9 direction that appeared to be returning to Boise?

10 **A. Yes.**

11 **Q.** And so what did you do when you  
12 observed that data?

13 **A. Special Agent Williams and I drove**  
14 **east, just outside of Twin Falls, to intercept**  
15 **Mr. Vaughn, to physically surveil him and follow**  
16 **him back into Boise. I also arranged for officers**  
17 **from the Boise Police Department and Ada County**  
18 **Sheriff's Office to be staged in the area of**  
19 **Eisenman and I-84 in anticipation of our arrival,**  
20 **so that we could effect a traffic stop on**  
21 **Mr. Vaughn.**

22 **Q.** And was that on or about July 22, 2016?

23 **A. Yes, it was.**

24 **Q.** And so did you actually see the white  
25 Ford F150 registered to Mr. Vaughn in the

1 **already crossed over the lane divider.**

2 **That information was relayed to**  
3 **Officer Beaudoin and Officer Martinez, who again**  
4 **were staged in the area of Eisenman and I-84.**

5 **We also had Detective Teuber, from my**  
6 **office, assisting us with the surveillance. He**  
7 **joined the surveillance around Simco Road, just**  
8 **outside of Boise, Idaho, and observed the same**  
9 **violations with regard to excess speed.**

10 **Q.** And so did you -- is it fair to say  
11 that you backed off and let Detective Teuber take  
12 over --

13 **A. Yes.**

14 **Q.** -- the close surveillance?

15 **A. That's correct.**

16 **Q.** And is that for a particular reason?

17 **A. Yes, just because**  
18 **Special Agent Williams and I had obviously been**  
19 **following him for quite some time. So since we**  
20 **had assistance at that point, it was just**  
21 **beneficial to have a fresh vehicle, if you will,**  
22 **following Mr. Vaughn.**

23 **Q.** And so is it your understanding, and/or  
24 did you hear, Detective Tuber call out speeding as  
25 you described that occurred within Ada County?

1 Twin Falls area?

2 **A. I did.**

3 **Q.** Were you and Special Agent Williams in  
4 the same vehicle or different vehicles?

5 **A. We were in the same vehicle.**

6 **Q.** And so as the vehicle traveled, at some  
7 point did you or other officers assisting you  
8 conducting surveillance observe any traffic  
9 infractions?

10 **A. Yes.**

11 **Q.** Tell me about that, when and where that  
12 occurred.

13 **A. Well, Special Agent Williams and I**  
14 **followed Mr. Vaughn from essentially Jerome,**  
15 **Idaho, or just west of Twin Falls, Idaho, all the**  
16 **way into Boise, Idaho.**

17 **And during that time, Mr. Vaughn was --**  
18 **he was always traveling in excess of the posted**  
19 **speed limit, which is 80 miles per hour. Most of**  
20 **the time, he was traveling between 90 and 95 miles**  
21 **per hour. And made numerous lane change**  
22 **violations. In other words, he would change lanes**  
23 **from the inside lane to the outside lane**  
24 **repeatedly, without using a turn signal or waiting**  
25 **to initiate the turn signal, until after he had**

1 **A. Yes, I did.**

2 **Q.** Okay. And as a result of that, were  
3 there directions given to either Officer Beaudoin  
4 or Officer Martinez, who is also a Boise officer;  
5 correct?

6 **A. That's correct. Yes, just using our**  
7 **police radio, I advised Officer Beaudoin and**  
8 **Martinez that the moving violations that had been**  
9 **observed and requested that they stop Mr. Vaughn**  
10 **as he approached the Gowen exit on the west side**  
11 **of Boise.**

12 **Q.** And were you in a position to observe a  
13 marked patrol unit from Boise Police initiate a  
14 traffic stop on the white F150?

15 **A. Yes.**

16 **Q.** Tell us about that and where that  
17 occurred.

18 **A. So Officer Beaudoin made the stop on**  
19 **I-84 westbound, just west of the Gowen exit. I**  
20 **pulled over on the side of the freeway behind the**  
21 **traffic stop, several hundred yards. I was in a**  
22 **bit of an elevated position, just because of the**  
23 **geography of that area.**

24 **The freeway is actually higher as you**  
25 **cross Gowen Road and you're near the outlet malls.**

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1 **And then it kind of drops down into Boise, if you**  
 2 **will. So I was able to observe the traffic stop**  
 3 **in its entirety.**  
 4 **Officer Beaudoin made the stop.**  
 5 **Officer Martinez assisted him with that stop. A**  
 6 **few minutes after making contact at the -- at**  
 7 **Mr. Vaughn's vehicle, Mr. Vaughn was removed from**  
 8 **the vehicle and took a seat on a guardrail near**  
 9 **the patrol car.**

10 **And a few minutes later, Deputy Case**  
 11 **with the Ada County Sheriff's Office here, who**  
 12 **runs a K9, arrived on scene and deployed his dog**  
 13 **on Mr. Vaughn's vehicle.**

14 **Q.** And so I take it, from your  
 15 investigation, you were familiar with  
 16 Ronald Eugene Vaughn?

17 **A. Yes, I was.**

18 **Q.** I mean, you could recognize him if you  
 19 saw him?

20 **A. Yes. We had confirmed that it was him**  
 21 **driving the vehicle, as we picked him up on I-84**  
 22 **near Jerome.**

23 **Q.** Fair enough.

24 And so were you using binoculars, or  
 25 were you able to see from your position once the

1 (State's Exhibit 1 admitted.)

2 BY MS. REILLY:

3 **Q.** Are you familiar with Deputy Case from  
 4 Ada County?

5 **A. Yes.**

6 **Q.** And you know him to be a certified K9  
 7 handler?

8 **A. I do.**

9 **Q.** And was he requested to assist you  
 10 because of the nature of your investigation?

11 **A. Yes.**

12 **Q.** And so did you actually observe  
 13 Deputy Case utilize his K9 on the truck?

14 **A. I did.**

15 **Q.** And then at some point, did you learn,  
 16 from one of the officers there close to the  
 17 vehicle, anything about the K9?

18 **A. Yes. Officer Beaudoin called me on my**  
 19 **cellphone and advised me that Officer Case's dog**  
 20 **had alerted to the presence of illegal substances**  
 21 **in the vehicle.**

22 MS. REILLY: And just for the record, that  
 23 information is not for the truth of the matter  
 24 asserted, but rather to show effect upon the  
 25 listener and explain why the officers did what

1 traffic stop was initiated?

2 **A. Yes, I was using binoculars. However,**  
 3 **I was close enough that you really didn't need**  
 4 **them.**

5 **Q.** And so did you recognize, again,  
 6 Mr. Vaughn as the individual removed from the  
 7 driver's seat?

8 **A. Yes.**

9 **Q.** If you were to see him again today,  
 10 would you recognize him?

11 **A. I would.**

12 **Q.** I'm going to show you what I premarked  
 13 for today's purposes as State's Exhibit 1 for  
 14 identification.

15 Do you recognize who is depicted there?

16 **A. I do.**

17 **Q.** Who is that?

18 **A. That's Ronald Eugene Vaughn, the driver**  
 19 **of the Ford F150 that we're talking about.**

20 **Q.** And does State's Exhibit 1 accurately  
 21 depict Mr. Vaughn as he appeared on that day?

22 **A. Yes.**

23 MS. REILLY: Thank you.

24 I'll go ahead and admit and publish  
 25 State's Exhibit 1.

1 they did next.

2 BY MS. REILLY:

3 **Q.** And so after the K9 alerted, were you  
 4 able to observe officers search the vehicle?

5 **A. Yes.**

6 **Q.** Tell me about that.

7 **A. I observed Officer Beaudoin, as well as**  
 8 **Deputy Case, search the interior of the Ford F150.**  
 9 **And some time later, Officer Beaudoin called me**  
 10 **again on my phone and advised me that they had**  
 11 **located drug paraphernalia inside the vehicle. I**  
 12 **believe it was a syringe cap and a bent spoon with**  
 13 **some residue and scorching on it.**

14 MS. REILLY: And, again, that information is  
 15 not offered for the truth of the matter asserted  
 16 but to show effect upon listener.

17 BY MS. REILLY:

18 **Q.** And so did you give directions to the  
 19 officers after learning about the drug  
 20 paraphernalia or suspected drug paraphernalia  
 21 located?

22 **A. I did. I advised Officer Beaudoin to**  
 23 **place Mr. Vaughn under arrest for possession of**  
 24 **drug paraphernalia and have him transported to the**  
 25 **Boise Police Department, placed in an interview**

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1 room, where Special Agent Williams and I would  
2 meet them at a later time.

3 Q. And did you see the officers remove or  
4 transport Mr. Vaughn from the scene of the traffic  
5 stop?

6 A. Yes.

7 Q. What did you do after that?

8 A. I then drove to Mr. Vaughn's vehicle,  
9 at which point Special Agent Williams got out of  
10 my vehicle and into Mr. Vaughn's Ford F150. And  
11 Special Agent Williams drove it back to my office  
12 with me following, so that we could conduct a  
13 thorough search of the vehicle in a controlled  
14 environment.

15 Q. And just so we are clear, the vehicle  
16 when it was stopped, was it within Ada County,  
17 Idaho?

18 A. Yes.

19 Q. And did one of the officers remain with  
20 the vehicle before you and Officer Williams took  
21 custody of it?

22 A. Yes.

23 Q. Okay. And so once you and  
24 Officer Williams -- I'm sorry, you and  
25 Special Agent Williams transported the vehicle,

1 book them in evidence to be submitted to the Idaho  
2 State Police Forensic Laboratory?

3 A. Yes, I did.

4 Q. Please explain how you did that.

5 A. When we photographed the evidence, we  
6 photographed it in place behind the driver's seat.  
7 Special Agent Williams was taking photographs. We  
8 then photographed the items as I opened them or  
9 searched them, in other words, as I unzipped the  
10 nylon bag.

11 I also weighed the two zip-lock bags.  
12 The suspected heroin had a total package weight of  
13 16 grams. The suspected methamphetamine had a  
14 total package weight of 1.2 grams.

15 I performed a presumptive test on both  
16 substances with regard to the suspected heroin. I  
17 used what's called a NIK kit, which is just a  
18 chemical pouch where you place a small amount of  
19 the substance inside the little plastic pouch.  
20 You break some vials that contain specific  
21 chemicals. You get a color reaction. And based  
22 on the color reaction, you get either a negative  
23 or a positive presumptive result. On that  
24 particular occasion, I obtained a presumptive  
25 positive result for heroin.

1 tell us what, if anything, you located inside that  
2 truck.

3 A. I was searching the backseat or the  
4 rear passenger's seat compartment. This was a  
5 four-door Ford F150. The backseat was a bench  
6 seat. And in searching behind the bench seat, so  
7 the back rest, if you will, I could observe -- or  
8 observed a black nylon, zippered case that was  
9 attached to the metal wall behind the seat.

10 The liner of the truck, the carpet  
11 liner that was on the wall, had been removed. And  
12 the nylon bag was attached to the metal wall where  
13 the carpet liner was missing.

14 So I reached up behind the seat and  
15 pulled the bag off. And it was attached with a  
16 magnet. And then opened up the zip-lock bag -- or  
17 the nylon bag and observed that it contained four  
18 syringes, a baggy that appeared to contain heroin,  
19 another zip-lock baggy that appeared to contain  
20 methamphetamine, and a silver colored electronic  
21 or digital scale.

22 Q. Did you maintain custody of those  
23 items?

24 A. I did.

25 Q. And did you ultimately process them and

1 With regard to the suspected  
2 methamphetamine, I used what's called a true  
3 drug -- a TruNarc drug analyzer, which is  
4 essentially a laser that emits high intensity  
5 light into the substance and then records the  
6 vibration of the molecules, which every compound  
7 has a specific vibration pattern. It's  
8 essentially a fingerprint. And then that's  
9 compared against known fingerprints from known  
10 substances. And on that particular occasion, it  
11 tested presumptive positive for methamphetamine.

12 I placed each of those substances in  
13 separate evidence envelopes and sealed them with  
14 my signature across the evidence tape, and placed  
15 the related identifying information, such as the  
16 report number, the suspect's information, date and  
17 time, and my information.

18 Q. And so just going back to the NIK field  
19 test, that's the chemical pouch?

20 A. Correct.

21 Q. You have been trained or instructed how  
22 to utilize the NIK test?

23 A. I have.

24 Q. And you followed your instructions and  
25 the training?

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1 **A. Yes.**  
 2 **Q.** And other than that, you didn't make  
 3 any changes to the substance, aside from packaging  
 4 and sealing it?

5 **A. That's correct.**

6 **Q.** And then the TruNarc, you don't  
 7 actually have to remove anything from the  
 8 packaging; is that correct?

9 **A. No. As long as the packaging is clear,**  
 10 **such as a glass vial or a clear plastic bag, the**  
 11 **analyzer will test the substance directly through**  
 12 **the packaging.**

13 **Q.** And so you didn't make any changes to  
 14 the suspected methamphetamine at all?

15 **A. No.**

16 **Q.** Okay. And you followed your  
 17 instructions and training for the use of the  
 18 TruNarc, as well?

19 **A. I did.**

20 **Q.** And so once you had done the  
 21 processing, as you have described, and placed the  
 22 evidence into a sealed evidence envelope, did you  
 23 identify it with the departmental record number  
 24 from 2016-113259? Does that sound familiar?

25 **A. No.**

1 was he notified of his rights, commonly referred  
 2 to as Miranda rights?

3 **A. Yes. He was provided a written copy of**  
 4 **those rights, which Mr. Vaughn signed. He was**  
 5 **also advised of those rights verbally at the same**  
 6 **time.**

7 **Q.** And after the advisory, did Mr. Vaughn  
 8 agree to speak to you and/or  
 9 Special Agent Williams?

10 **A. Yes.**

11 **Q.** Tell us a little bit about the  
 12 interview with Mr. Vaughn.

13 **A. Mr. Vaughn admitted that he had left in**  
 14 **the early morning hours on that particular date to**  
 15 **drive to Salt Lake for the purpose of sourcing**  
 16 **heroin. He indicated that he met with a Hispanic**  
 17 **male named Carlos behind an apartment complex near**  
 18 **Salt Lake City.**

19 **He was actually able to pull up the**  
 20 **exact location on a map, a Google map on a phone,**  
 21 **and also provided us with the phone number which**  
 22 **we also confirmed as being in Mr. Vaughn's phone.**  
 23 **And we read -- we actually read text messages**  
 24 **between the heroin source and Mr. Vaughn that were**  
 25 **on Mr. Vaughn's phone, with his consent.**

1 **Q.** It doesn't?

2 **A. I think it's 617755.**

3 **Q.** Oh, okay. Sorry. That's, of course,  
 4 the report I used.

5 You tell me what DR you used, just so  
 6 we're clear. I won't tell you.

7 **A. I used Boise department record**  
 8 **No. 617755.**

9 **Q.** Thank you.

10 **A. You're welcome.**

11 **Q.** And then you placed the sealed evidence  
 12 envelope into the Ada County property room?

13 **A. I did.**

14 **Q.** In a sealed condition, and that's  
 15 secure to law enforcement; correct?

16 **A. That's correct.**

17 **Q.** Did you also make contact with  
 18 Mr. Vaughn and interview him?

19 **A. Yes.**

20 **Q.** Where did that interview take place?

21 **A. That occurred in an interview room at**  
 22 **the Boise Police Department.**

23 **Q.** Who all was present?

24 **A. Myself and Special Agent Williams.**

25 **Q.** And prior to speaking with Mr. Vaughn,

1 **I believe he said he paid approximately**  
 2 **\$750 for a half ounce, or 14 grams, of heroin, and**  
 3 **that he intended to bring it back to Boise, where**  
 4 **it was to be -- actually, specifically to Nampa,**  
 5 **Idaho, where it was to be sold to a number of**  
 6 **customers that Mr. Vaughn identified and disclosed**  
 7 **to us.**

8 **He also indicated that the last trip he**  
 9 **took prior to this date was six weeks earlier, and**  
 10 **that for the preceding months, he had been taking**  
 11 **anywhere from two to three trips per week to**  
 12 **Salt Lake City for the purpose of sourcing heroin.**  
 13 **And on each of those trips, he would return with**  
 14 **at least an ounce of heroin, which was then sold**  
 15 **in the Boise and Nampa area.**

16 **Q.** And so when you say "sourcing heroin,"  
 17 is that the word that Mr. Vaughn used?

18 **A. No. He was just -- I think he said,**  
 19 **"buying."**

20 **Q.** Okay.

21 **A. Yeah.**

22 **Q.** I just want to make sure.

23 **A. Yeah.**

24 **Q.** Yeah.

25 And so the information that Mr. Vaughn

1 provided to you during the course of your  
2 interview, was it consistent with the  
3 investigation that you had previously conducted?

4 **A. Yes, it was.**

5 **Q.** Did you have a discussion or ask him  
6 about the suspected methamphetamine located  
7 with -- along with the heroin?

8 **A. I did.**

9 **Q.** And what, if anything, did he tell you  
10 about methamphetamine?

11 **A. Mr. Vaughn indicated that he didn't**  
12 **sell methamphetamine, that he just used it. And**  
13 **specifically indicated that he had been using that**  
14 **methamphetamine that was found in his vehicle**  
15 **during the course of his trip back to Boise,**  
16 **indicating that he was very tired and was trying**  
17 **to stay awake, so he was using the**  
18 **methamphetamine.**

19 **And both through electronic as well as**  
20 **physical surveillance of Mr. Vaughn, we noted that**  
21 **he made three stops between Salt Lake City and**  
22 **Boise for an extended period of time, one of which**  
23 **that we physically observed was consistent with**  
24 **him having stopped to use drugs.**

25 **Q.** And so Mr. Vaughn acknowledged that he

1 UNIDENTIFIED SPEAKER: Do you solemnly swear  
2 or affirm that the testimony you shall give in the  
3 cause now before the Grand Jury will be the truth,  
4 the whole truth, and nothing but the truth, so  
5 help you God?

6 THE WITNESS: I do.

7  
8 KERRY HOGAN,  
9 called as a witness by and on behalf of the  
10 State, having been first duly sworn, was examined  
11 and testified as follows:

12 EXAMINATION

13 BY MS. REILLY:

14 **Q.** Good morning.

15 **A. Good morning.**

16 **Q.** Could you please state your name,  
17 spelling your last.

18 **A. Kerry Hogan, H-o-g-a-n.**

19 **Q.** How are you employed?

20 **A. I'm employed with the Idaho State**  
21 **Police Forensic Services laboratory.**

22 **Q.** How long have you been with Idaho  
23 State Police?

24 **A. I've been there almost eight years now.**

1 traveled to Salt Lake City in order to get the  
2 heroin that you located?

3 **A. Yes.**

4 MS. REILLY: Okay. I think that's all I  
5 have for you.

6 THE WITNESS: Okay.

7 MS. REILLY: Thank you.

8 THE WITNESS: Thank you.

9 MS. REILLY: Let's move on to Kerry Hogan.  
10 Would you send her in, please?

11 THE WITNESS: I will.

12 MS. REILLY: Thank you.

13 UNIDENTIFIED SPEAKER: Is it Kerry or  
14 Corinna?

15 MS. REILLY: Kerry. Did I write Corinna on  
16 there?

17 UNIDENTIFIED SPEAKER: You said Corinna the  
18 very first time.

19 MS. REILLY: I did? I knew I was going to  
20 do that.

21 But I did write Kerry Hogan as a  
22 witness? Okay. Thank you.

23 I apologize. I meant Kerry Hogan.

24 Come forward, raise your right hand to  
25 be sworn.

1 **Q.** What is your educational background,  
2 training and experience that brings you to your  
3 position today?

4 **A. I have a bachelor of science in**  
5 **microbiology, with a minor in chemistry. And I**  
6 **successfully completed the training program**  
7 **through ISP in controlled substance analysis.**

8 **Q.** And based upon what you have said, I  
9 take it you are familiar with which substances are  
10 controlled in Idaho?

11 **A. Yes, I am.**

12 **Q.** Is methamphetamine a controlled  
13 substance?

14 **A. Yes, it is.**

15 **Q.** And which schedule is it in?

16 **A. It's a Schedule II controlled**  
17 **substance.**

18 **Q.** What about heroin?

19 **A. Heroin is a Schedule I controlled**  
20 **substance.**

21 **Q.** What does "narcotic" mean?

22 **A. In the state of Idaho, "narcotic"**  
23 **refers to any form of opium, including heroin, and**  
24 **also cocaine.**

25 **Q.** How is it that you receive evidence to

1 analyze from agencies, such as the Boise Police  
 2 Department, at the ISP lab?  
 3 **A. They have a representative hand deliver**  
 4 **their items to our laboratory. And we have what**  
 5 **are called forensic evidence specialists, who**  
 6 **receive the item into the lab. They make sure**  
 7 **it's in a sealed condition, so nothing can escape**  
 8 **from the item or be added to the item.**

9 **They're then given a laboratory**  
 10 **specific case number and item number, and are**  
 11 **stored in our secure vault until they're ready for**  
 12 **analysis.**

13 **Q.** And how is it that you analyze  
 14 substances that are believed to be heroin to  
 15 confirm that substance?

16 **A. It's a two-step process. We begin with**  
 17 **a presumptive color test and then move on to a**  
 18 **confirmatory instrument, called the gas**  
 19 **chromatograph mass spectrometer, or GC-MS for**  
 20 **short.**

21 **Q.** And that manner of analysis, is it  
 22 generally accepted in the forensic scientist  
 23 community as a manner to confirm heroin?

24 **A. Yes, it is.**

25 **Q.** How do you analyze methamphetamine?

1 **A. It's also a two-step process. We begin**  
 2 **again with a presumptive color test, and we can**  
 3 **use either that GC-MS or another instrument called**  
 4 **the IR, the infrared spectrometer.**

5 **Q.** And the infrared spectrometer, is it  
 6 similar in any way to Boise Police's TruNarc  
 7 instrument?

8 **A. Slightly similar. It's a little bit**  
 9 **different lasers and lights that are used in it.**  
 10 **But it does give you what's called a spectra, so**  
 11 **you can compare these spectra to known samples to**  
 12 **see possibly with the TruNarc what a substance**  
 13 **could be. And with us, we use it to actually**  
 14 **confirm what a substance is.**

15 **Q.** Fair enough.

16 And, similarly, the analysis you have  
 17 described for methamphetamine, is it generally  
 18 accepted in the forensic scientist community as a  
 19 manner to confirm methamphetamine?

20 **A. Yes, it is.**

21 **Q.** I would like to talk to you about  
 22 evidence submitted to your lab under a  
 23 Boise Police DR from 2016, No. 617755.

24 Did you analyze evidence so identified?

25 **A. Yes, I did.**

1 **Q.** And did you bring with you a copy of  
 2 your report?

3 **A. Yes, I did.**

4 **Q.** Would it assist you today in your  
 5 testimony to refer to that report?

6 **A. Yes, it would.**

7 **Q.** Go ahead and do so.

8 Let me ask you this. Have you  
 9 testified in the past as an expert regarding your  
 10 analysis of controlled substances?

11 **A. Yes, I have.**

12 **Q.** Do you have any idea how many times for  
 13 methamphetamine?

14 **A. I think in general testimony, I'm**  
 15 **probably around 130 times. And at least half of**  
 16 **those times have been for methamphetamine.**

17 **Q.** What about heroin, any idea?

18 **A. I have no idea.**

19 **Q.** Okay. Fair enough.

20 So the evidence that was submitted  
 21 under departmental record No. 617755, was it  
 22 properly submitted to your lab, meaning in a  
 23 sealed condition and have all of the proper  
 24 identifying information?

25 **A. Yes, it was.**

1 **Q.** How did you begin your analysis?

2 **A. I began -- there was two items in this**  
 3 **case. And we open one at a time. So I opened the**  
 4 **first items, and I began with just a net weight of**  
 5 **the actual substance itself. So my weights are no**  
 6 **packaging. It's just the substance.**

7 **Q.** Tell me about the balance or scale that  
 8 you use in your lab.

9 **A. I use a digital analytical balance.**  
 10 **It's calibrated by an outside agency on an annual**  
 11 **basis. And we perform monthly quality control**  
 12 **checks on the balances to make sure that a gram is**  
 13 **still weighing a gram.**

14 **And we have certain parameters those**  
 15 **have to fall into. The weights that we use for**  
 16 **those monthly quality control checks are also sent**  
 17 **out on an annual basis for calibration.**

18 **Q.** And so you mentioned there were two  
 19 items, is that correct, that were submitted?

20 **A. Yes.**

21 **Q.** And tell me about the analysis you did  
 22 first.

23 **A. I began with item No. 1, which was a**  
 24 **brown substance. And I began by weighing just**  
 25 **that brown substance.**

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1 Q. What was the weight?  
 2 A. It was 13.92 grams.  
 3 Q. And so did you follow your analytical  
 4 method in conducting your analysis for heroin on  
 5 that item?  
 6 A. Yes. I began with the presumptive  
 7 color tests and obtained a purple color, which is  
 8 presumptive positive for heroin, and moved on to  
 9 the analysis with the GC-MS.  
 10 Q. And based upon your analysis and  
 11 observations, did you form an opinion?  
 12 A. Yes, I did.  
 13 Q. What is that opinion?  
 14 A. That the substance contained heroin.  
 15 Q. Did you complete your analysis of that  
 16 item before moving to the second item?  
 17 A. Yes. I repackaged it into the zip-lock  
 18 bag it came in, and repackaged that into the  
 19 evidence envelope, and sealed that before I moved  
 20 onto item No. 2.  
 21 Q. And so how did you analyze item No. 2?  
 22 A. I, again, began with just taking the  
 23 net weight, which was .94 grams of a crystalline  
 24 material, moved on to my presumptive tests and  
 25 obtained an orange color, which is a presumptive

1 (The audio-recorded proceedings concluded.)  
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1 positive for methamphetamine, and moved on to the  
 2 confirmatory instrument, the IR.  
 3 Q. And based upon your analysis and  
 4 observations, did you form an opinion as to that  
 5 item?  
 6 A. Yes, I did.  
 7 Q. And what is that opinion?  
 8 A. That the sample contains  
 9 methamphetamine.  
 10 Q. And do you hold both of those opinions  
 11 to within a reasonable forensic scientist  
 12 certainty?  
 13 A. I do.  
 14 Q. And you repackaged the methamphetamine  
 15 in a similar manner that you previously described  
 16 for the heroin?  
 17 A. Yes, I did.  
 18 MS. REILLY: I think that's all I have for  
 19 you.  
 20 THE WITNESS: Okay.  
 21 MS. REILLY: That's all of the evidence I  
 22 intend to present this morning. If you have any  
 23 questions, both of my witnesses are still present.  
 24 And with that, I will excuse myself and  
 25 you may begin to deliberate. Thank you.

1 R E P O R T E R ' S C E R T I F I C A T E  
 2  
 3  
 4 I, Tiffany Fisher, RPR, Official Court  
 5 Reporter, County of Ada, State of Idaho, hereby  
 6 certify:  
 7 That I am the reporter who transcribed  
 8 the proceedings had in the above-entitled action  
 9 in machine shorthand and thereafter the same was  
 10 reduced into typewriting under my direct  
 11 supervision; and  
 12 That to the extent the audio was audible  
 13 and intelligible, the foregoing transcript  
 14 contains a full, true, and accurate record of the  
 15 proceedings had in the above and foregoing cause,  
 16 which was heard at Boise, Idaho.  
 17 IN WITNESS WHEREOF, I have hereunto set  
 18 my hand October 3, 2016.  
 19  
 20  
 21  
 22 Tiffany Fisher, RPR, Official Court Reporter  
 23 CSR No. 979  
 24  
 25

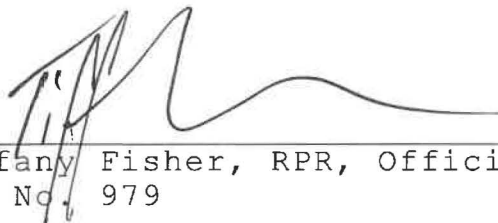
R E P O R T E R ' S C E R T I F I C A T E

1  
2  
3  
4 I, Tiffany Fisher, RPR, Official Court  
5 Reporter, County of Ada, State of Idaho, hereby  
6 certify:

7 That I am the reporter who transcribed  
8 the proceedings had in the above-entitled action  
9 in machine shorthand and thereafter the same was  
10 reduced into typewriting under my direct  
11 supervision; and

12 That to the extent the audio was audible  
13 and intelligible, the foregoing transcript  
14 contains a full, true, and accurate record of the  
15 proceedings had in the above and foregoing cause,  
16 which was heard at Boise, Idaho.

17 IN WITNESS WHEREOF, I have hereunto set  
18 my hand October 3, 2016.

19  
20  
21  
22   
23 \_\_\_\_\_  
24 Tiffany Fisher, RPR, Official Court Reporter  
25 CSR No. 979

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant

DAVID A. STEWART, ISB #7932  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN,

Defendant.

Case No. CR-FE-2016-9419

NOTICE OF HEARING  
(MOTION TO SUPPRESS)

TO: THE STATE OF IDAHO, Plaintiff, and to the Ada County Prosecutor:

YOU, AND EACH OF YOU, are hereby notified that Defendant will call on for hearing MOTION TO SUPPRESS, which is now on file with the Court. Said hearing shall take place on **January 20, 2017** at **10:00 am** in the courtroom of the above-entitled court, or as soon thereafter as counsel may be heard.

DATED December 21, 2016.

ANTHONY R. GEDDES  
Chief Public Defender



*For* David A. Stewart  
Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on December 21, 2016 I electronically served a true and correct copy of the within instrument to the Ada County Prosecutor.



Quincy Harris



**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

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

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

STATE OF IDAHO, )  
)  
Plaintiff, )  
)  
vs. )  
)  
RONALD EUGENE VAUGHN, )  
)  
Defendant. )  
\_\_\_\_\_ )


**Case No. CR-FE-2016-9419**

**NOTICE OF HEARING**

**TO: David Stewart**, Attorney of Record, you will please take notice that on the 10<sup>th</sup> day of February, 2017 at the hour of 10:00 am of said day, or as soon thereafter as counsel can be heard, the Court has rescheduled the hearing to be held on the Defendant's Motion to Suppress.

**DATED** this 17 day of January, 2017.

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney



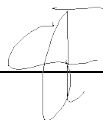
By: Heather C. Reilly  
Deputy Prosecuting Attorney

## CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on this the 18th day of January, 2017 I caused to be served, a true and correct copy of the foregoing Notice of Hearing upon the individual(s) named below in the manner noted

David Stewart, Ada County Public Defender's Office, 200 W Front St., R1107, Boise, ID 83702

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

  
\_\_\_\_\_

<b>Description</b>	Hoagland - Hardy - Olesek - February 10, 2017		
<b>Date</b>	2/10/2017	<b>Location</b>	1A-CRT503
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">09:57:45 AM</a>		<b>CRFE16.9419 - State v. Ronald Vaughn - Motion to Suppress - Custody - David Stewart - Heather Reilly</b>	
<a href="#">09:57:57 AM</a>	Judge Samuel Hoagland	Reviews file	
<a href="#">09:59:10 AM</a>	Defense Counsel	Discusses the timing of the case, more focused on reasonable suspicion for purpose of the stop	
<a href="#">10:01:54 AM</a>	State's Attorney	Responds to defense's comments	
<a href="#">10:03:44 AM</a>	Judge Samuel Hoagland	Clarifies who has the burden	
<a href="#">10:04:10 AM</a>	State's Attorney	Discusses burden	
<a href="#">10:04:41 AM</a>	Defense Counsel	Has the burden initially but the burden shifts to the state to show there wasn't a violation	
<a href="#">10:06:04 AM</a>		There is a rule that says the defendant can testify at a motion to suppress and it can't be used against him at trial	
<a href="#">10:17:28 AM</a>	Judge Samuel Hoagland	Reviewed case that allows the defendant to testify and not have it used against him but advises defendant that if there is a different rule of law he may have waived his right to remain silent	
<a href="#">10:20:07 AM</a>	Defense Counsel	Asks to research issue	
<a href="#">10:26:04 AM</a>	Judge Samuel Hoagland	Will reset hearing to 2/24/17 at 3:30 pm to allow counsel to review issue and make sure the defendant is not waiving his 5th amendment right if he testifies	
<a href="#">10:29:44 AM</a>		End of Case	

**ADA COUNTY PUBLIC DEFENDER**  
**Attorneys for Defendant**  
**David A. Stewart, ISB #7932**  
**200 West Front Street, Suite 1107**  
**Boise, Idaho 83702**  
**Telephone: (208) 287-7400**  
**Facsimile: (208) 287-7409**

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

<b>STATE OF IDAHO,</b>	)	
	)	<b>Case No. CR-FE-2016-9419</b>
<b>Plaintiff,</b>	)	
	)	<b>DEFENDANT’S SUPPLEMENT TO</b>
<b>vs.</b>	)	<b>MOTION TO SUPPRESS</b>
	)	
<b>RONALD E VAUGHN,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

COMES NOW, RONALD E VAUGHN, the defendant above-named, and by and through his attorney DAVID A. STEWART, Ada County Public Defender’s Office, hereby submits the following supplemental memorandum and affidavit in support of his Motion to Suppress and Memorandum Thereof.

**RELEVANT PROCEDRAL HISTROY**

On February 10, 2017, Defendant appeared before the Court for a hearing regarding his Motion to Suppress filed on December 14, 2017. Before proceeding with the hearing, the Court inquired who had the burden. State correctly responded that the defendant has the burden to establish that he had standing to bring said motion and to establish a basis for his motion. Defendant, through counsel, informed the court that he would testify to establish grounds for the

SUPPLEMENTAL MEMORANDUM IN SUPPORT OF THE MOTION TO SUPPRESS 1

Motion to Suppress. The Court then inquired whether the defendant is making a partial waiver or a full waiver of his right against self-incrimination. Upon further discussion of this particular issue, the Court reset the Suppression Hearing to February 24, 2017 at 10:00 a.m. and directed both the State and the Defendant to submit supplemental briefing on the issue regarding whether the Defendant is making a partial waiver or a full waiver of his right against self-incrimination.

### ARGUMENT

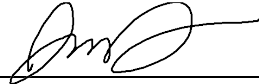
The Fifth Amendment protects the people from being compelled to testify against him or herself. U.S. Const. amend. V. It is the right of the defendant to choose whether or not to testify. *DeRushe v. State*, 146 Ofsjp 599, 200 P.3d 1148 (2009). However, if a defendant chooses to testify in support of a motion to suppress the United States Supreme Court has held that such testimony cannot be admitted as evidence of the defendant's guilt at trial. *United States v. Salvucci*, 448 U.S. 83 (1980), citing *Simmons v. United States*, 390 U.S. 377 91968). Furthermore, the defendant cannot be subject to cross-examination as to other issues in the case when testifying upon a preliminary matter, such as a motion to suppress hearing. *Idaho Rules of Evidence*, 104(d).

In this case, Mr. Vaughn will be testifying regarding the stop of his vehicle by police for speeding and the subsequent removal of his person from his vehicle for the purpose of a search of his vehicle without a warrant. This testimony then will shift the burden to the state to show either the government had a warrant to search his vehicle or a valid exception to the warrant requirement. *State v. Jones*, 126 Idaho 791, 792 (Ct. App. 1995). Wherefore, Mr. Vaughn's testimony at the Motion to Suppress hearing may not be admitted as evidence of his guilt at trial.

**CONCLUSION**

For the foregoing reasons stated above, Defendant may choose to testify at the Motion to Suppression hearing and be rest assured that the state will not present such testimony as evidence of his guilt at trial.

**DATED**, this 9th day of February 2017.



---

**DAVID A. STEWART**  
**Deputy Ada County Public Defender**

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that on February 10, 2017, I served a true and correct copy of the within instrument to the Ada County Prosecutor.



---

Yolanda Smith

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

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

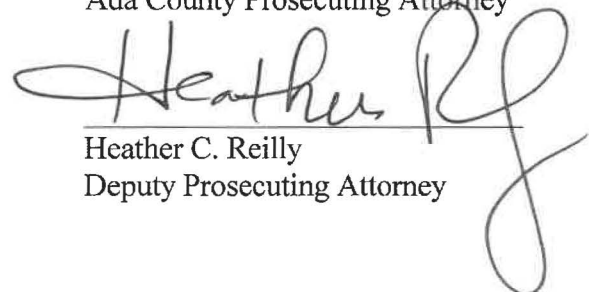
IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

THE STATE OF IDAHO,	)	
	)	
Plaintiff,	)	<b>Case No. CR-FE-2016-9419</b>
vs.	)	
	)	<b>DISCOVERY</b>
RONALD EUGENE VAUGHN,	)	<b>RESPONSE TO COURT</b>
	)	
Defendant.	)	
	)	
	)	
	)	
	)	

COMES NOW, Heather C. Reilly, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, and informs the Court that the State has complied with the Defendant's Request for Discovery.

RESPECTFULLY SUBMITTED this 14 day of February 2017.

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

  
Heather C. Reilly  
Deputy Prosecuting Attorney


**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on this 14<sup>th</sup> day of February 2017, I caused to be served, a true and correct copy of the foregoing Discovery Response to Court upon the individual(s) named below in the manner noted:

David Stewart, Ada County Public Defender's Office, 200 W Front St., R1107, Boise, ID 83702

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

*\* Court file and serve*

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



**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

**Heather C. Reilly**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 366  
Boise, Id. 83702  
Telephone: (208) 287-7700

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

THE STATE OF IDAHO,	)	
	)	
Plaintiff,	)	<b>Case No. CR-FE-2016-9419</b>
	)	
vs.	)	<b>REQUEST FOR DISCOVERY</b>
	)	
RONALD EUGENE VAUGHN,	)	
	)	
Defendant.	)	
_____	)	

**TO THE ABOVE NAMED DEFENDANT:**

**PLEASE TAKE NOTICE** that the undersigned, pursuant to Rule 16 of the Idaho Criminal Rules, requests Discovery and inspection of the following:

(1) Documents and Tangible Objects:

Request is hereby made by the prosecution to inspect and copy or photograph books, papers, documents, photographs, tangible objects or copies or portions thereof, which are within the possession, custody or control of the defendant, and which the defendant intends to introduce in evidence at trial.

(2) Reports of Examinations and Tests:

The prosecution hereby requests the defendant to permit the State to inspect and copy or photograph any results or reports of physical or mental examinations and of scientific tests or

experiments made in connection with this case, or copies thereof, within the possession or control of the defendant, which the defendant intends to introduce in evidence at the trial, or which were prepared by a witness whom the defendant intends to call at the trial when the results or reports relate to testimony of the witness.

(3) Defense Witnesses:

The prosecution requests the defendant to furnish the State with a list of names and addresses of witnesses the defendant intends to call at trial.

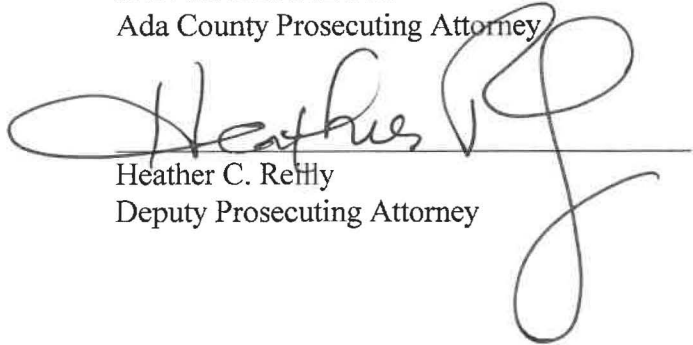
(4) Expert Witnesses:

The prosecution requests the defendant to provide a written summary or report of any testimony that the defense intends to introduce pursuant to Idaho Criminal Rule 16(c)(4), including the facts and data supporting the opinion and the witness's qualifications.

(5) Pursuant to Idaho Code Section 19-519, the State hereby requests that the defendant state in writing within ten (10) days any specific place or places at which the defendant claims to have been at the time of the alleged offense and the names and addresses of the witnesses upon whom he intends to rely to establish such alibi.

**DATED** this 14 day of February 2017.

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney



Heather C. Reilly  
Deputy Prosecuting Attorney


**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 14<sup>th</sup> day of February 2017, I caused to be served, a true and correct copy of the foregoing Request for Discovery upon the individual(s) named below in the manner noted:

David Stewart, Ada County Public Defender's Office, 200 W Front St., R1107, Boise, ID 83702

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

*\* court file and serve*

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

**JAN M BENNETTS**  
Ada County Prosecuting Attorney

**Heather C. Reilly**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Phone: 287-7700  
Fax: 287-7709

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

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
RONALD EUGENE VAUGHN, )  
)  
Defendant, )  
)  
)  
\_\_\_\_\_ )

**Case No. CR-FE-2016-9419**

**NOTICE OF INTENT TO USE  
EVIDENCE PURSUANT TO  
I.R.E. 404(b) and I.C.R. 16**

**COMES NOW**, Heather C. Reilly, Deputy Prosecuting Attorney for the County of Ada, State of Idaho, and out of an abundance of caution notifies the Court and Counsel of intent to use evidence of the Defendant’s other crimes, wrongs or acts to establish or prove motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident and common scheme or plan pursuant to I.R.E. 404(b) and I.C.R. 16 in the State’s case in chief. The general nature of the evidence will include the following:

A description of the Defendant’s on going heroin distribution and trafficking. Specifically including, the prior investigation from May 16th, 2016, when Boise City Police

(BPD) Detective Coy Bruner and Drug Enforcement Administration (DEA) Special Agent (SA) Williams utilized a confidential informant (CI) to make a controlled purchase of heroin from a subject of an ongoing investigation. Prior to meeting with the subject(s) of the investigation the CI and his/her vehicle was searched by law enforcement and it was confirmed that he/she was not in possession of any contraband. In addition, after the delivery of controlled substance occurred, the CI and his/her vehicle was searched again, confirming no additional contraband present. During the controlled purchase, the subject of investigation, identified as Katie Marrow, advised the confidential informant that he/she was going to give the confidential informant's money to another party, who was then going to go get the heroin from the source of supply. Detective Bruner monitored these conversations in real time, as the confidential informant was wearing an electronic transmitting device (wire) at the time of the transaction. Law enforcement officials were conducting surveillance during which time Marrow was observed meeting with another person, positively identified as Jon Welsh. Detective Bruner was familiar with Welsh, and his girlfriend Monica Bowman, whom was also positively identified. Welsh and Bowman were known to law enforcement as both Welsh and Bowman were individually subjects of prior drug investigations.

During surveillance, Welsh was observed meeting with an unidentified white male, whom Bowman verbally identified to the confidential informant as the "hook," indicating he was the individual that was going to go to take Welsh to the heroin source in order to obtain the heroin. As officer's watched, the unidentified male got into Welsh's vehicle and they were followed to Rose Hill Street and Eiden Drive, where Welsh parked on the side of the road. The unidentified male was subsequently observed exiting Welsh's vehicle and entering the residence located at 3108 Rose Hill Street in Boise, Ada County, Idaho.

A few minutes later the unidentified male was observed exiting the residence and re-entering Welsh's vehicle. Welsh then drove back to the CI's location with the surveillance team following. Upon their return, Welsh was observed meeting with the Marrow, who then immediately met with the confidential informant and delivered 4.7 grams (TPW) of suspected heroin that later NIK tested presumptive-positive for heroin and was confirmed by the Idaho State Police Laboratory to be trafficking weight of heroin.

Based on Detective Bruner's training and experience the activities witnessed were consistent with a drug transaction wherein the drug-money is "fronted" to the "hook" or "middle-man" who then travels to the source of supply, obtains the drugs, and then returns to deliver the drugs to the purchaser or, as in this case, the seller to the purchaser. These observed actions were further corroborated by the real-time conversations monitored between the confidential informant and the Marrow wherein Marrow confirmed that she was going to "front" the money to an individual (Welsh) who was then going to meet with another subject (unidentified male) and they were going to go to the source to pick-up the heroin and then return to deliver the heroin. (Both Welsh and Marrow are facing Trafficking charges as a result of the above described investigation in Ada County Case Numbers: CR01-16-34806 & CR01-16-34807.)

During the operation law enforcement obtained a license plate (2CMD043) from a white Ford F150 parked in the driveway of the "source house" located at 3108 Rose Hill Street in Boise, Ada County, Idaho, which in fact returned to Ronald Eugene Vaughn. Additional research utilizing law enforcement databases confirmed 3108 Rose Hill Street to be the residence of the Defendant, Ronald Eugene Vaughn (04/26/1969).

During the course of the investigation into the Defendant's on-going conduct, law enforcement conducted surveillance on Defendant and/or his residence. Specifically including on May 18<sup>th</sup>, 2016, when Detective Bruner and SA Williams conducted surveillance at 3108 Rose Hill Street. During the surveillance, law enforcement witnessed short-term traffic at the residence that was consistent with drug sales.

In addition, on June 14, 2016, the Defendant sold heroin in trafficking quantities to individual assisting law enforcement as documented and described in police reports and other materials identified as Boise City Police DR 2016-614-211. The substance delivered by the Defendant was confirmed by the Idaho State Police Laboratory to be 3.42 grams of Heroin. (Laboratory Case No. M2016-2467).

Finally, during an interview with law enforcement on July 22, 2016, after the Defendant was advised of his rights pursuant to *Miranda*, the Defendant admitted that he had been routinely selling heroin since March (2016) and he would travel to Salt Lake City two (2) or three (3) times per week to pick up an ounce of heroin. Defendant admitted he pays

**NOTICE OF INTENT TO USE EVIDENCE PURSUANT TO I.R.E. 404(b) (VAUGHN),**  
Page 3


between \$1200 – \$1500 per ounce and usually hides it inside the tailgate of his truck. Defendant admitted his last trip to Salt Lake City prior to July 22, 2016, was six weeks prior. Defendant went on to describe a local source of heroin and that he can sell heroin for \$200 – \$300 per gram in Idaho. Law enforcement located text messages on the Defendant’s cell phone consistent with drug distribution.

The above evidence is summarized in the police reports and other materials previously provided in discovery as well as the recording of the interview with Defendant, also provided to Counsel for Defendant.

To the extent the Defendant’s admission to on-going drug trafficking and distribution of heroin is considered other crimes wrongs or acts the State urges this Honorable Court to allow admission of the evidence in the State’s case in chief. In addition, the State seeks admission of the previous investigation into the Defendant’s distribution of heroin as described above as evidence of the Defendant’s continuing plan, knowledge, intent and lack of mistake or accident. It is the State’s position that the evidence is not unfairly prejudicial to the Defendant.

**DATED** this 23rd day of February 2017.

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney



---

By: Heather C. Reilly  
Deputy Prosecuting Attorney


## CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on this 23rd day of February 2017, I caused to be served, a true and correct copy of the foregoing Addendum to Discovery upon the individual(s) named below in the manner noted:

Name and address: David Stewart, Ada County Public Defender's Office, 200 W Front St., R1107, Boise, ID 83702

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

ICourt efile and serve

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



<b>Description</b>	Hoagland - Hardy - Olesek - February 24, 2017		
<b>Date</b>	2/24/2017	<b>Location</b>	1A-CRT503
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">03:23:25 PM</a>		<b>CRFE16.09419 - State v. Ronald Vaughn - M/To Suppress - Custody - David Stewart - Heather Reilly</b>	
<a href="#">03:23:38 PM</a>	Judge Samuel Hoagland	Reviews file	
<a href="#">03:24:31 PM</a>	Defense Counsel	Calls Ronald Vaughn	
<a href="#">03:25:34 PM</a>	Witness	Sworn in	
<a href="#">03:25:38 PM</a>	Defense Counsel	Direct examination	
<a href="#">03:25:48 PM</a>	Witness	Answers questions	
<a href="#">03:30:44 PM</a>	State's Attorney	Cross Examination	
<a href="#">03:32:03 PM</a>	Witness	Answers questions	
<a href="#">03:36:21 PM</a>	Defense Counsel	Objection - beyond the scope of direct	
<a href="#">03:36:33 PM</a>	Judge Samuel Hoagland	Will allow the question, overruled	
<a href="#">03:41:19 PM</a>		Excuses witness	
<a href="#">03:41:51 PM</a>	Defense Counsel	Argues that the burden shifts to the state to show why a warrant wasn't needed	
<a href="#">03:42:28 PM</a>	State's Attorney	Ready to move forward if the defense has shifted the burden	
<a href="#">03:43:33 PM</a>	Defense Counsel	Clarifies position of the defense	
<a href="#">03:44:00 PM</a>	Judge Samuel Hoagland	Defense has made a prima facie showing and have the state proceed	
<a href="#">03:44:50 PM</a>	State's Attorney	Asks that the court take judicial notice of the grand jury transcript and the GPS warrant	
<a href="#">03:45:12 PM</a>	Defense	No legal objection	

	Counsel	
<a href="#">03:46:18 PM</a>	Judge Samuel Hoagland	Will take judicial notice of exhibits as provided by the state
<a href="#">03:46:25 PM</a>	State's Attorney	Calls Detective Coy Burner
<a href="#">03:46:48 PM</a>	Burner	Sworn in
<a href="#">03:47:30 PM</a>	State's Attorney	Direct examination
<a href="#">03:47:37 PM</a>	Burner	Answers questions
<a href="#">03:48:09 PM</a>	Defense Counsel	Will stipulate to the qualifications of the detective
<a href="#">03:52:40 PM</a>		Objects to the relevance
<a href="#">03:52:56 PM</a>	Judge Samuel Hoagland	Objection is overruled
<a href="#">04:02:16 PM</a>	State's Attorney	Offering the affidavit
<a href="#">04:02:17 PM</a>	Defense Counsel	Objection - lack of foundation
<a href="#">04:02:26 PM</a>	Judge Samuel Hoagland	Finish foundation
<a href="#">04:04:41 PM</a>	State's Attorney	Moves to admit state's exhibit 2
<a href="#">04:04:42 PM</a>	Defense Counsel	No objection
<a href="#">04:04:43 PM</a>	Judge Samuel Hoagland	Will admit state's exhibit 2
<a href="#">04:24:11 PM</a>	Defense Counsel	Cross Examination
<a href="#">04:24:27 PM</a>	Witness	Answers questions
<a href="#">04:26:52 PM</a>	Judge Samuel Hoagland	Excuses witness
<a href="#">04:27:08 PM</a>	Defense	Closing arguments

	Counsel	
<a href="#">04:31:10 PM</a>	State's Attorney	Closing arguments
<a href="#">04:36:40 PM</a>	Defense Counsel	Final arguments
<a href="#">04:40:07 PM</a>	Judge Samuel Hoagland	Will deny the motion to suppress
<a href="#">04:44:18 PM</a>		Will proceed with PTC
<a href="#">04:47:59 PM</a>	State's Attorney	Puts on the record the last and best plea bargain; offer has been revoked
<a href="#">04:50:01 PM</a>	Defense Counsel	State did communicate offer, defendant has rejected the offer
<a href="#">04:51:48 PM</a>	State's Attorney	Discusses notice of intent to use evidence
<a href="#">04:56:07 PM</a>		End of Case

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

**Heather C. Reilly**  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Phone: 287-7700  
Fax: 287-7709

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

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
RONALD EUGENE VAUGHN, )  
)  
Defendant, )  
)  
)  
)  
\_\_\_\_\_ )

**Case No. CR-FE-2016-9419**

**STATE'S LIST OF POTENTIAL  
TRIAL WITNESSES**

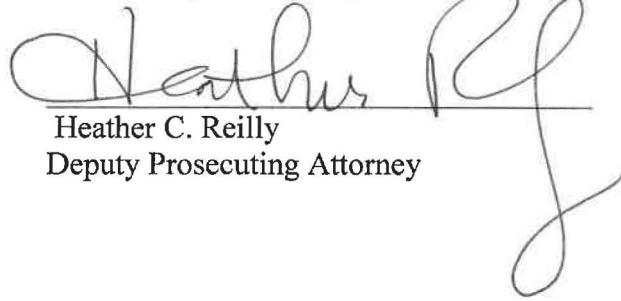
**COMES NOW**, Heather C. Reilly, Deputy Prosecuting Attorney, in and for the County of Ada, State of Idaho, and does hereby provide the following list of potential trial witnesses:

1. Officer Tim Beaudoin, Boise Police Department
2. Detective Coy Bruner, Boise Police Department
3. Deputy Morgan Case, Ada County Sheriff's Office
4. Officer Devon Ellis, Boise Police Department
5. Officer Michelle Havens, Boise Police Department
6. Officer Steve Martinez, Boise Police Department
7. Officer Tommy Sessions, Garden City Police Department
8. Detective Joel Teuber, Boise Police Department

- 9. Ryun Murray, Ada County Sheriff's Office
- 10. Mike Williams, DEA
- 11. Kerry Hogan, ISP Forensic Lab

DATED this 27 day of February 2017.

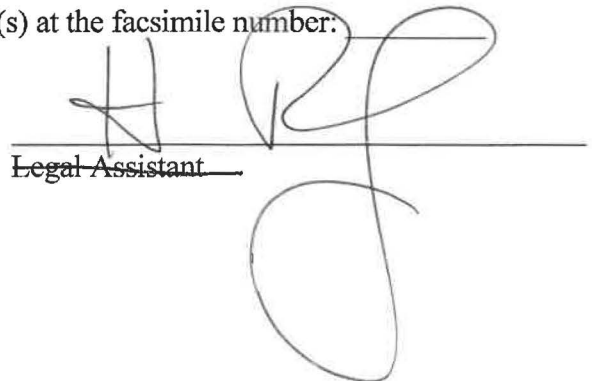
**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

  
Heather C. Reilly  
Deputy Prosecuting Attorney

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on this 27 day of February 2017, a true and correct copy of the foregoing State's Potential List of Trial Witnesses was served to **David Stewart, Ada County Public Defender's Office, 200 W Front St., R1107, Boise, ID 83702**, in the manner noted below:

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

  
Legal Assistant

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant  
DAVID A. STEWART, ISB #7932  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,	)	Case No. CR-FE-2016-9419
Plaintiff,	)	
	)	
vs.	)	MOTION IN LIMINE
	)	AND MEMORANDUM
	)	IN SUPPORT THEREOF
RONALD E. VAUGHN,	)	
Defendant.	)	
_____	)	

**MOTION**

**COMES NOW**, the above-named Defendant, RONALD E. VAUGHN, by and through his Attorney of Record, the Ada County Public Defender’s Office, DAVID A. STEWART, handling attorney, and hereby moves this Honorable Court for its Order to exclude:

1. Any and all prior drug trafficking activity as outlined in the state’s Notice of Intent to Use 404(b) Evidence.

Such evidence is a show of propensity evidence and is unfairly prejudicial. Defendant’s motion is based upon Idaho Rules of Evidence 403, and 404(b), and supporting case law which will be memorialized in the following Memorandum.

**MEMORANDUM**

**I. EVIDENCE OF PRIOR ACTIVITY TO THE EVENTS IN QUESTION SHOW DEFENDANT’S PROPENSITY AND IS UNFAIRLY PREJUDICIAL**

Relevant evidence may be excluded provide that the “probative value is substantially outweighed by the danger of unfair prejudice.” I.R.E. 403. “To exclude evidence under Rule 403, the trial court must address whether the probative value is substantially outweighed by one of the considerations listed in the

Rule.” *State v. Ruiz*, 150 Idaho 469, 471, 248 P.3d 720, 722 (2010) citing *State v. Meister*, 148 Idaho 236, 241, 220 P.3d 1055, 1060 (2009).

In order for the court to make the determination that evidence be admitted against an objection pursuant to I.R.E. 404(b), “the trial court must first determine whether there is sufficient evidence of the prior acts that a reasonable jury could believe the conduct actually occurred. If so, then the court must consider: (1) whether the prior acts are relevant to a material dispute issue concerning the crime charged, other than propensity; and (2) whether the probative value is substantially outweighed by the danger of unfair prejudice.” *Id.* citing also *State v Parmer*, 147 Idaho 210, 214, 207 P.3d 186, 190 (Idaho App. 2009).

In the instant case, Boise City Police Detective Bruner conducted surveillance investigation of Defendant’s involvement in drug dealing. This investigation commenced against Defendant in May 2016. Detective Bruner gathered enough information from surveillance, controlled buys, and conversations between confidential informants and defendant to acquire a search warrant of defendant’s resident located at 3081 Rosehill, Boise, Idaho and subsequently acquiring a warrant to place a GPS tracking device on defendant’s truck. It was believed that Defendant went to Salt Lake City, Utah to get his supply of heroin.

Although the residential search warrant was never executed, police did track Defendant’s driving activity. It was on July 22, 2016 that Detective Bruner and Special Agent Williams observed the GPS tracking surveillance of Defendant’s vehicle travel to Salt Lake City, Utah and then later return to Idaho. Once Defendant was back in Ada County, police initiated a traffic stop upon Defendant for speeding. Mr. Vaughn was eventually arrested for possession of drug paraphernalia and his truck was impounded and searched. After several hours, police were finally able to locate what was believed to be heroin in an obscure place in Defendant’s truck.

The state under Idaho Rule of Evidence 404(b) claims that the probative value of the evidence far outweighs the prejudicial effect upon the jury because it is presented to show plan, scheme, intent, motive and so forth. However, this prior investigation of defendant’s drug dealing activity prior to the placement of the GPS tracking device upon Defendant’s vehicle will inflame the jury. In addition, the prior conduct

of defendant goes to show that he had sold trafficking amount of heroin in the past; therefore, he will do it again and has done it in this case. In other words, because of the prior investigation the jury will likely be inflamed to believe that Mr. Vaughn is guilty because of his prior acts. Therefore, the evidence of Defendant's prior drug dealing activities should be excluded from evidence on the grounds that it will unfairly prejudice the jury against Defendant and will mislead the jury to believe that because Defendant dealt in trafficking quantities in the past, he will do it again.

**II. EVIDENCE OF DEFENDANT'S PRIOR DRUG DEALING ACTIVITY IS CUMMULATIVE EVIDENCE AND UNNECESSARY FOR THE STATE TO PROVE DEFENDANT COMMITTED THE CRIME OF TRAFFICKING.**

"To exclude evidence under Rule 403, the trial court must address whether the probative value is substantially outweighed by one of the considerations listed in the Rule." *State v. Ruiz*, 150 Idaho 469, 471, 248 P.3d 720, 722 (2010) citing *State v. Meister*, 148 Idaho 236, 241, 220 P.3d 1055, 1060 (2009).

Rule 403 specifically prohibits any relevant evidence to be introduce if it is determined to that it will confuse the issue, misleads the jury, "or by considerations of undue delay, wast of time, or needless presentation of cumulative evidence.

He we have a simple, straightforward case that does not require a whole lot of facts to prove guilty. In order for the state to prove that Defendant committed the offense of Trafficking, the state need only show the following:

1. On or about July 22, 2016,
2. In the state of Idaho,
3. The defendant, possessed seven (7) grams or more heroin, and
4. The defendant knew it was heroin.

The state does not have an onerous task of proving that Mr. Vaughn possessed more than seven (7) grams. There is no requirement for the state to prove that he deals drugs. All it needs to do is present evidence that Mr. Vaughn knowingly possessed more than seven (7) grams of heroin.

It simply appears that the state wants to present evidence of defendant's prior drug dealings to bolster the fact that Mr. Vaughn deals drugs. Again, the state does not need to prove the Mr. Vaughn was



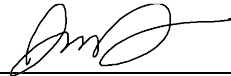
selling drugs but simply possessed more than seven (7) grams of heroin and that the defendant knew it was heroin. Therefore, the evidence of all prior drug-trafficking activity as outlined in the state's Notice of Intent to Use 404(b) Evidence leading up to the arrest of Mr. Vaughn is unnecessary, cumulative, inflammatory, and only serves to bolster the state's case.

### CONCLUSION

For the reasons stated herein, we pray that the court find that the prior investigation is unfairly prejudicial as it only serves to show to the jury that Mr. Vaughn deals drugs. We also pray that the court find that the proposed evidence of the prior investigation is unnecessary, cumulative, inflammatory, and only serves the purpose to bolster the state's case that Mr. Vaughn possessed more than seven (7) grams of heroin.

WHEREFORE, Any and all prior drug trafficking activity as outlined in the state's Notice of Intent to Use 404(b) Evidence leading up to the arrest of Mr. Vaughn should be excluded under I.R.E. 403 and 404(b).

RESPECTFULLY SUBMITTED February 28, 2017.



---

David A. Stewart  
Attorney for Defendant

### CERTIFICATE OF MAILING

I HEREBY CERTIFY that on February 28, 2017, I served a true and correct copy of the within instrument to the Ada County Prosecutor.



---

Yolanda Smith

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

**Heather C. Reilly**  
Deputy Prosecuting Attorney  
200 West Front Street, Room 3191  
Boise, ID 83702  
Telephone: (208) 287-7700


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

THE STATE OF IDAHO,	)	
	)	
Plaintiff,	)	<b>Case No. CR-FE-2016-9419</b>
vs.	)	
	)	<b>ADDENDUM TO DISCOVERY</b>
RONALD EUGENE VAUGHN,	)	<b>RESPONSE TO COURT</b>
	)	
Defendant.	)	
	)	
_____	)	

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

**RESPECTFULLY SUBMITTED** this 1<sup>st</sup> day of March 2017.

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

  
By: Heather C. Reilly  
Deputy Prosecuting Attorney


**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on this 1<sup>st</sup> day of March 2017, I caused to be served, a true and correct copy of the foregoing Addendum to Discovery upon the individual(s) named below in the manner noted:

Name and address: David Stewart, Ada County Public Defender's Office, 200 W Front St., R1107, Boise, ID 83702

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

*\* Court e file & serve*

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

<b>Description</b>	Hoagland - Hardy - Olesek - March 6, 2017		
<b>Date</b>	3/6/2017	<b>Location</b>	1A-CRT503
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">08:32:06 AM</a>		<b>CRFE16.9419 - State v. Ronald Vaughn - Status Conference - Custody - David Stewart - Heather Reilly</b>	
<a href="#">08:32:28 AM</a>	Judge Samuel Hoagland	Reviews file	
<a href="#">08:32:32 AM</a>	Defense Counsel	Puts on the record that defendant is choosing to not put on street clothes,	
<a href="#">08:33:09 AM</a>	Judge Samuel Hoagland	Questions defendant regarding wearing street clothes	
<a href="#">08:33:11 AM</a>	Defendant	Answers questions	
<a href="#">08:33:33 AM</a>	Counsel	Stipulates that any audio and video does not have to be recorded	
<a href="#">08:34:24 AM</a>	Defense Counsel	This is a life potential case	
<a href="#">08:34:34 AM</a>	Judge Samuel Hoagland	Each side will have 10 pre-empts	
<a href="#">08:35:27 AM</a>		Explains the defendant who was dismissed for cause by stipulation of counsel	
<a href="#">08:36:46 AM</a>	Court	Gives counsel FTAs for the day	
<a href="#">08:40:34 AM</a>	Judge Samuel Hoagland	Discusses the motion in limine	
<a href="#">08:41:10 AM</a>	Defense Counsel	Will submit	
<a href="#">08:41:14 AM</a>	State's Attorney	Argues for evidence to be allowed in	
<a href="#">08:45:28 AM</a>	Defense Counsel	Final arguments	
<a href="#">08:47:00 AM</a>	Judge Samuel Hoagland	Will allow the evidence in general terms	

<a href="#">08:49:42 AM</a>	State's Attorney	Argues for 404(b) evidence
<a href="#">08:56:13 AM</a>	Defense Counsel	Argues against admitting statements
<a href="#">08:58:20 AM</a>	State's Attorney	Final comments
<a href="#">09:02:58 AM</a>	Defense Counsel	Final comments
<a href="#">09:04:53 AM</a>	Judge Samuel Hoagland	Questions counsel regarding Miranda issues
<a href="#">09:05:10 AM</a>	State's Attorney	Answers questions
<a href="#">09:09:01 AM</a>	Defense Counsel	Final comments
<a href="#">09:10:35 AM</a>	Judge Samuel Hoagland	No violation of Miranda at the scene, the evidence is admissible, court will not exclude the evidence
<a href="#">09:14:57 AM</a>		Reads order excluding witnesses
<a href="#">09:18:19 AM</a>	State's Attorney	Wants to clarify the record
<a href="#">09:18:25 AM</a>	Judge Samuel Hoagland	Comments
<a href="#">09:22:04 AM</a>		End of Case

<b>Description</b>	Hoagland - Hardy - Olesek - March 6, 2017		
<b>Date</b>	3/6/2017	<b>Location</b>	1A-CRT503
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">09:39:05 AM</a>		<b>CRFE16.9419 - State v. Ronald Vaughn - Jury Trial - Day 1 - Custody - David Stewart - Heather Reilly</b>	
<a href="#">09:39:10 AM</a>	Counsel	Waive roll call of the jury	
<a href="#">09:39:20 AM</a>	Judge Samuel Hoagland	Opening instructions	
<a href="#">09:47:44 AM</a>		Panel sworn in	
<a href="#">09:53:12 AM</a>	Judge Samuel Hoagland	Hardship - 9, 21	
<a href="#">09:53:30 AM</a>	Juror	#9 - has a lot of work to finish before flying out	
<a href="#">09:54:58 AM</a>	Judge Samuel Hoagland	<b>Will excuse juror #9 for cause</b>	
<a href="#">09:55:45 AM</a>	Juror	#21 - family member is being airlifted on Wednesday	
<a href="#">09:56:23 AM</a>	Judge Samuel Hoagland	<b>Will excuse juror #21 for cause</b>	
<a href="#">10:00:34 AM</a>		Previously served on a jury - 8, 17, 27, 30, 34, 36	
<a href="#">10:01:04 AM</a>	Juror	#8 - discusses previous jury service	
<a href="#">10:01:51 AM</a>		#17 - discusses previous jury service	
<a href="#">10:02:30 AM</a>		#27 - discusses previous jury service	
<a href="#">10:03:32 AM</a>		#30 - discusses previous jury service	
<a href="#">10:04:04 AM</a>		#34 - discusses previous jury service	
<a href="#">10:04:48 AM</a>		#36 - discusses previous jury service	
<a href="#">10:05:49 AM</a>	Judge Samuel Hoagland	Make an appearance in front of a judge - 6, 7, 12,16, 18, 19, 22, 24	
<a href="#">10:06:50 AM</a>	Juror	#6 - witness in a DUI case	
<a href="#">10:07:47 AM</a>		#7 - divorce case, treated fairly	

<a href="#">10:08:17 AM</a>		#12 - defendant in grand theft case
<a href="#">10:09:05 AM</a>		#16 - witness and defendant
<a href="#">10:11:35 AM</a>		#22 - criminal cases, defendant
<a href="#">10:12:52 AM</a>		#18 - Witness in an administrative case, defendant in reckless driving case
<a href="#">10:14:41 AM</a>		#19 - involved in 3 civil cases, landlord disputes
<a href="#">10:16:00 AM</a>		#24 - small claims case, treated fairly
<a href="#">10:16:30 AM</a>		#35 - criminal case, minor in possession, defendant, no complaints
<a href="#">10:17:10 AM</a>		#6 - defendant in criminal case, petty theft
<a href="#">10:18:12 AM</a>	Judge Samuel Hoagland	Negative experiences - 17, 18, 20, 22, 28
<a href="#">10:18:41 AM</a>	Juror	#17 - family member going through divorce, can be fair and impartial
<a href="#">10:19:56 AM</a>		#18 - being pulled over, discusses situations, can be fair and impartial
<a href="#">10:22:20 AM</a>		#20 - discusses sister being killed, may be biased
<a href="#">10:23:16 AM</a>	Judge Samuel Hoagland	<b>Will excuse juror #20 for cause</b>
<a href="#">10:23:48 AM</a>	Juror	#37 - was a juror in a criminal case, guilty on one charge, hung jury on other charge
<a href="#">10:24:50 AM</a>	Juror	#22 - discusses prior police conduct, can be fair and impartial
<a href="#">10:26:12 AM</a>		#28 - discusses prior Can be fair and impartial
<a href="#">10:27:18 AM</a>	Judge Samuel Hoagland	Crime victims - 6, 18, 25
<a href="#">10:27:45 AM</a>	juror	#6 - DUI hit parked car, can be fair and impartial
<a href="#">10:29:34 AM</a>		#18 - discusses instances of being a victim
<a href="#">10:32:16 AM</a>		#25 - drunk driver hit car, can be fair and impartial
<a href="#">10:32:54 AM</a>		#31 - house was vandalized, can be fair and impartial
<a href="#">10:34:10 AM</a>	Judge Samuel Hoagland	Friends or family who are law enforcement - 6, 18, 27, 31, 34, 35
<a href="#">10:34:49 AM</a>		#6 - sister works in Elmore County, works in correctional facility, sister's bf works in Ada County jail, can be fair and impartial
<a href="#">10:36:55 AM</a>		#18 - Wife is Canyon County prosecutor, may be biased

<a href="#">10:37:40 AM</a>	Judge Samuel Hoagland	<b>Will excuse juror #18 for cause</b>
<a href="#">10:38:02 AM</a>	Juror	#38 - no additional answers to previous asked questions
<a href="#">10:38:24 AM</a>		#27 - Law enforcement trainer, doesn't officers, can be fair and impartial
<a href="#">10:40:57 AM</a>		#31 - Can be fair and impartial
<a href="#">10:41:22 AM</a>		#34 – Ex-husband was law enforcement, works for Boise PD, can be
<a href="#">10:43:25 AM</a>		#35 - brother works for Oregon prison, can be fair and impartial
<a href="#">10:44:22 AM</a>	Judge Samuel Hoagland	Law enforcement testimony be given more or less weight - 22
<a href="#">10:44:45 AM</a>	Juror	#22 - less weight, discusses
<a href="#">10:46:11 AM</a>	State's Attorney	Has a motion to make regarding juror
<a href="#">10:47:08 AM</a>	Judge Samuel Hoagland	<b>Excuses juror #22 for cause</b>
<a href="#">10:47:28 AM</a>	Juror	#29 - charged with crime, MIP
<a href="#">10:48:25 AM</a>		House was broken into and was almost kidnapped, can be fair and impartial
<a href="#">10:50:11 AM</a>		
<a href="#">10:50:28 AM</a>	Judge Samuel Hoagland	Discusses side bar
<a href="#">10:51:46 AM</a>	State's Attorney	Puts the situation on record
<a href="#">10:52:44 AM</a>	Defense Counsel	Nothing to add
<a href="#">10:52:49 AM</a>	Judge Samuel Hoagland	Did excuse the juror, no need for a mistrial
<a href="#">10:53:51 AM</a>		recess
<a href="#">11:05:54 AM</a>		Recalls case
<a href="#">11:05:57 AM</a>	Judge Samuel Hoagland	Know anyone who works w/court system or law firm - 5, 10, 14, 24, 25, 26, 28



<a href="#">11:06:55 AM</a>	Juror	#5 - Uncle is attorney, can be fair and impartial
<a href="#">11:08:01 AM</a>		#10 - know a few local attorneys, can be fair and impartial
<a href="#">11:08:57 AM</a>		#14 - good friends with local civil attorneys, can be fair and impartial
<a href="#">11:09:40 AM</a>		#24 - used to work w/civil attorneys, can be fair and impartial
<a href="#">11:10:42 AM</a>		#25 - husband was an assistant US attorney, some special knowledge, can be fair and impartial
<a href="#">11:12:12 AM</a>		#26 - know local corporate attorneys, can be fair and impartial
<a href="#">11:13:02 AM</a>		#28 - works w/attorney who does estate planning, can be fair and impartial
<a href="#">11:15:04 AM</a>	Judge Samuel Hoagland	Had a drug problem - 5, 14, 15, 23, 31, 39
<a href="#">11:15:47 AM</a>	Juror	#5 - cousin convicted of drug crime, can be fair and impartial
<a href="#">11:16:36 AM</a>		#14 - cousin addicted to heroin and meth, can be fair and impartial
<a href="#">11:17:24 AM</a>		#15 - family members have been addicted, can be fair and impartial
<a href="#">11:18:18 AM</a>		#23 - 3/4 of family has drug problems, can't be fair or impartial
<a href="#">11:19:33 AM</a>	Judge Samuel Hoagland	<b>Will excuse juror #23 for cause</b>
<a href="#">11:19:53 AM</a>		#40 - been in front of the judge for traffic violations, can be fair and impartial
<a href="#">11:20:20 AM</a>		Victim of a crime, drunk person ran into him,
<a href="#">11:20:26 AM</a>		Drug issues, wife has been sober, drug laws are too lenient, starting at a disadvantage
<a href="#">11:20:42 AM</a>		Friend who is in law enforcement, Facebook friends, not close
<a href="#">11:22:53 AM</a>	Judge Samuel Hoagland	<b>Will excuse juror #40 for cause</b>
<a href="#">11:25:02 AM</a>	juror	#41 - traffic violations, paid fine
<a href="#">11:25:10 AM</a>		Friend is a lawyer, Dave Owen is a tribal lawyer,
<a href="#">11:26:37 AM</a>		#31 - knows people with drug problems, can be fair and impartial
<a href="#">11:27:38 AM</a>		#39 - friend who died from OD, step brother has drug problem
<a href="#">11:28:52 AM</a>	Judge Samuel Hoagland	<b>Will excuse juror #39 for cause</b>

<a href="#">11:29:21 AM</a>		#42 - witness in case, lawsuit due to an injury, can be fair and impartial
<a href="#">11:29:32 AM</a>		Boys have been victim of crime, vehicles were broken into, can be fair and impartial
<a href="#">11:29:37 AM</a>		Cousin with a drug problem, can be fair and impartial
<a href="#">11:32:42 AM</a>	Judge Samuel Hoagland	Strong feelings of the drug laws - 41
<a href="#">11:33:12 AM</a>	Juror	#41 - drug laws are too harsh and too lenient, can be fair and impartial
<a href="#">11:38:53 AM</a>	State's Attorney	Voir dire
<a href="#">12:39:27 PM</a>		recess
<a href="#">12:55:41 PM</a>	Counsel	Stipulate that jury is present and accounted for
<a href="#">12:55:52 PM</a>	Defense Counsel	Voir dire
<a href="#">01:16:48 PM</a>	State's Attorney	Passes the jury for cause
<a href="#">01:16:54 PM</a>	Defense Counsel	Passes the jury for cause
<a href="#">01:43:29 PM</a>	Court	Calls jury into the box
<a href="#">01:46:31 PM</a>	State's Attorney	Jury is acceptable
<a href="#">01:46:33 PM</a>	Defense Counsel	Jury is acceptable
<a href="#">01:47:03 PM</a>	Judge Samuel Hoagland	Excuses remaining panel
<a href="#">01:48:43 PM</a>	Jury	Sworn in
<a href="#">01:49:15 PM</a>	Judge Samuel Hoagland	Opening jury instructions
<a href="#">02:10:31 PM</a>		Excuses jury for the day
<a href="#">02:11:16 PM</a>	State's Attorney	Moves to amend count 3, add the word spoon
<a href="#">02:13:53 PM</a>	Judge Samuel Hoagland	Asks the state to file an amended information

<a href="#">02:14:06 PM</a>	State's Attorney	Will prepare an amended information
<a href="#">02:14:56 PM</a>		End of Case

<b>Description</b>	Hoagland - Hardy - Olesek - March 7, 2017	
<b>Date</b>	3/7/2017	<b>Location</b> 1A-CRT503
<b>Time</b>	<b>Speaker</b>	<b>Note</b>
<a href="#">08:59:49 AM</a>		<b>CRFE16.9419 - State v. Ronald Vaughn - Jury Trial Day 2 - Custody - David Stewart - Heather Reilly</b>
<a href="#">09:00:09 AM</a>	Judge Samuel Hoagland	Reviews file
<a href="#">09:00:12 AM</a>	State's Attorney	Provides an amended information
<a href="#">09:00:34 AM</a>	Defense Counsel	Reviewed the information, no objection
<a href="#">09:00:45 AM</a>	Judge Samuel Hoagland	Questions defendant regarding amended information
<a href="#">09:00:47 AM</a>	Defendant	Answers questions
<a href="#">09:01:37 AM</a>	Judge Samuel Hoagland	Will file the amended information, take the defendant's not guilty plea
<a href="#">09:02:38 AM</a>	State's Attorney	Asks for clarification on the ruling
<a href="#">09:02:48 AM</a>	Judge Samuel Hoagland	Clarifies the ruling
<a href="#">09:03:45 AM</a>	State's Attorney	Clarifies ruling regarding statements made regarding the paraphernalia
<a href="#">09:04:31 AM</a>	Defense Counsel	No comments
<a href="#">09:04:32 AM</a>	Judge Samuel Hoagland	Statements are admissible and evidence of intent
<a href="#">09:05:25 AM</a>	State's Attorney	Prepared a redaction instruction
<a href="#">09:06:57 AM</a>	Defense Counsel	Asks for the instruction to be heard before the video is played
<a href="#">09:08:23 AM</a>	Judge	Will look at instruction at a break

	Samuel Hoagland	
<a href="#">09:13:29 AM</a>	Counsel	Stipulate that jury is present and accounted for
<a href="#">09:14:12 AM</a>	State's Attorney	Opening arguments
<a href="#">09:35:24 AM</a>	Defense Counsel	Opening arguments
<a href="#">09:36:27 AM</a>	State's Attorney	Calls Detective Coy Bruner
<a href="#">09:36:35 AM</a>	Witness	Sworn in
<a href="#">09:37:09 AM</a>	State's Attorney	Direct Examination
<a href="#">09:37:18 AM</a>	Witness	Answers questions
<a href="#">10:22:49 AM</a>	State's Attorney	Moves to admit state's exhibit 1-10
<a href="#">10:22:51 AM</a>	Defense Counsel	Objection, lack of foundation
<a href="#">10:23:13 AM</a>	Judge Samuel Hoagland	<b>Overruled, Will admit state's exhibit 1-10 will be admitted and published</b>
<a href="#">10:33:24 AM</a>	State's Attorney	Moves to admit state's exhibit 11-17
<a href="#">10:33:28 AM</a>	Defense Counsel	No objection
<a href="#">10:33:29 AM</a>	Judge Samuel Hoagland	<b>Will admit state's exhibit 11-17 and can published to the jury</b>
<a href="#">10:37:33 AM</a>		recess
<a href="#">10:38:39 AM</a>	Judge Samuel Hoagland	Questions counsel regarding the redaction instruction
<a href="#">10:52:39 AM</a>	Counsel	Reviewed the instruction
<a href="#">10:54:48 AM</a>		Stipulate that jury is present and accounted for
<a href="#">10:54:57 AM</a>	State's Attorney	Continues direct examination
<a href="#">10:55:13 AM</a>	Witness	Answers questions

<a href="#">10:56:17 AM</a>	State's Attorney	Moves to admit state's exhibit 18-22
<a href="#">10:56:20 AM</a>	Defense Counsel	No objection
<a href="#">10:56:22 AM</a>	Judge Samuel Hoagland	<b>Will admit state's exhibit 18-22</b> and can be published to the jury
<a href="#">11:17:34 AM</a>	State's Attorney	Moves to admit state's exhibit 32, 33, 34, 35
<a href="#">11:17:43 AM</a>	Defense Counsel	Asks for a side bar
<a href="#">11:18:45 AM</a>		Objection - lack of foundation
<a href="#">11:18:51 AM</a>	Judge Samuel Hoagland	Will overrule the objection, <b>will admit state's exhibit 32, 33, 34, 35</b>
<a href="#">11:29:36 AM</a>	Defense Counsel	Cross Examination
<a href="#">11:30:00 AM</a>	Witness	Answers questions
<a href="#">11:33:44 AM</a>	State's Attorney	Objects - asks that defense provide a copy of the report to the witness to refresh memory
<a href="#">11:37:14 AM</a>		Objection - relevance
<a href="#">11:37:16 AM</a>	Judge Samuel Hoagland	Sustained
<a href="#">11:54:09 AM</a>	State's Attorney	Re-direct examination
<a href="#">11:54:37 AM</a>	Witness	Answers questions
<a href="#">11:56:23 AM</a>	Judge Samuel Hoagland	Excuses witness
<a href="#">11:57:35 AM</a>		recess
<a href="#">12:24:33 PM</a>	State's Attorney	Should be done tomorrow
<a href="#">12:26:54 PM</a>	Counsel	Stipulate that jury is present and accounted for
<a href="#">12:27:06 PM</a>	State's Attorney	Calls Officer Tim Beaudoin
<a href="#">12:27:34 PM</a>	Witness	Sworn in

<a href="#">12:28:19 PM</a>	State's Attorney	Direct Examination
<a href="#">12:28:24 PM</a>	Witness	Answers questions
<a href="#">12:42:18 PM</a>	State's Attorney	Moves to admit state's exhibit 25
<a href="#">12:42:19 PM</a>	Defense Counsel	No objection
<a href="#">12:42:21 PM</a>	Judge Samuel Hoagland	<b>Will admit state's exhibit 25</b> , Reads the redaction instruction
<a href="#">12:56:07 PM</a>	State's Attorney	Moves to admit state's exhibit 23 and 24
<a href="#">12:56:09 PM</a>	Defense Counsel	No objection
<a href="#">12:56:10 PM</a>	Judge Samuel Hoagland	<b>Will admit state's exhibit 23 and 24</b>
<a href="#">12:58:51 PM</a>	State's Attorney	Moves to admit state's exhibit 30
<a href="#">12:58:52 PM</a>	Defense Counsel	No objection
<a href="#">12:58:53 PM</a>	Judge Samuel Hoagland	<b>Will admit state's exhibit 30</b>
<a href="#">01:00:12 PM</a>	State's Attorney	Moves to admit state's exhibit 31
<a href="#">01:00:13 PM</a>	Defense Counsel	No objection
<a href="#">01:00:15 PM</a>	Judge Samuel Hoagland	<b>Will admit state's exhibit 31</b>
<a href="#">01:02:04 PM</a>	Defense Counsel	Cross examination
<a href="#">01:02:23 PM</a>	Witness	Answers questions
<a href="#">01:05:55 PM</a>	State's Attorney	Objection - relevance
<a href="#">01:05:58 PM</a>	Judge Samuel	Overruled

	Hoagland	
<a href="#">01:07:22 PM</a>	State's Attorney	Objection - relevance
<a href="#">01:07:24 PM</a>	Judge Samuel Hoagland	Overruled
<a href="#">01:09:52 PM</a>	State's Attorney	Questions witness in aid of an objection
<a href="#">01:10:09 PM</a>	Witness	Answers questions
<a href="#">01:10:15 PM</a>	State's Attorney	Objects - witness wasn't present
<a href="#">01:10:26 PM</a>	Judge Samuel Hoagland	Overruled
<a href="#">01:12:27 PM</a>	State's Attorney	Redirect
<a href="#">01:12:37 PM</a>	Witness	Answers questions
<a href="#">01:14:43 PM</a>	Judge Samuel Hoagland	Excuses witness
<a href="#">01:14:49 PM</a>	State's Attorney	Calls Officer Martinez
<a href="#">01:15:15 PM</a>	Witness	Sworn in
<a href="#">01:15:54 PM</a>	State's Attorney	Direct examination
<a href="#">01:15:59 PM</a>	Witness	Answers question
<a href="#">01:20:09 PM</a>	State's Attorney	Moves to admit state's exhibit 27
<a href="#">01:20:10 PM</a>	Defense Counsel	No objection
<a href="#">01:20:12 PM</a>	Judge Samuel Hoagland	<b>Will admit state's exhibit 27</b>
<a href="#">01:26:44 PM</a>	Defense Counsel	Cross Examination
<a href="#">01:26:58 PM</a>	Witness	Answers questions
<a href="#">01:29:37 PM</a>	Judge	Excuses witness



	Samuel Hoagland	
<a href="#">01:29:42 PM</a>	State's Attorney	Calls Deputy Morgan Case
<a href="#">01:30:30 PM</a>	Witness	Sworn in
<a href="#">01:30:54 PM</a>	State's Attorney	Direct Examination
<a href="#">01:30:59 PM</a>	Witness	Answers questions
<a href="#">01:38:42 PM</a>	State's Attorney	Moves to admit state's exhibit 26
<a href="#">01:38:43 PM</a>	Defense Counsel	No objection
<a href="#">01:38:47 PM</a>	Judge Samuel Hoagland	<b>Will admit state's exhibit 26</b> and state can publish video
<a href="#">01:47:20 PM</a>	Defense Counsel	Cross examination
<a href="#">01:47:41 PM</a>	Witness	Answers questions
<a href="#">01:49:33 PM</a>	State's Attorney	Redirect Examination
<a href="#">01:49:46 PM</a>	Witness	Answers questions
<a href="#">01:50:34 PM</a>	Judge Samuel Hoagland	Excuses witness
<a href="#">01:50:41 PM</a>	State's Attorney	Calls Kari Hogan
<a href="#">01:51:10 PM</a>	Witness	Sworn in
<a href="#">01:51:26 PM</a>	State's Attorney	Direct examination
<a href="#">01:51:47 PM</a>	Witness	Answers questions
<a href="#">02:02:00 PM</a>	Defense Counsel	Cross Examination
<a href="#">02:02:12 PM</a>	Witness	Answers questions
<a href="#">02:03:54 PM</a>	Judge Samuel Hoagland	Excuses witness

<a href="#">02:04:02 PM</a>		Excuses jury for the day, admonishes jury
<a href="#">02:05:14 PM</a>	State's Attorney	Wants to clarify the court's ruling
<a href="#">02:06:07 PM</a>	Judge Samuel Hoagland	Questions counsel regarding objections
<a href="#">02:07:25 PM</a>		Let's be here at 8:50 am
<a href="#">02:09:28 PM</a>		End of Case

MAR 07 2017

CHRISTOPHER D. RICH, Clerk  
By STEPHANIE HARDY  
DEPUTY

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Idaho 83702  
Phone: 287-7700  
Fax: 287-7709

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

STATE OF IDAHO,	)	
	)	
Plaintiff,	)	Case No. CR-FE-2016-9419
	)	
vs.	)	<b>A M E N D E D</b>
	)	<b>I N F O R M A T I O N</b>
RONALD EUGENE VAUGHN,	)	
	)	Defendant's [REDACTED]
Defendant.	)	Defendant's [REDACTED]
	)	

**JAN M. BENNETTS**, Prosecuting Attorney, in and for the County of Ada, State of Idaho, who in the name and by the authority of the State, prosecutes in its behalf, comes now into District Court of the County of Ada, and states that RONALD EUGENE VAUGHN is accused by this Amended Information of the crime(s) of: I. TRAFFICKING IN HEROIN, FELONY, I.C. §37-2732B(a)(6)(B), II. POSSESSION OF A CONTROLLED SUBSTANCE, FELONY, I.C. §37-2732(c) and III. POSSESSION OF DRUG PARAPHERNALIA, MISDEMEANOR, I.C. §37-2734A which crime(s) was/were committed as follows:

COUNT I

That the Defendant, RONALD EUGENE VAUGHN, on or about the 22<sup>nd</sup> day of July, 2016, in the County of Ada, State of Idaho, did knowingly possess and/or bring into this state Heroin, to-wit: seven (7) grams or more of Heroin, a Schedule I narcotic controlled substance, or of

any salt, isomer, salt of an isomer thereof, or of any mixture or substance containing a detectable amount of any such substance.

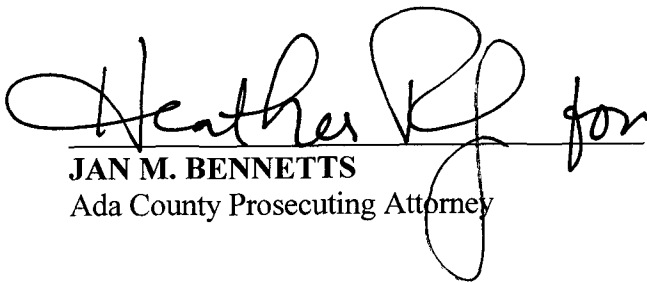
COUNT II

That the Defendant, RONALD EUGENE VAUGHN, on or about the 22<sup>nd</sup> day of July, 2016, in the County of Ada, State of Idaho, did unlawfully possess a controlled substance, to-wit: Methamphetamine, a Schedule II controlled substance.

COUNT III

That the Defendant, RONALD EUGENE VAUGHN, on or about the 22<sup>nd</sup> day of July, 2016, in the County of Ada, State of Idaho, did use and/or possess with the intent to use drug paraphernalia, to-wit: syringe(s), spoon, a scale, baggies and/or tin foil, used to inject, test, analyze, store, pack and/or prepare a controlled substance.

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

  
JAN M. BENNETTS  
Ada County Prosecuting Attorney

MAR 08 2017

CHRISTOPHER D. RICH, Clerk  
By STEPHANIE HARDY  
DEPUTY

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN,

Defendant.

Case No. CRFE-2016-009419

JURY INSTRUCTIONS

HONORABLE SAMUEL A. HOAGLAND

DISTRICT JUDGE

PRESIDING

## INSTRUCTION A

Ladies and Gentlemen, you have been summoned as prospective jurors in the lawsuit now before us. The first thing we do in a trial is to select 12 jurors and one alternate juror from among you. We are looking for jurors who can be absolutely fair and impartial, who can decide this case based solely on the evidence presented in court, who can follow the law as instructed, and who can decide the true facts and circumstances without bias, passion, prejudice or improper outside influence.

I am Judge Sam Hoagland, the District Judge in charge of the courtroom and this trial. The deputy clerk of the court, Stephanie Hardy, marks the trial exhibits and administers oaths to you jurors and to the witnesses. The court reporter, Christy Olesek, will keep a verbatim account of all matters of record during the trial. My staff attorney, Ashley Lane, may be here at times to observe and to provide research assistance to the Court and counsel. The bailiff, Courtney Strosser, will assist me in maintaining courtroom order and working with the jury.

You are each presumptively qualified to serve as a juror of this court. This call upon your time does not frequently come to you, but is part of your obligation of citizenship in this state and country. No one should avoid fulfilling this obligation except under the most pressing circumstances. Service on a jury is a civic and patriotic obligation that all good citizens should perform.

Service on a jury affords you an opportunity to be a part of the judicial process, by which the legal affairs and liberties of your fellow men and women are determined and protected under our form of government. You are being asked to perform one of the highest duties of

citizenship, that is, to sit in judgment on facts that will determine the guilt or innocence of a person charged with a crime.

To assist you with the process of selection of a jury, I will introduce you to the parties and their lawyers and tell you in summary what this action is about. When I introduce an individual would you please stand and briefly face the jury panel and then retake your seat.

The State of Idaho is the plaintiff in this action. <sup>Det Coy Bruner, BPD.</sup> The lawyer representing the State is Heather Reilly, a member of the Ada County Prosecuting Attorney's staff.

The defendant in this action is Ronald Eugene Vaughn. The lawyer representing Mr. Vaughn is David Stewart.

I will now describe for you the contents of a legal document called the **INDICTMENT**, which sets forth the charges filed against the defendant. The Indictment is not to be considered as evidence but is a mere formal charge against the defendant. You must not consider it as evidence of guilt and you must not be influenced by the fact that charges have been filed.

The **INDICTMENT** charges that the Defendant, Ronald Eugene Vaughn, committed three separate crimes in Ada County, Idaho on or about July 22, 2016:

Count 1 charges that he knowing possessed and/or brought into Idaho, seven grams or more of Heroin, a Schedule 1 narcotic controlled substance.

Count 2 charges that he possessed methamphetamine, a Schedule 2 controlled substance.

Count 3 charges that he possessed drug paraphernalia, including a <sup>syringe</sup> scale, baggies and/or tin foil, to inject, test, analyze, store, pack and/or prepare a controlled substance.

To these charges Mr. Vaughn pleaded not guilty.

Under our law and system of justice, every defendant is presumed to be innocent. The effect of this presumption is to require the State to prove a defendant's guilt beyond a reasonable doubt in order to support a conviction.

As the judge in charge of this courtroom, it is my duty, at various times during the course of this trial, to instruct you as to the law that applies to this case.

The duty of the jury is to determine the facts; to apply the law set forth in the instructions to those facts, and in this way to decide the case. In applying the Court's instructions as to the controlling law, you must follow those instructions regardless of your opinion of what the law is or what the law should be, or what any lawyer may state the law to be.

During the course of this trial, including the jury selection process, you are instructed that you are not to discuss this case among yourselves or with anyone else, nor to form any opinion as to the merits of the case until after the case has been submitted to you for your determination.

In this part of the jury selection, you will be asked questions touching on your qualifications to serve as jurors in this particular case. This part of the case is known as the voir dire examination.

Voir dire examination is for the purpose of determining if your decision in this case would in any way be influenced by opinions you now hold or by some personal experience or special knowledge you may have concerning the subject matter to be tried. The object is to obtain twelve persons who will impartially try the issues of this case upon the evidence presented in this courtroom without being influenced by any other factors.

Please understand that this questioning is not for the purpose of prying into your affairs for personal reasons but is only for the purpose of obtaining an impartial jury. If you believe that a question intrudes unnecessarily into your privacy, you may say so. I will then decide if the



information sought is important enough to require you to answer, and if so, whether measures can be taken to protect your privacy by questioning you on that matter outside of the presence of the other jurors.

Each question has an important bearing upon your qualifications as a juror and each question is based upon a requirement of the law with respect to such qualifications.

At this time I would instruct both sides to avoid repeating any question that has already been asked during this voir dire process. I would ask counsel to note, however, that you certainly have the right to ask follow-up questions of any individual juror based upon that juror's response to any previous question.

The jury should be aware that during and following the voir dire examination one or more of you may be challenged.

Each side has a certain number of "peremptory challenges", by which I mean each side can challenge a juror and ask that he or she be excused without giving a reason therefor. In addition each side has challenges "for cause", by which I mean that each side can ask that a juror be excused for a specific reason. If you are excused by either side please do not feel offended or feel that your honesty or integrity is being questioned. It is not.

The clerk will now swear the entire jury panel for the voir dire examination. Would you all please stand, raise your right hand and take an oath from the clerk.

## INSTRUCTION B

Ladies and Gentlemen, you have now been sworn as possible jurors in this case. We will soon be asking you questions and your answers will be given under that oath. Therefore, you must be completely open and honest.

We will often start with questions to the group as a whole. You should consider each such question as though asked directly to you. When you answer a question in the affirmative, please raise your card until we get to you for follow-up.

When we get to you for individual questions, please stand as you speak and please speak loudly and clearly for all to hear, and slow enough that we can all follow. Also, please don't speak over each other. Our court reporter is trying to keep a verbatim record of these proceedings and she must be able to hear and follow your answers.

Would Juror Number ~~30~~ 34 please raise your hand? You are the last person before the cut-off line. You, and those of you in front of him/her, will need to respond directly to each question. Those of you behind Juror 34 should listen very carefully, but you should not directly respond to the questions at this time. Now, if a juror up front of Juror 34 gets excused, then the cut-off line gets moved to the next person. Juror ~~30~~ 35, you would be next in line. And if another, then the cut-off line moves down the row, and so on, and so on. You don't actually change your seat, the cut-off line just moves down the row. When the cut-off line moves, I will ask that person how you would have responded to the previous questions, and you will need to be ready to answer. So you must listen carefully.

To get things started, I will start with a number of questions. When I am done, the attorneys will ask their questions. So, here we go:

### Special Accommodations

1. Is anyone on the jury panel deaf or hard of hearing?
  - a. If yes, note available accommodations.
    - 1) Can you hear adequately with these accommodations?
2. Is anyone currently a nursing mother?
3. Does anyone have any other special needs, such as a medical condition, physical impairment or disability that would make it difficult or impossible to serve on the jury?
4. Does anyone have any difficulty reading or understanding the English language?

### Preliminary Matters

5. Everyone must be a citizen of the United States - is anyone not a citizen of the USA?
6. Everyone must be a resident of Ada County – is anyone not a resident of Ada County?
7. Has anyone been convicted of felony any not yet fully completed the sentence?
8. Has anyone ever sued the defendant in a civil case?
9. Has anyone ever been sued by the defendant in a civil case?
10. Has anyone ever filed a criminal complaint or criminal charges against the defendant?
11. Has anyone ever had the defendant file a criminal complaint or criminal charges against you?
12. Has anyone previously served on a jury, grand jury or a coroner's jury regarding this case or the defendant?
13. As you sit here now, has anyone already formed or expressed an unqualified opinion or belief that the defendant is either guilty or not guilty of the offense(s) charged?

### Personal Hardship

14. This trial is expected to take up to 3 days. This is an estimate given by the attorneys. The general schedule will be Monday, Tuesday and Wednesday, from 9am until 2pm. Serving on this jury will thus require a time commitment that may be somewhat inconvenient to you. Dealing with some inconvenience, of course, is something we must do to have the jury system we enjoy. Is there anyone for whom serving on this jury would not be just inconvenient, but instead a real hardship? *A, 21*
  - a. I can only excuse a juror if jury service would pose an extreme hardship or inconvenience.
15. Explain that a recess will be taken at least every two hours.

### Knowledge of the Lawyers

16. You were previously introduced to counsel and parties. Again, counsel for the State: Heather Reilly and counsel for the Defendant: David Stewart. Are any of you, or any of your close friends or family members, related by blood or marriage to any of the lawyers in this case, or do any of you know any of the lawyers from any professional, business or social relationship? In other words, do you know, or know of, these lawyers in any way outside this case?
  - a. If so, who do you know and how do you know him/her?
  - b. Would your knowledge or experience with the lawyer cause you to give greater or lesser weight to any argument that he/she might make in this case?
  - c. Would your knowledge or experience with the lawyer cause you favor one side or the other?

- d. Would this knowledge or experience with the lawyer interfere with your ability to be totally fair and impartial in this case?
- 17. Have you, a family member, or friend had any dealings with the Ada County Prosecutor's Office.
  - a. If so, what were those dealings?
  - b. Were they properly resolved?
  - c. Do you have feelings of dissatisfaction resulting from such dealings?
  - d. Would this knowledge or experience with the Prosecutor's office interfere with your ability to be totally fair and impartial in this case?

**Knowledge of the Defendant(s)**

- 18. To the best of your knowledge, are any of you, or any of your close friends or family members, related by blood or marriage to the defendant(s), Ronald Eugene Vaughn, or do you know him/her from any business, social or personal relationship? In other words, do you know, or know of, the defendant(s) in any way outside this case?
  - a. If none, I take it from the lack of response that no member of the panel is:
    - 1) Personally acquainted with the defendant;
    - 2) Related to the defendant;
    - 3) Had any business dealings with the defendant;
    - 4) Is there anyone on the panel for whom this statement is not true?
  - b. If yes, please describe your relationship or explain your knowledge?
    - 1) Would your knowledge or experience with the defendant cause you to favor one side or the other?
    - 2) Would this knowledge or experience with the defendant interfere with your ability to be totally fair and impartial in this case?
- 19. This is an unusual question that is required by the law; so please listen carefully. Do any of you stand in the relation of guardian and ward, attorney and client, master and servant, employer and employee, landlord and tenant, or boarder or lodger of the defendant(s)?

**Knowledge of the Witnesses**

- 20. I will now read the names of those who might testify in this case. Listen carefully to see if you know, or know of, any of these potential witnesses in any capacity.
  - a. I will read them slowly:
    - ✓1) Officer Tim Beaudoin, Boise Police Department
    - ✓2) Detective Coy Bruner, Boise Police Department
    - ✓3) Deputy Morgan Case, Ada County Sheriff's Office
    - 4) Officer Devon Ellis, Boise Police Department
    - 5) Officer Michelle Havens, Boise Police Department
    - ✓6) Officer Steve Martinez, Boise Police Department
    - 7) Officer Tommy Sessions, Garden City Police Department
    - 8) Detective Joel Teuber, Boise Police Department
    - 9) Deputy Ryun Murray, Ada County Sheriff's Office
    - 10) Agent Mike Williams, DEA
    - ✓11) Kerry Hogan, ISP Forensic Lab
  - b. Does any member of the panel know any of the prospective witnesses?
  - c. Follow up questions (as needed):

- 1) Who do you know?
  - 2) How do you know him or her?
  - 3) How long have you known the witness?
  - 4) Would your relationship or knowledge of that person cause you to give greater or lesser weight to his/her testimony by reason of such knowledge?
  - 5) Would you tend to give undue weight to that witness's testimony or, conversely to unduly discount that witness's testimony?
  - 6) Would your prior knowledge, experience or relationship with that witness interfere with your ability to be totally fair and impartial in this case?
- d. **(Repeat as necessary for each prospective witness.)**

**Pretrial Publicity**

21. You have been given a summary of the charges against the defendant. Other than what I have told you, do any of you know anything about this case, either through your own personal knowledge, by discussion with anyone else, or from radio, television, internet or newspapers? In other words, do you have any outside knowledge about this case?
- a. Without telling us what you know, what is the source of your knowledge?
  - b. How much do you know about this case; would you say that you know a lot, or very little, or somewhere in between?
  - c. How recent or remote is this knowledge?
  - d. Based on this prior knowledge, have you formed any opinions about this case?
  - e. Do you think that this preexisting knowledge or information would interfere or prevent you from being absolutely fair and impartial?
  - f. Can you disregard everything that you previously heard or read pertaining to this case and render an impartial verdict based solely upon the evidence presented in this courtroom?

**(Sidebar for individual questioning if necessary.)**

**Prior Jury Service**

22. Have you ever served on a jury before? *8, 17, 27, 30, 34, 36.*
- a. IF YES:
    - 1) Civil or Criminal?
    - 2) When?
    - 3) Where?
    - 4) Result?
    - 5) Foreman or presiding officer?
    - 6) What did you think about the process – was it fair?

**Prior Experience with the Courts or Justice System**

23. The next few questions may probe deeply into your background or attitudes in a way which may be personally embarrassing. Nevertheless, it is vital that we have a complete and honest response from you. If you would prefer to discuss this at a sidebar and outside of the hearing of the other jurors, please say so, and that will be done.

24. Except as may have been previously mentioned, have you ever been a party to a lawsuit that required you to make an appearance in court before a judge, whether a civil case or a criminal case?

- a. IF YES: *6, 12, 15, 16, 22, 19, 19, 24, 25, 6*
- 1) Civil v Criminal?
  - 2) Parties?
  - 3) When?
  - 4) Where?
  - 5) Result?
  - 6) Do you have any complaints about the process?
  - 7) Did you feel that you were treated justly and fairly by the legal system?
    - A. If not, why not, or what happened?
    - B. Do you harbor any hidden desire to try to correct that injustice in this case?
    - C. Can you decide this case without any hidden agenda or outside influence or bias?

25. Are there any of you who have had a prior negative experience with the police or the courts, whether as a defendant, or as the victim of a crime, or otherwise, that causes you to still harbor bad feelings toward police, prosecutors, courts, or the legal system?

- a. If so, describe the experience. *17, 18, 20, 21, 28*
- b. Do you harbor any hidden desire to try to correct that injustice in this case?
- c. Can you decide this case without any hidden agenda or outside influence?

26. Have you, your family, or close friends been the victim of a crime? *6, 28, 25, 31*

- a. If so, who and when?
- b. Was the case prosecuted?
- c. What result?
- d. Was the case handled to your satisfaction?

27. Are any of you, or any of your close friends or family members, employed by or work closely with any law enforcement agency? *10, 11, 18, 27, 24, 25, 31*

- a. IF YES: *38*
- 1) Who?
  - 2) What agency?
  - 3) In what capacity or what job title?
  - 4) How long?
  - 5) When?
  - 6) Where?
  - 7) Does this experience cause you to favor evidence presented by one side or the other?
  - 8) Can you put aside any feelings for or against one side or the other and decide this case without any outside influences?
  - 9) Can you be absolutely fair and impartial in considering the evidence no matter where it comes from?

28. Is there anyone who feels that a law enforcement officer's testimony should be given greater or lesser weight than another witness, just because that person is a law enforcement officer? *22, 24, 25, 31*

*Dipant*  
*39*

29. Are any of you, or any of your close friends or family members, employed by or work closely with any court system or any law office, whether public or private?

a. IF YES:

- 1) Who?
- 2) What court, office, agency or law firm? *S, M, 10, 24, 25, Feb, 28.*
- 3) In what capacity or what job title?
- 4) How long?
- 5) When?
- 6) Where?
- 7) Does this experience give you any special knowledge about the criminal law or special insight regarding criminal procedure? If so, what?
- 8) Does this experience cause you to favor one side or the other?
- 9) Can you put aside any feelings for or against one side or the other and decide this case without any outside such influences?
- 10) Can you be absolutely fair and impartial in considering the evidence no matter where it comes from?

**Evidence Presented at Trial**

30. There may be audio or video recordings played in this case that use foul or offensive language. Is there anyone that feels that hearing such language would impair their ability to render a fair and impartial judgment?

31. There may be photographs or videos admitted as exhibits which may be offensive or disturbing because [they graphically depict the results of an autopsy][they are sexually explicit]. Is there anyone that feels that seeing such images may impair their ability to render a fair and impartial judgment?

32. Do any of you feel it is wrong for the State to use an undercover agent or cooperating witness to obtain information in a criminal case?

a. Does anyone think it is wrong for the State to make a plea bargain deal [explain] with a person in exchange for testimony against another person?

**Drug Cases**

33. Have you, or a close friend or family member ever had a drug problem? *S, M, 10, 15, 23*

34. Do you have strong feelings about the drug laws in the United States, such that those laws are inadequate? *44* *Too harsh & too lenient*

- a. Think that some or all drugs should be legalized.
- b. Think that the drug laws are too tough
- c. Think that the drug law are not tough enough
- d. Are you, or a close friend or family member a past or present member or done work for any group which has taken an active role in promoting changes in the drug laws or their enforcement?
- e. Including legalization on the one hand, or increasing punishment for drug trafficking, on the other.

**Multiple Defendants and Counts**

35. In this case the defendant has been charged with three separate offenses. Each charge against the defendant is to be considered separately and each charge has to be proved

beyond a reasonable doubt? Is there anyone who feels they could not follow the Court's instructions in this regard?

### **Constitutional Principles**

36. According to our constitutional principles of justice and a fair trial, the defendant is presumed innocent until proven guilty. The state must prove the defendant guilty beyond a reasonable doubt. The defendant does not have to prove anything. He does not have to prove his innocence. He does not have to present any evidence or testimony. He has the right to remain silent and cannot be forced to testify against his will. He gets the benefit of any reasonable doubt. If the state cannot prove the defendant guilty beyond a reasonable doubt, then the jury should render a verdict of not guilty.
- a. Are you, for any reason, unwilling or unable to follow these legal principles in deciding this case?
  - b. Does anyone feel that a defendant should have to prove his innocence?
  - c. Does anyone feel that a defendant should be forced to testify against his will?
    - 1) Can you think of a reason why an innocent person might not want to testify in a case?
  - d. Does anyone think that the State should be held to a lower burden of proof if the defendant does not testify or present evidence?

### **General Questions**

37. Is there anything about the nature of these charges that would make it difficult for you to be absolutely fair and impartial as a judge of the facts?
38. Sometimes, some people feel that they just do not have to follow the law or the instructions of the law given by a judge to a jury. Are there any of you who are unwilling or unable to follow my instructions as to the law that you must apply in deciding this case?
39. Are there any of you, if selected as a juror in this case, who is unwilling or unable to render a fair and impartial verdict based solely upon the evidence presented in this courtroom and the law as instructed by the Court?
40. Are there any of you that have any difficulty sitting in judgment of another person in a legal proceeding? In other words, are there any of you that have some moral or religious difficulty judging another person?
41. Do any of you have any other reason why you cannot give this case your undivided attention and render a fair and impartial verdict based solely on the evidence presented in court?
42. Should either side be concerned about having a juror with your current state of mind and attitudes sitting in judgment?
43. Is there anything more about you that you think either side should know in deciding whether you should serve on this jury?



INSTRUCTION NO. 1

Now that you have been sworn as jurors to try this case, I want to go over with you what will be happening. I will describe how the trial will be conducted and what we will be doing. At the end of the trial, I will give you more detailed guidance on how you are to reach your decision.

Because the State has the burden of proof, it goes first. After the State's opening statement, the defense may make an opening statement, or may wait until the State has presented its case.

The State will offer evidence that it says will support the charges against the defendant. The defense may then present evidence, but is not required to do so. If the defense does present evidence, the State may then present rebuttal evidence. This is evidence offered to answer the defense's evidence.

After you have heard all the evidence, I will give you additional instructions on the law. After you have heard the instructions, the State and the defense will each be given time for closing arguments. In their closing arguments, they will summarize the evidence to help you understand how it relates to the law. Just as the opening statements are not evidence, neither are the closing arguments. After the closing arguments, you will leave the courtroom together to make your decision. During your deliberations, you will have with you my instructions, the exhibits admitted into evidence and any notes taken by you in court.

INSTRUCTION NO. 2

This criminal case has been brought by the State of Idaho. I will sometimes refer to the State as the prosecution.

The defendant is charged by the State of Idaho with violations of the law. The charges against the defendant are contained in the Indictment. The clerk shall read the Indictment and state the defendant's plea.

(Clerk reads Indictment)

Remember, the Indictment is simply a description of the charges; it is not evidence.

INSTRUCTION NO. 3

Under our law and system of justice, the defendant is presumed to be innocent. The presumption of innocence means two things.

First, the state has the burden of proving the defendant guilty. The state has that burden throughout the trial. The defendant is never required to prove his innocence, nor does the defendant ever have to produce any evidence at all.

Second, the state must prove the alleged crime beyond a reasonable doubt. A reasonable doubt is not a mere possible or imaginary doubt. It is a doubt based on reason and common sense. It may arise from a careful and impartial consideration of all the evidence, or from lack of evidence. If after considering all the evidence you have a reasonable doubt about the defendant's guilt, you must find the defendant not guilty.

INSTRUCTION NO. 4

Your duties are to determine the facts, to apply the law set forth in my instructions to those facts, and in this way to decide the case. In so doing, you must follow my instructions regardless of your own opinion of what the law is or should be, or what either side may state the law to be. You must consider them as a whole, not picking out one and disregarding others. The order in which the instructions are given has no significance as to their relative importance. The law requires that your decision be made solely upon the evidence before you. Neither sympathy nor prejudice should influence you in your deliberations. Faithful performance by you of these duties is vital to the administration of justice.

In determining the facts, you may consider only the evidence admitted in this trial. This evidence consists of the testimony of the witnesses, the exhibits offered and received, and any stipulated or admitted facts. The production of evidence in court is governed by rules of law. At times during the trial, an objection may be made to a question asked a witness, or to a witness' answer, or to an exhibit. This simply means that I am being asked to decide a particular rule of law. Arguments on the admissibility of evidence are designed to aid the Court and are not to be considered by you nor affect your deliberations. If I sustain an objection to a question or to an exhibit, the witness may not answer the question or the exhibit may not be considered. Do not attempt to guess what the answer might have been or what the exhibit might have shown. Similarly, if I tell you not to consider a particular statement or exhibit you should put it out of your mind, and not refer to it or rely on it in your later deliberations.

During the trial I may have to talk with the parties about the rules of law that should apply in this case. Sometimes we will talk here at the bench. At other times I will excuse you

from the courtroom so that you can be comfortable while we work out any problems. You are not to speculate about any such discussions. They are necessary from time to time and help the trial run more smoothly.

Some of you have probably heard the terms “circumstantial evidence,” “direct evidence” and “hearsay evidence.” Do not be concerned with these terms. You are to consider all the evidence admitted in this trial.

However, the law does not require you to believe all the evidence. As the sole judges of the facts, you must determine what evidence you believe and what weight you attach to it.

There is no magical formula by which one may evaluate testimony. You bring with you to this courtroom all of the experience and background of your lives. In your everyday affairs you determine for yourselves whom you believe, what you believe, and how much weight you attach to what you are told. The same considerations that you use in your everyday dealings in making these decisions are the considerations you should apply in your deliberations.

In deciding what you believe, do not make your decision simply because more witnesses may have testified one way than the other. Your role is to think about the testimony of each witness you heard and decide how much you believe of what the witness had to say.

A witness who has special knowledge in a particular matter may give an opinion on that matter. In determining the weight to be given such opinion, you should consider the qualifications and credibility of the witness and the reasons given for the opinion. You are not bound by such opinion. Give it the weight, if any, to which you deem it entitled.

INSTRUCTION NO. 5

Each count charges a separate and distinct offense. You must decide each count separately on the evidence and the law that applies to it, uninfluenced by your decision as to any other count. The defendant may be found guilty or not guilty on any or all of the offenses charged.

INSTRUCTION NO. 4

If during the trial I may say or do anything that suggests to you that I am inclined to favor the claims or position of any party, you will not permit yourself to be influenced by any such suggestion. I will not express nor intend to express, nor will I intend to intimate, any opinion as to which witnesses are or are not worthy of belief; what facts are or are not established; or what inferences should be drawn from the evidence. If any expression of mine seems to indicate an opinion relating to any of these matters, I instruct you to disregard it.

INSTRUCTION NO. 7

Do not concern yourself with the subject of penalty or punishment. That subject must not in any way affect your verdict. If you find the defendant guilty, it will be my duty to determine the appropriate penalty or punishment.



INSTRUCTION NO. 8

If you wish, you may take notes to help you remember what witnesses said. If you do take notes, please keep them to yourself until you and your fellow jurors go to the jury room to decide the case. You should not let note-taking distract you so that you do not hear other answers by witnesses. When you leave at night, please leave your notes in the jury room.

Although the court reporter will create a verbatim account of all matters of record occurring in this trial, you should be aware that transcripts of witness testimony will not be available to you for your deliberations.

If you do not take notes, you should rely on your own memory of what was said and not be overly influenced by the notes of other jurors. In addition, you cannot assign to one person the duty of taking notes for all of you.

INSTRUCTION NO. 9

As jurors and officers of this Court, it is very important that you obey the following instructions at any time you leave the jury box, whether it be for recesses of the Court during the day, or when you leave the courtroom to go home at night.

Do not discuss this case during the trial with anyone, including any of the attorneys, parties, witnesses, your friends, or members of your family. "No discussion" also means no email, text messaging, tweeting, blogging, Snapchatting, Facebook, Google plus, LinkedIn, Instagram, or any other form of communication, electronic or otherwise.

Do not discuss this case with other jurors until you begin your deliberations at the end of the trial. Do not form any opinions or attempt to decide the case until you begin your deliberations.

I will give you some form of this instruction every time we take a break. I do that not to insult you or because I don't think you are paying attention, but because experience has shown this is one of the hardest instructions for jurors to follow. I know of no other situation in our culture where we ask strangers to sit together, watching and listening to something, then go into a little room together and not talk about the one thing they have in common: what they just watched together.

There are at least two reasons for this rule. The first is to help you keep an open mind. When you talk about things, you start to make decisions about them and it is extremely important that you not make any decisions about this case until you have heard all the evidence, and all the rules for making your decisions, and you won't have that until the very end of the trial. The second reason for the rule is that we want all of you working together on this decision when you

deliberate. If you have conversations in groups of two or three during the trial, you won't remember to repeat all of your thoughts and observations for the rest of your fellow jurors when you deliberate at the end of the trial.

Ignore any attempted improper communication. If any person tries to talk to you about this case, tell that person that you cannot discuss the case because you are a juror. If that person persists, simply walk away and report the incident to the bailiff. Do not tell your fellow jurors what has occurred.

You must decide this case based only on the evidence presented in court. Do not make any personal investigations or independent research into any facts or locations connected with this case. Do not look up any information from any source, including the Internet. Do not communicate any private or special knowledge about any of the facts of this case to your fellow jurors. Do not watch, read or listen to any news reports about this case, or about anyone involved in this case, whether those reports are in newspapers or the Internet, or on radio or television. Do not independently research the case, the parties, the witnesses, the lawyers, the Court, or anything about this matter - not even a quick look.

In our daily lives we may be used to looking for information on-line and to "Google" something as a matter of routine. In a trial it can be very tempting for jurors to do their own independent research to make sure they are making the correct decision. You must resist that temptation for our system of justice to work as it should. I specifically instruct that you must decide the case only on the evidence received here in court.

There is one simple reason for this rule: It would be unfair. Unfair to both sides. Unfair to both the State and the Defendant. Your research might reveal information that is biased, prejudicial or inaccurate. Privately researched information that has not been presented to the

entire jury, together as a whole, in open court, under oath, subject to cross examination, and through the rules of evidence – is unfair to both sides. Finally, counsel cannot address opinions you may have formed based on facts they have never heard, and that in reality might not even be true facts.

If you communicate with anyone about the case, before deliberations begin, or do outside research during the trial, it could cause us to have to start the trial over with new jurors, and you could also be held in contempt of court.

While you are actually deliberating in the jury room, the bailiff will confiscate all cell phones and other means of electronic communications. Should you need to communicate with me or anyone else during the deliberations, please notify the bailiff.

INSTRUCTION NO. 9A

You will see video or hear audio recordings during the course this trial. You will note that some parts of the recordings may have lapses or breaks because some material has been removed or redacted. Do not concern yourself with or speculate about these redactions. They were made to either conserve time during the trial or because they contained inadmissible material.

INSTRUCTION NO. 10

You have now heard all the evidence in the case. My duty is to instruct you as to the law.

You must follow all the rules as I explain them to you. You may not follow some and ignore others. Even if you disagree or don't understand the reasons for some of the rules, you are bound to follow them. If anyone states a rule of law different from any I tell you, it is my instruction that you must follow.

INSTRUCTION NO. 11

As members of the jury it is your duty to decide what the facts are and to apply those facts to the law that I have given you. You are to decide the facts from all the evidence presented in the case.

The evidence you are to consider consists of:

1. sworn testimony of witnesses;
2. exhibits that have been admitted into evidence; and
3. any facts to which the parties have stipulated.

Certain things you have heard or seen are not evidence, including:

1. arguments and statements by lawyers. The lawyers are not witnesses. What they say in their opening statements, closing arguments and at other times is included to help you interpret the evidence, but is not evidence. If the facts as you remember them differ from the way the lawyers have stated them, follow your memory;
2. testimony that has been excluded or stricken, or that you have been instructed to disregard;
3. anything you may have seen or heard when the court was not in session.

INSTRUCTION NO. 12

The law does not require you to accept all of the evidence which has been admitted. In determining what evidence you will accept, you must make your own evaluation of the evidence and determine the degree of weight you choose to give to that evidence.

Again, there is no magical formula by which one may evaluate testimony. The same considerations that you use in your everyday dealings in making these decisions are the considerations you should apply in your deliberations.

The testimony of a witness may fail to conform to the facts as they occurred because:

1. the witness is intentionally telling a falsehood, or
2. because the witness did not accurately see or hear that about which he or she testified, or
3. because his or her recollection of the event is faulty, or
4. because he or she has not expressed himself or herself clearly in giving testimony.

In determining the weight, if any, you will assign to a witness's testimony, you may consider such items as:

1. the interest or lack of interest of the witness in the outcome of this case;
2. the bias or prejudice of a witness, if there be any;
3. the age, the appearance, the manner in which the witness gives his or her testimony on the stand;
4. the opportunity that the witness had to observe the facts concerning which he or she testifies;



5. the probability or improbability of the witness's testimony when viewed in the light of all of the other evidence in the case;
6. the contradiction, if any, of a witness's testimony by other evidence;
7. statements, if any, made by the witness at other times inconsistent with his or her present testimony;
8. evidence, if any, that a witness's general reputation for truth, honesty or integrity is bad;
9. a witness's previous conviction of a felony, if any; and
10. the effect, if any, of alcohol or drugs upon the witness.

These are all items to be taken into your consideration in determining the weight, if any, you will assign to that witness's testimony.

INSTRUCTION NO. 13

You are instructed that any terms in these instructions that have a special legal meaning are defined for you in these instructions. Under Idaho law, if a word or phrase is not otherwise defined in these instructions, you are to construe that word or phrase according to its context and the approved usage of the language as the ordinary reading public would read and understand it. Words not otherwise defined should be given their ordinary significance as popularly understood. They do not have some mysterious or specialized meaning simply because they are a part of a jury instruction unless the Court has specifically defined them for you.

INSTRUCTION NO. 14

In order for the defendant to be guilty of COUNT 1: TRAFFICKING IN HEROIN, the State must prove each of the following:

1. On or about July 22, 2016,
2. in the State of Idaho,
3. the defendant Ronald Eugene Vaughn possessed heroin and/or brought it into the State,
4. the defendant knew it was heroin, and
5. the amount was at least 7 grams or more of heroin or any mixture or substance with a detectable amount of heroin.

If any of the above has not been proven beyond a reasonable doubt, you must find the defendant not guilty. If each of the above has been proven beyond a reasonable doubt, then you must find the defendant guilty.

~~If any of the above has not been proved beyond a reasonable doubt, you must find the defendant not guilty. If each of the above has been proved beyond a reasonable doubt, then you must find the defendant guilty.~~

INSTRUCTION NO. 13

Under Idaho law, Heroin is a controlled substance.

INSTRUCTION NO. 16

A person has possession of something if the person knows of its presence and has physical control of it, or has the power and intention to control it.

INSTRUCTION NO. 17

In order for the defendant to be guilty of COUNT 2: POSSESSION OF A CONTROLLED SUBSTANCE (Methamphetamine), the State must prove each of the following:

1. On or about July 22, 2016,
  2. in the State of Idaho,
  3. the defendant Ronald Eugene Vaughn possessed any amount of methamphetamine,
- and
4. the defendant either knew it was methamphetamine or believed it was a controlled substance.

If any of the above has not been proven beyond a reasonable doubt, you must find the defendant not guilty. If each of the above has been proven beyond a reasonable doubt, then you must find the defendant guilty.

INSTRUCTION NO. 18

Under Idaho law, Methamphetamine is a controlled substance.

INSTRUCTION NO. 19

In order for the defendant to be guilty of COUNT 3: POSSESSION OF DRUG PARAPHERNALIA, the State must prove each of the following:

1. On or about July 22, 2016,
2. in the State of Idaho,
3. the defendant Ronald Eugene Vaughn possessed drug paraphernalia, to wit: a scale, syringes, a spoon, baggies and/or tin foil,
4. and used or intended to use the item(s) to inject, test, analyze, store, pack and/or prepare a controlled substance.

If any of the above has not been proven beyond a reasonable doubt, you must find the defendant not guilty. If each of the above has been proven beyond a reasonable doubt, then you must find the defendant guilty.



INSTRUCTION NO. 20

"Drug Paraphernalia" means all equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the human body.

INSTRUCTION NO. 21

Intent under Idaho law is not an intent to commit a crime but is merely the intent to knowingly perform the act committed.

INSTRUCTION NO. 23

It is alleged that the crimes charged were committed “on or about” a certain date. If you find that a crime was committed, the proof need not show that it was committed on that precise date.

INSTRUCTION NO. 25

A defendant in a criminal trial has a constitutional right not to be compelled to testify. The decision whether to testify is left to the defendant, acting with the advice and assistance of the defendant's lawyer. You must not draw any inference of guilt from the fact that the defendant does not testify, nor should this fact be discussed by you or enter into your deliberations in any way.

INSTRUCTION NO. 26

The fact the Court either overrules or sustains an objection to a question, or to testimony made, or to an argument advanced, is not a comment on the innocence or the guilt of the defendant or a comment on which counsel's argument is or is not to be believed. Counsel's statements are not evidence, nor are my rulings on objections made in a case. It is the job of counsel to raise objections they feel are appropriate just as it is my job to rule upon them.

INSTRUCTION NO. 27

You have been instructed as to all the rules of law that may be necessary for you to reach a verdict. Whether some of the instructions apply will depend upon your determination of the facts. You will disregard any instruction that applies to a state of facts you determine does not exist. You must not conclude from the fact that an instruction has been given that the Court is expressing any opinion as to the facts.

INSTRUCTION NO. 28

I have outlined for you the rules of law applicable to this case and have told you of some of the matters you may consider in weighing the evidence to determine the facts. Counsel have completed their closing remarks to you, and now you will retire to the jury room for your deliberations.

The arguments and statements of the attorneys are not evidence. If you remember the facts differently from the way the attorneys have stated them, you should base your decision on what you remember.

The attitude and conduct of jurors at the beginning of your deliberations are important. It is rarely productive at the outset for you to make an emphatic expression of your opinion on the case or to state how you intend to vote. When you do that at the beginning, your sense of pride may be aroused, and you may hesitate to change your position even if shown that it is wrong. Remember that you are not partisans or advocates, but are judges. For you, as for me, there can be no triumph except in the ascertainment and declaration of the truth.

As jurors you have a duty to consult with one another and to deliberate before making your individual decisions. You may fully and fairly discuss among yourselves all of the evidence you have seen and heard in this courtroom about this case, together with the law that relates to this case as contained in these instructions.

During your deliberations, you each have a right to re-examine your own views and change your opinion. You should only do so if you are convinced by fair and honest discussion that your original opinion was incorrect based upon the evidence the jury saw and heard during the trial and the law as given you in these instructions.

Consult with each other. Consider each other's views, and deliberate with the objective of reaching an agreement, if you can do so without disturbing your individual judgment. Each of you must decide this case for yourself; but you should do so only after a discussion and consideration of the case with your fellow jurors.

However, none of you should surrender your honest opinion as to the weight or effect of evidence or as to the innocence or guilt of the defendant because the majority of the jury feels otherwise or for the purpose of returning a unanimous verdict.



INSTRUCTION NO. 29

The instructions and the exhibits will be with you in the jury room. The exhibits are part of the official court record. For this reason please do not alter them or mark on them in any way.

The instructions are numbered for convenience in referring to specific instructions. There may or may not be a gap in the numbering of the instructions. If there is, you should not concern yourselves about such gap. You may feel free to mark on your copy of the jury instructions if you wish to.

INSTRUCTION NO. 30

Upon retiring to the jury room, select one of you as a presiding officer, who will preside over your deliberations. It is that person's duty to see that discussion is orderly; that the issues submitted for your decision are fully and fairly discussed; and that every juror has a chance to express himself or herself upon each question.

In this case, your verdict must be unanimous. When you all arrive at a verdict, the presiding officer will sign it and you will return it into open court.

Your verdict in this case cannot be arrived at by chance, by lot, or by compromise. If, after considering all of the instructions in their entirety, and after having fully discussed the evidence before you, the jury determines that it is necessary to communicate with me, you may send a note by the bailiff. You are not to reveal to me or anyone else how the jury stands until you have reached a verdict or unless you are instructed by me to do so.

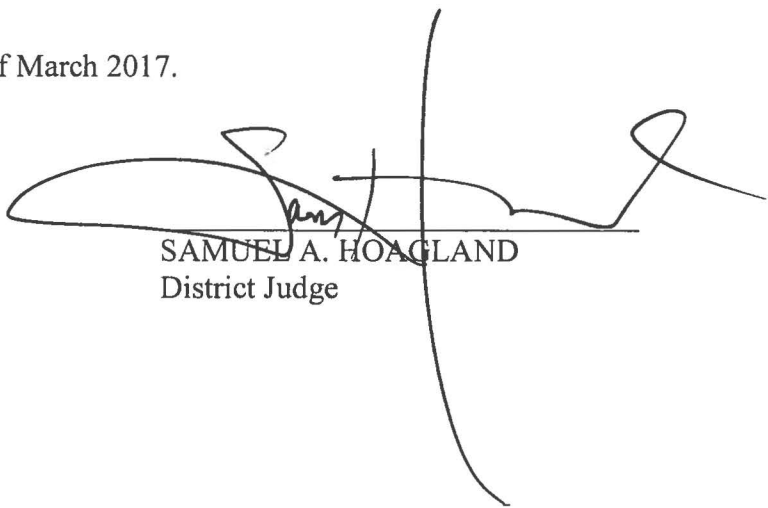
A verdict form suitable to any conclusion you may reach will be submitted to you with these instructions.

INSTRUCTION NO. 31

I will now draw the name of the alternate juror to whom I will once again apologize in advance. I will advise the alternate chosen that even at this time, it is possible, should some problem arise, that you could be recalled and the jury instructed to begin its deliberations anew with the alternate juror seated. For that reason, you are admonished not to discuss this case with other jurors or anyone else, nor to form an opinion as to the merits of the case or the defendant's innocence or guilt in this case.

Please leave your name and telephone number with the bailiff. The Court will call you to advise you when any verdict is reached and what that verdict may be, or to advise you if for any reason, you may be required to return to court for deliberations. Thank you for your service.

Dated this 8<sup>th</sup> day of March 2017.



SAMUEL A. HOAGLAND  
District Judge

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN,

Defendant.

Case No. CRFE-2016-9419

VERDICT

We, the Jury, unanimously find the defendant Ronald Eugene Vaughn:

As to Count 1: Trafficking in Heroin:

\_\_\_\_\_ **Not Guilty**

\_\_\_\_\_ **Guilty**

As to Count 2: Possession of a Controlled Substance, to-wit: Methamphetamine:

\_\_\_\_\_ **Not Guilty**

\_\_\_\_\_ **Guilty**

As to Count 3: Possession of Drug Paraphernalia:

\_\_\_\_\_ **Not Guilty**

\_\_\_\_\_ **Guilty**

Dated this \_\_\_\_\_ day of March 2017.

\_\_\_\_\_  
Presiding Juror

## INSTRUCTION C

You have now completed your duties as jurors in this case and are discharged with the sincere thanks of this Court. The question may arise as to whether you may discuss this case with the attorneys or with anyone else. For your guidance, the Court instructs you that whether you talk to the attorneys, or to anyone else, is entirely your own decision. It is proper for you to discuss this case, if you wish to, but you are not required to do so, and you may choose not to discuss the case with anyone at all. If you choose to, you may tell them as much or as little as you like, but you should be careful to respect the privacy and feelings of your fellow jurors. Remember that they understood their deliberations to be confidential. Therefore, you should limit your comments to your own perceptions and feelings. If anyone persists in discussing the case over your objection, or becomes critical of your service, either before or after any discussion has begun, please report it to me.

MAR 08 2017

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN,

Defendant.

Case No. CRFE-2016-9419

VERDICT

We, the Jury, unanimously find the defendant Ronald Eugene Vaughn:

As to Count 1: Trafficking in Heroin:

\_\_\_\_\_ Not Guilty

X Guilty

As to Count 2: Possession of a Controlled Substance, to-wit: Methamphetamine:

\_\_\_\_\_ Not Guilty


X Guilty

As to Count 3: Possession of Drug Paraphernalia:

\_\_\_\_\_ Not Guilty

X Guilty

Dated this 8 day of March 2017.

  
Presiding Juror

<b>Description</b>	Hoagland - Hardy - Olesek - May 4, 2017		
<b>Date</b>	5/4/2017	<b>Location</b>	1A-CRT504
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">02:39:04 PM</a>		<b>CRFE16.09419 - State v. Ronald Vaughn - Sentencing - Custody - David Stewart - Heather Reilly</b>	
<a href="#">02:39:12 PM</a>	Judge Samuel Hoagland	Reviews file	
<a href="#">02:42:10 PM</a>	Defense Counsel	Has not read the PSI	
<a href="#">02:44:11 PM</a>		will take 15 mins to review the PSI with client	
<a href="#">02:44:23 PM</a>		recess	
<a href="#">02:44:27 PM</a>			
<a href="#">02:53:22 PM</a>		Read and reviewed the PSI, no objections or corrections	
<a href="#">02:53:27 PM</a>	State's Attorney	Read and reviewed the PSI, no objections or corrections	
<a href="#">02:53:51 PM</a>	Counsel	Argument only	
<a href="#">02:53:58 PM</a>	State's Attorney	Presents restitution amount of \$4,446.66	
<a href="#">02:54:53 PM</a>	Defense Counsel	Will submit	
<a href="#">02:55:26 PM</a>	Judge Samuel Hoagland	Would like to review the order	
<a href="#">02:58:22 PM</a>	State's Attorney	Recommends: Ct 1 12+8, Ct 2 0+5, consecutive, Ct 3 1 year jail sentence concurrent to other counts, restitution	
<a href="#">03:09:56 PM</a>	Defense Counsel	Recommends: 10+0	
<a href="#">03:17:52 PM</a>	Defendant	Addresses court	
<a href="#">03:21:05 PM</a>	Judge Samuel Hoagland	JOC: Ct 1 - 10+10 fine of \$15,000, Ct 2 - 3+4, concurrent to Ct 1, Ct 3 180 days in ACJ, concurrent to charges 1 and 2, CTS: 286, will sign restitution order of \$4,446.66, standard court costs on all counts, appeal rights	
<a href="#">03:31:52 PM</a>		End of Case	

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

STATE OF IDAHO,

Plaintiff,

vs.

RONALD EUGENE VAUGHN  
[REDACTED]

Defendant.

Case No. CRFE-2016-9419

JUDGMENT OF CONVICTION

The Defendant, RONALD EUGENE VAUGHN, personally appeared for sentencing on May 4, 2017, represented by David Stewart. The State of Idaho was represented by Heather Reilly. District Judge Samuel Hoagland presided. The Defendant was duly informed of the Amended Information filed against him for the crimes of:

<u>Charge</u>	<u>Statute</u>	<u>Description</u>
1	37-2732B(a)(6)(B)	Drug-Trafficking in Heroin (7 grams to Less Than 28 grams)
2	37-2732(c)(1) {F}	Controlled Substance-Possession of
3	37-2734A(1)	Drug Paraphernalia-Use or Possess With Intent to Use

**JUDGMENT IS ENTERED**

**Judgment of Conviction.** The Court earlier accepted a jury's verdict of guilty on Counts 1, 2 and 3, and ordered the same entered on the record. Defendant is sentenced, pursuant to I.C. § 19-2513, to the custody of the State Board of Correction to be confined for a period of time as follows:

**COUNT 1:** For the crime of COUNT 1: TRAFFICKING IN HEROIN, FELONY, I.C. § 37-2732B(a)(6)(B), a minimum fixed and determinate period of custody of ten (10) years, followed by an indeterminate period of custody of up to ten (10) years, for a total unified sentence not to exceed twenty (20) years.

**COUNT 2:** For the crime of COUNT 2: POSSESSION OF A CONTROLLED SUBSTANCE (METHAMPHETAMINE), FELONY, I.C. § 27-2732(c), a minimum fixed and determinate period of





custody of three (3) years, followed by an indeterminate period of custody of up to four (4) years, for a total unified sentence not to exceed seven (7) years.

**COUNT 3:** For the crime of COUNT 3: POSSESSION OF DRUG PARAPHERNALIA, MISDEMEANOR, I.C. § 37-2734A, Defendant shall serve one hundred eighty (180) days in the Ada County Jail.

**Concurrent Sentences:** **COUNT 2** shall run concurrently with the sentence imposed in **COUNT 1**. **COUNT 3** shall run concurrently with the sentences imposed in **COUNT 1** and **COUNT 2**.

### **FINES, FEES, COSTS AND RESTITUTION**

**Defendant is ORDERED to pay:**

#### **Court Costs.**

**COUNT 1:** Defendant shall pay court costs in the amount of seventeen and 50/100 dollars (\$17.50); Criminal Justice Fee of ten dollars (\$10.00); P.O.S.T. Fee of fifteen dollars (\$15.00); Victim Notification Fee (VINE), pursuant to I.C. §31 3204, in the amount of fifteen dollars (\$15.00); ISTARs Fee of ten dollars (\$10.00); Peace Officer Temporary Disability Fee of three dollars (\$3.00); Victim's Compensation Fund in the amount of seventy-five dollars (\$75.00); Drug Hotline Fee, pursuant to I.C. §37-2735A, in the amount of ten dollars (\$10.00); Domestic Violence Fee of thirty dollars (\$30.00); and Emergency Surcharge Fee of one hundred dollars (\$100.00).

**COUNT 2:** Defendant shall pay court costs in the amount of seventeen and 50/100 dollars (\$17.50); Criminal Justice Fee of ten dollars (\$10.00); P.O.S.T. Fee of fifteen dollars (\$15.00); Victim Notification Fee (VINE), pursuant to I.C. §31 3204, in the amount of fifteen dollars (\$15.00); ISTARs Fee of ten dollars (\$10.00); Peace Officer Temporary Disability Fee of three dollars (\$3.00); Victim's Compensation Fund in the amount of seventy-five dollars (\$75.00); Drug Hotline Fee, pursuant to I.C. §37-2735A, in the amount of ten dollars (\$10.00); Domestic Violence Fee of thirty dollars (\$30.00); and Emergency Surcharge Fee of one hundred dollars (\$100.00).

**COUNT 3:** Defendant shall pay court costs in the amount of seventeen dollars fifty cents (\$17.50); Criminal Justice Fee of ten dollars (\$10.00); P.O.S.T. Fee of fifteen dollars (\$15.00); Victim Notification Fee (VINE), pursuant to I.C. §31 3204, in the amount of fifteen dollars (\$15.00); ISTARs Fee of ten dollars (\$10.00); Peace Officer Temporary Disability Fee of three dollars (\$3.00); Victim's Compensation Fund in the amount of thirty seven dollars (\$37.00); (\$75.00); Drug Hotline Fee, pursuant to I.C. §37-2735A, in the amount of ten dollars (\$10.00); Domestic Violence Fee of thirty dollars (\$30.00); and Emergency Surcharge Fee of fifty dollars (\$50.00).

**Fine. COUNT 1:** Defendant shall pay a fine in the amount of fifteen thousand dollars (\$15,000.00).



All sums ordered are payable through the Clerk of the District Court. Amounts due for fine and costs shall constitute a lien in like manner as a judgment for money in a civil action. I.C. §§ 19-2518, 19-2702.

**Reimbursement to Law Enforcement:** The Court orders law enforcement agency reimbursement in the sum of \$4,446.66. I.C. §§ 37-2732(k), 18-8003(2). This sum is payable to the Clerk of the District Court to be disbursed to the law enforcement agency(ies) which investigated this crime.

**CREDIT FOR TIME SERVED**

The Defendant is given credit for time served on this case to date of this judgment (I.C. § 18-309) in the amounts of:

Count 1: 286 days

Count 2: 286 days

Count 3: 286 days

**ORDER FOR DNA SAMPLE AND THUMBPRINT IMPRESSIONS I.C. § 19-5507(2)**

Defendant is incarcerated at the time of sentencing, or is being sentenced to the custody of the State Board of Correction and will be processed through RDU. Defendant, having been convicted of, or pled guilty to, a felony, is ordered to provide a DNA sample and right thumbprint impressions as required by I.C. § 19-5506.

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

**The Right:** The Defendant has 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.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).

**BAIL**

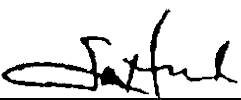
There is no bail to be exonerated.

**ORDER OF COMMITMENT**

Defendant is hereby committed to the custody of the Ada County Sheriff, for delivery forthwith to the Board of Correction at the Idaho State Penitentiary, or other facility designated by the Board of Correction. I.C. § 20-237.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_  
Signed: 5/5/2017 09:57 AM

  
\_\_\_\_\_  
Samuel Hoagland  
District Judge



**CERTIFICATE OF SERVICE**

I certify that on May 5, 2017, I served a copy of the attached to:

ADA COUNTY PROSECUTOR  
VIA — EMAIL

ADA COUNTY PUBLIC DEFENDER  
VIA – EMAIL

ADA COUNTY JAIL  
VIA — EMAIL

CCD SENTENCING TEAM  
VIA — EMAIL

PROBATION & PAROLE-PSI DEPARTMENT  
VIA — EMAIL



By: Shary Abbott  
Deputy Clerk

Signed: 5/5/2017 01:16 PM



NOTICE TO PLAINTIFFS, DEFENDANTS AND OTHERS  
REGARDING CONTACT WITH THE JUDGE

(avoiding *ex parte* contact)

The Judge is impartial and is ethically prohibited from having verbal or written contact with any party or entity without all parties being present or being informed of the communication at the same time as the Judge. To ensure that all parties are treated fairly you must comply with the following requirements if you desire to communicate with the Judge.

Contact with the Judge by you and other communications by others on your behalf SHALL be made through your attorney. If you are not represented by an attorney or if no alternative is available to you, you may contact the Court directly. YOU AND OTHERS COMMUNICATING ON YOUR BEHALF can only contact the Judge in the following manner. This applies to all public or private entities.

WRITTEN COMMUNICATION: Written communication or filings to the judge SHALL be mailed or delivered to all parties at the same time. YOU, AND OTHERS COMMUNICATING ON YOUR BEHALF, SHALL INDICATE IN THE WRITTEN COMMUNICATION OR FILINGS TO THE COURT THAT THESE COMMUNICATIONS HAVE BEEN MAILED OR DELIVERED AND INCLUDE THE ADDRESS TO WHICH THE COMMUNICATION WAS MAILED OR DELIVERED.

VERBAL COMMUNICATION: Verbal communication with the Judge can only take place in the presence of all parties.

ALL OTHER CONTACT WITH THE JUDGE IS PROHIBITED. THE JUDGE WILL NOT PERMIT, CONSIDER OR ACT UPON COMMUNICATIONS THAT HAVE NOT FOLLOWED THE ABOVE PROCEDURE.

EXCEPTION: FOR SCHEDULING, ADMINISTRATIVE PURPOSES OR EMERGENCIES THAT DO NOT INVOLVE THE SUBSTANCE, DETAILS OR ISSUES OF THE CASE, YOU MAY CONTACT THE COURT DIRECTLY. HOWEVER, THE JUDGE WILL NOT ACT UPON THE COMMUNICATION IF THE JUDGE REASONABLY BELIEVES THE COMMUNICATION WILL ALLOW A PARTY TO GAIN A PROCEDURAL, SUBSTANTIVE, OR TACTICAL ADVANTAGE.

All communications received by the JUDGE OR THE CLERK OF THE COURT may become part of the official court record and may be available to the public.



FILED By: Jesa Brizendine Deputy Clerk  
Fourth Judicial District, Ada County  
CHRISTOPHER D. RICH, Clerk

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

**Heather C. Reilly**  
Deputy Prosecuting Attorney  
200 West Front Street, Room 3191  
Boise, Idaho 83702  
Telephone: (208) 287-7700  
Fax: (208)-287-7709

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

STATE OF IDAHO, )  
)  
Plaintiff, )  
)  
vs. )  
)  
RONALD EUGENE VAUGHN, )  
)  
Defendant. )  
\_\_\_\_\_ )

**Case No. CR-FE-2016-9419**

**ORDER FOR RESTITUTION AND  
JUDGMENT**

**WHEREAS**, on the \_\_\_\_\_, a Judgment of Conviction was entered against the defendant, RONALD EUGENE VAUGHN, and therefore pursuant to Idaho Code §37-2732(k) the defendant, RONALD EUGENE VAUGHN, shall make restitution to the law enforcement agency(ies) in the amount of **\$4,446.66**, as follows:

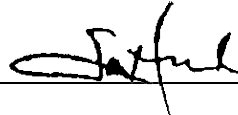
**RESTITUTION – LAW ENFORCEMENT AGENCIES**

DRUG ENFORCEMENT DONATION ACCOUNT	\$393.30
ACPO DRUG PROSECUTION RESTITUTION	\$1,724.78
BCPD ATTN BANDIT	\$2,328.58
<b>TOTAL:</b>	<b>\$4,446.66</b>

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

**IT IS SO ORDERED.**

**DATED** Signed: 5/5/2017 09:55 AM \_\_\_\_\_

Judge  \_\_\_\_\_

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney

Heather Reilly  
Deputy Prosecuting Attorney  
200 W. Front Street, Room 3191  
Boise, Id. 83702  
Telephone: (208) 287-7700

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

THE STATE OF IDAHO, )  
)  
Plaintiff, )  
vs. )  
)  
**RONALD EUGENE VAUGHN,** )  
)  
Defendant. )  
\_\_\_\_\_ )

**Case No. CR-FE-2016-0009419**  
**CERTIFICATE OF RECORDS**

STATE OF IDAHO )  
) ss:  
County of Ada )

Kylie Bolland, being first duly sworn, deposes and says:

1. I am employed by the Ada County Prosecuting Attorney and as such have access to payroll records maintained by Ada County in the regular course of its business.
2. I am aware that the Ada County Prosecutor's Office keeps records regarding the attorney time spent prosecuting drug cases in anticipation of submitting a request for restitution pursuant to I.C. §37-2732(k).
3. I have reviewed the time log in this case, which documents the prosecutor time spent prosecuting the above referenced drug case. Michael Anderson spent .3 hours working on this case, Kathryn Lindsey spent .2 hours working on this case, and Heather Reilly


spent 22.9 hours working on this case. I've applied the appropriate payroll rate for said attorneys and calculated the aggregate actual prosecution cost to be a total of \$1724.78.

4. Pursuant to Idaho Code §37-2732(k), the State requests restitution in the amount of \$1724.78.
5. The foregoing is true and correct to the best of my information and belief.

  
Kylie Bolland

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of March, 2017.



  
Notary Public, State of Idaho  
Residing at: Meridian, ID  
Commission Expires: 4-21-2019



**CLERK'S CERTIFICATE OF MAILING**

I hereby certify that on                     Signed: 5/9/2017 07:56 AM                    , I served the foregoing document upon the following attorneys, persons and agencies at the addresses listed below.

David A. Stewart  
Ada County Public Defender  
200 W. Front St. Rm 1107  
Boise, ID 83702

U.S. Mail, postage prepaid  
 Facsimile  
 Email  
[public.defender@adacounty.id.gov](mailto:public.defender@adacounty.id.gov)

Heather C. Reilly  
Deputy Prosecuting Attorney  
200 W. Front St. Rm 3191  
Boise, ID 83702

U.S. Mail, postage prepaid  
 Facsimile  
 Email  
[acpocourtdocs@adaweb.net](mailto:acpocourtdocs@adaweb.net)

**CHRISTOPHER D. RICH**  
Ada County Clerk of the Court

*Jessa Britenaine*  
\_\_\_\_\_  
Deputy Clerk

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

MAY 12 2017

CHRISTOPHER D. RICH, Clerk  
By SARA WRIGHT  
DEPUTY

ADA COUNTY PUBLIC DEFENDER  
Attorneys for Defendant-Appellant

DAVID A. STEWART, ISB #7932  
Deputy Public Defender  
200 West Front Street, Suite 1107  
Boise, Idaho 83702  
Telephone: (208) 287-7400  
Facsimile: (208) 287-7409

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

STATE OF IDAHO,  
  
Plaintiff-Respondent,  
  
vs.  
  
RONALD EUGENE VAUGHN,  
  
Defendant-Appellant.

Case No. CR-FE-2016-9419

NOTICE OF APPEAL

TO: THE ABOVE-NAMED RESPONDENT, STATE OF IDAHO, AND THE  
CLERK OF THE ABOVE-ENTITLED COURT.

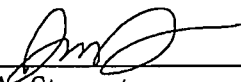
NOTICE IS HEREBY GIVEN THAT:

- 1) The above-named Appellant appeals against the above-named respondent to the Idaho Supreme Court from the Judgment of Conviction entered against him in the above-entitled action on May 5, 2017, the honorable Samuel Hoagland, District Judge, presiding.
- 2) That the party has a right to appeal to the Idaho Supreme Court, and the judgments or orders described in paragraph 1 above are appealable orders under and pursuant to IAR 11(c)(1-9).
- 3) A preliminary statement of the issues on appeal, which the Appellant then intends to assert in the appeal, provided any list of issues on appeal shall not prevent the Appellant from asserting other issues on appeal are:
  - a) Did the district court err by denying Defendant's Motion to Suppress?
  - b) Was there sufficient evidence presented at trial to support the jury's finding of guilt?
  - c) Did the district court abuse its discretion by imposing an excessive sentence?

- 4) There is a portion of the record that is sealed: the grand jury transcript and the presentence investigation report.
- 5) **Reporter's Transcript.** The appellant requests the preparation of the **entire reporter's standard transcript** as defined in IAR 25(d). The Appellant also requests the preparation of the additional portions of the reporter's transcript:
  - a) Motion to Suppress Hearing held February 24, 2017 (Court Reporter: Christine Olesek. No estimation of pages is listed on the Register of Actions);
  - b) Jury Trial held March 6-8, 2017 (Court Reporter: Christine Olesek. No estimation of pages is listed on the Register of Actions), this transcript should include:
    - i. The *voir dire* examination of the jury.
    - ii. The opening statements and closing arguments of counsel.
    - iii. The conference on requested instructions, the objections of the parties on the instructions, and the court's ruling thereon.
    - iv. The oral presentation by the court on written instructions given to the jury and reported by the reporter.
    - v. Any hearings regarding questions from the jury during deliberations, return of the verdict, and any polling of the jury panel.
  - c) Sentencing hearing held May 4, 2017 (Court Reporter: Christine Olesek. No estimation of pages is listed on the Register of Actions).
- 6) **Clerk's Record.** The Appellant requests the standard clerk's record pursuant to IAR 28(b)(2). The Appellant requests the following documents to be included in the clerk's record, in addition to those automatically included under IAR 28(b)(2):
  - a) Any and all written requested jury instructions, written jury instructions given by the court, modified or not given jury instructions, depositions, briefs, memoranda, statements or affidavits considered by the court, or considered on any motion made therein, and memorandum opinions or decisions of the court.
  - b) Any exhibits, including but not limited to letters or victim impact statements, addenda to the PSI or other items offered at the sentencing hearing.
- 7) I certify:
  - a) That copy of this Notice of Appeal has been served on the Court Reporter(s) listed in paragraph 5 above.
  - b) That the Appellant is exempt from paying the estimated fee for the preparation of the record because the appellant is indigent. (I.C. §§ 31-3220, 31-3220A, IAR 24(f)).

- c) That there is no appellant filing fee since this is an appeal in a criminal case. (I. C. §§ 31-3220, 31-3220A, IAR 23(a)(8)).
- d) That the Ada County Public Defender's office will be responsible for paying for the reporter's transcript, as the client is indigent (I. C. §§ 31-3220, 31-3220A, IAR 24(h)).
- e) That service has been made upon all parties required to be served pursuant to IAR 20.

DATED this 12th day of May 2017.

  
\_\_\_\_\_  
David A. Stewart  
Attorney for Defendant

CERTIFICATE OF MAILING


I HEREBY CERTIFY, that on this 12th day of May 2017, I mailed (served) a true and correct copy of the within instrument to:

Idaho Attorney General  
Via Email: ecf@ag.idaho.gov

Idaho Appellate Public Defender  
Via Email: documents@sapd.state.id.us

Christine Olesek  
Court Reporter  
Via Email: transcripts@adaweb.net

Heather Reilly  
Ada County Prosecutor's Office  
Via Email: acpocourtdocs@adaweb.net

  
\_\_\_\_\_  
Yolanda Smith

FILED By: Stephanie Hardy Deputy Clerk  
Fourth Judicial District, Ada County  
CHRISTOPHER D. RICH, Clerk

**ADA COUNTY PUBLIC DEFENDER**  
**Attorneys for Defendant**

**DAVID A. STEWART, ISB #7932**  
**Deputy Public Defender**  
**200 West Front Street, Suite 1107**  
**Boise, Idaho 83702**  
**Telephone: (208) 287-7400**  
**Facsimile: (208) 287-7409**

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

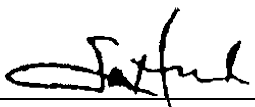
**STATE OF IDAHO,**  
  
**Plaintiff,**  
  
**vs.**  
  
**RONALD EUGENE VAUGHN,**  
  
**Defendant.**

**Case No. CR-FE-2016-9419**  
  
**ORDER APPOINTING STATE**  
**APPELLATE PUBLIC DEFENDER**  
**ON DIRECT APPEAL**

The defendant has elected to pursue a direct appeal in the above-entitled matter. The defendant being indigent and having heretofore been represented by the Ada County Public Defender's Office in the District Court, the Court finds that, under these circumstances, appointment of appellate counsel is justified. The Idaho State Appellate Public Defender shall be appointed to represent the above-named defendant in all matters pertaining to the direct appeal.

IT IS SO ORDERED

DATED: Signed: 5/16/2017 01:54 PM

  
\_\_\_\_\_  
**Samuel A. Hoagland**  
**District Judge**

**CERTIFICATE OF MAILING**

I, CHRISTOPHER D. RICH, the undersigned authority, do hereby certify that I have mailed one copy of the Order Appointing State Appellate Public Defender on Direct Appeal as notice pursuant to the Idaho Rules to each of the parties of record in this case in envelopes addressed as follows:

Idaho Attorney General  
Via Email: ecf@ag.idaho.gov

Idaho State Appellate Public Defender  
Via Email: documents@sapd.state.id.us

Heather Reilly  
Ada County Prosecutor's Office  
Via Email: acpocourtdocs@adaweb.net

David Stewart  
Ada County Public Defender's Office  
Via Email: public.defender@adacounty.id.gov

CHRISTOPHER D. RICH  
Clerk of the District Court  
Ada County, Idaho

Date: Signed: 5/16/2017 04:07 PM

By Stephanie Hardy  
Deputy Clerk



NO. \_\_\_\_\_  
A.M. \_\_\_\_\_ FILED P.M. 2:53

AUG 03 2017  
CHRISTOPHER D. RICH, Clerk  
By KELLE WEGENER  
DEPUTY

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To: Clerk of the Court  
Idaho Supreme Court  
451 West State Street  
(208) 334-2616

IN THE SUPREME COURT OF THE STATE OF IDAHO

Docket No. 45104

-----  
STATE OF IDAHO )  
Plaintiff-Respondent, )  
vs. )  
RONALD EUGENE VAUGHN, )  
Defendant-Appellant. )  
-----

NOTICE OF TRANSCRIPT OF 575 PAGES LODGED

Appealed from the District Court of the Fourth Judicial  
District of the State of Idaho, in and for the County of  
Ada.  
Honorable Samuel A. Hoagland, District Court Judge

Volume One contains:

- Motion to Suppress held on February 24, 2017.
- Jury Trial, Day One, March 6, 2017.
- Jury Trial, Day Two, March 7, 2017.
- Jury Trial, Day Three, March 8, 2017.
- Imposition of Sentence held on May 4, 2017.

Date: July 30, 2017

*Christine A. Olesek, RPR*

Christine Anne Olesek, RPR  
Official Court Reporter,  
Judge Samuel A. Hoagland  
Idaho Certified Shorthand Reporter No. SRL-1044  
Registered Professional Reporter



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

STATE OF IDAHO,  
  
Plaintiff-Respondent,  
vs.  
  
RONALD EUGENE VAUGHN,  
  
Defendant-Appellant.

Supreme Court Case No. 45104

CERTIFICATE OF EXHIBITS

I, CHRISTOPHER D. RICH, Clerk of the District Court of the Fourth Judicial District of the State of Idaho in and for the County of Ada, do hereby certify:

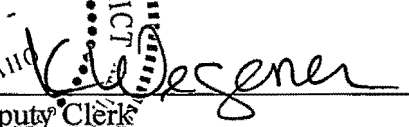
That the attached list of exhibits is a true and accurate copy of the exhibits being forwarded to the Supreme Court on Appeal. It should be noted, however, that the following exhibits have been returned to the investigating law enforcement agency:

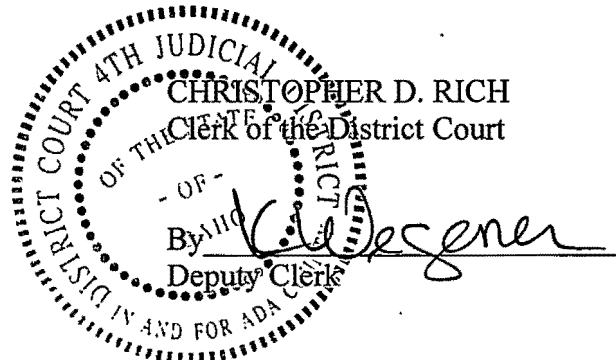
1. State's Exhibit 30 – Para from truck, bag, baggies, plastic, tin foil, plunger cap cover.
2. State's Exhibit 31 – Spoon with white residue.
3. State's Exhibit 32 – Black nylon bag with magnets.
4. State's Exhibit 33 – Scale.
5. State's Exhibit 34 – Methamphetamine.
6. State's Exhibit 35 – Heroin.

I FURTHER CERTIFY, that the following documents will be submitted as CONFIDENTIAL EXHIBITS to the Record:

1. Transcript of Grand Jury proceedings, held August 2, 2016, Boise, Idaho, filed October 3, 2016.
2. Motion to Seal Pursuant to ICR 32, Filed Under Seal, filed February 3, 2017.
3. State's Response and Supporting Brief in Opposition to Defendant's Motion to Suppress, Filed Under Seal, filed February 3, 2017.
4. Order to Seal Pursuant to ICR 32, filed February 7, 2017.
5. Presentence Investigation Report.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court this 3rd day of August, 2017.

CHRISTOPHER D. RICH  
Clerk of the District Court  
- OF -  
By   
Deputy Clerk



**EXHIBIT LIST**

Samuel A. Hoagland/ Stephanie Hardy  
Judge Clerk

DATE: February 24, 2017

DISPOSITION: Motion to Suppress  
CASE NO. CR-FE-2016-9419

State of Idaho	Heather Reilly

Plaintiff

Attorney(s)

vs.

Ronald Vaughn	David Stewart

Defendant

Attorney(s)

BY	NO.	DESCRIPTION	STATUS
Plaintiff	2	Return of Search Warrant	Admitted 2/24/17

## EXHIBIT LIST

Samuel A. Hoagland/ Stephanie Hardy  
Judge Clerk

DATE: March 6-8, 2017

DISPOSITION: Jury Trial  
CASE NO. CR-FE-2016-9419

State of Idaho	Heather Reilly
----------------	----------------

Plaintiff

Attorney(s)

vs.

Ronald Vaughn	David Stewart
---------------	---------------

Defendant

Attorney(s)

BY	NO.	DESCRIPTION	STATUS
Plaintiff	1	Photo – Front of truck	Admitted 3/7/17
Plaintiff	2	Photo – Back of truck	Admitted 3/7/17
Plaintiff	3	Photo – driver side of truck	Admitted 3/7/17
Plaintiff	4	Photo – passenger side of truck	Admitted 3/7/17
Plaintiff	5	Photo – back seat, drivers side of truck	Admitted 3/7/17
Plaintiff	5	Photo – back seat, passenger side of truck	Admitted 3/7/17
Plaintiff	7	Photo – back seat of truck	Admitted 3/7/17
Plaintiff	8	Photo – paraphernalia	Admitted 3/7/17
Plaintiff	9	Photo – nylon bag	Admitted 3/7/17
Plaintiff	10	Photo - nylon bag, opened	Admitted 3/7/17
Plaintiff	11	Photo – drug paraphernalia	Admitted 3/7/17
Plaintiff	12	Photo – drug paraphernalia	Admitted 3/7/17
Plaintiff	13	Photo – bag of meth	Admitted 3/7/17
Plaintiff	14	Photo – scale and meth	Admitted 3/7/17
Plaintiff	15	Photo – bag of heroin	Admitted 3/7/17
Plaintiff	16	Photo – bag of heroin	Admitted 3/7/17
Plaintiff	17	Photo – scale and bag of heroin	Admitted 3/7/17
Plaintiff	18	Photo – driver's license	Admitted 3/7/17
Plaintiff	19	Photo – vehicle registration	Admitted 3/7/17
Plaintiff	20	Photo – Chase debit card	Admitted 3/7/17
Plaintiff	21	Photo – More credit cards	Admitted 3/7/17
Plaintiff	22	Photo – letter from Social Security	Admitted 3/7/17
Plaintiff	23	Photo - bag, baggies, plastic, tin foil, plunger cap cover	Admitted 3/7/17
Plaintiff	24	Photo – bag, baggies, plastic, tin foil, plunger cap cover	Admitted 3/7/17
Plaintiff	25	Disk OBV Beaudoin	Admitted 3/7/17
Plaintiff	26	Disk OBV Case	Admitted 3/7/17
Plaintiff	27	Disk Audio Martinez	Admitted 3/7/17
Plaintiff	30	Para from truck, bag, baggies, plastic, tin foil, plunger cap cover	Admitted 3/7/17

**EXHIBIT LIST**

Samuel A. Hoagland/ Stephanie Hardy  
Judge Clerk

DATE: March 6-8, 2017

DISPOSITION: Jury Trial

CASE NO. CR-FE-2016-9419

Plaintiff	31	Spoon with white residue	Admitted 3/7/17
Plaintiff	32	Black nylon bag with magnets	Admitted 3/7/17
Plaintiff	33	scale	Admitted 3/7/17
Plaintiff	34	methamphetamine	Admitted 3/7/17
Plaintiff	35	Heroin	Admitted 3/7/17
Plaintiff	36	Audio – Interview with defendant	Admitted 3/8/17
Plaintiff	37	Photo – front screen of cell phone	Admitted 3/8/17
Plaintiff	38	Photo – profile info of cell phone	Admitted 3/8/17
Plaintiff	39	Photo – Carlos info on cell phone	Admitted 3/8/17
Plaintiff	40	Photo – text messages	Admitted 3/8/17
Plaintiff	41	Photo – text messages	Admitted 3/8/17
Plaintiff	42	Photo – text messages	Admitted 3/8/17
Plaintiff	43	Photo – text messages	Admitted 3/8/17
Plaintiff	44	Photo – text messages	Admitted 3/8/17
Plaintiff	45	Photo – text messages	Admitted 3/8/17
Plaintiff	46	Photo – text messages	Admitted 3/8/17
Plaintiff	47	Photo – text messages	Admitted 3/8/17
Plaintiff	48	Photo – text messages	Admitted 3/8/17

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

STATE OF IDAHO,  
  
Plaintiff-Respondent,  
vs.  
RONALD EUGENE VAUGHN,  
  
Defendant-Appellant.

Supreme Court Case No. 45104

CERTIFICATE OF SERVICE

I, CHRISTOPHER D. RICH, the undersigned authority, do hereby certify that I have personally served or mailed, by either United States Mail or Interdepartmental Mail, one copy of the following:

CLERK'S RECORD AND REPORTER'S TRANSCRIPT

to each of the Attorneys of Record in this cause as follows:

STATE APPELLATE PUBLIC DEFENDER  
ATTORNEY FOR APPELLANT  
BOISE, IDAHO

LAWRENCE G. WASDEN  
ATTORNEY FOR RESPONDENT  
BOISE, IDAHO

Date of Service:                     AUG 03 2017                    

DISTRICT COURT 4TH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO  
- OF -  
COUNTY LEWIS  
CHRISTOPHER D. RICH  
Clerk of the District Court  
By: *[Signature]*  
Deputy Clerk

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

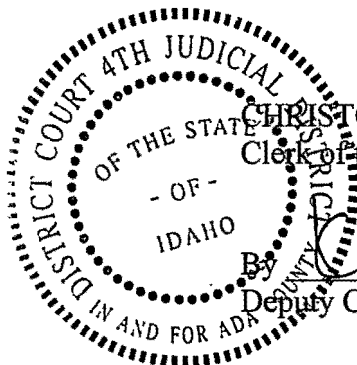
STATE OF IDAHO,  
  
Plaintiff-Respondent,  
vs.  
  
RONALD EUGENE VAUGHN,  
  
Defendant-Appellant.

Supreme Court Case No. 45104

CERTIFICATE TO RECORD

I, CHRISTOPHER D. RICH, Clerk of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, do hereby certify that the above and foregoing record in the above-entitled cause was compiled under my direction and is a true and correct record of the pleadings and documents that are automatically required under Rule 28 of the Idaho Appellate Rules, as well as those requested by Counsel.

I FURTHER CERTIFY, that the Notice of Appeal was filed in the District Court on the 12th day of May, 2017.



CHRISTOPHER D. RICH  
Clerk of the District Court

By DeWeger  
Deputy Clerk