

2nd District- Farmington  
DAVIS COUNTY, STATE OF UTAH

STATE OF UTAH vs. JARED WILLIAM SWAN

CASE NUMBER 161701486 State Felony

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CHARGES

Charge 1 - 76-6-506.3 - UNLAW ACQUISITION/POSSESS/TRANSFER-CARD - 3rd Degree Felony (402 amended to) - Class A Misdemeanor

Offense Date: June 13, 2016

Location: North Salt Lake, Utah

Plea: December 01, 2016 Guilty

Disposition: December 01, 2016 Guilty

Charge 2 - 76-6-506.2 - UNLAWFUL USE OF A FINANCIAL TRANSACTION CARD - Class B Misdemeanor

Offense Date: June 13, 2016

Location: North Salt Lake, Utah

Plea: October 27, 2016 Not Guilty

Disposition: December 01, 2016 Dismissed w/ Prejudi

CURRENT ASSIGNED JUDGE

MICHAEL D DIREDA

PARTIES

Plaintiff - STATE OF UTAH

Represented by: RICHARD LARSEN

Defendant - JARED WILLIAM SWAN

Counterclaimant - DAVIS COUNTY ATTORNEY

Creditor - WELLS FARGO BANK

DEFENDANT INFORMATION

Defendant Name: JARED WILLIAM SWAN

Offense Tracking Number: 51641850

Date of Birth: July 03, 1976

Law Enforcement Agency: NORTH SALT LAKE PD

LEA Case Number: N16-01638

Officer Name: CADE VEIGEL

Prosecuting Agency: DAVIS COUNTY

Agency Case Number: 16-1780

Violation Date: 06-13-2016

ACCOUNT SUMMARY

CASE NOTE

Informal Court Probation

PROCEEDINGS

08-19-2016 Filed: INFORMATION/INDICTMENT

08-19-2016 Case filed by efiler  
08-19-2016 Filed: From an Information  
08-19-2016 Judge ROBERT J DALE assigned.  
08-23-2016 Filed: Substitution of Counsel /State  
08-23-2016 Filed: Summons - To Issue (Proposed)  
08-23-2016 Filed: Return of Electronic Notification  
08-23-2016 INITIAL APPEARANCE scheduled on September 26, 2016 at 01:30 PM  
in Central Calendar with Judge ROTATION JUDGE  
08-24-2016 Issued: Summons Issued  
Judge MICHAEL G ALLPHIN  
08-24-2016 Filed: Return of Electronic Notification  
09-09-2016 Filed return: Return of Service upon JARED WILLIAM SWAN for  
Party Served: JARED WILLIAM SWAN  
Service Type: Personal  
Service Date: September 07, 2016  
Garnishee:  
09-09-2016 Filed: Return of Electronic Notification  
09-26-2016 ARRAIGNMENT scheduled on October 27, 2016 at 09:00 AM in  
Courtroom 4 with Judge ROBERT J DALE  
09-26-2016 Note: Case Bound Over  
09-26-2016 Minute Entry - INITIAL APPEARANCE/BIND OVER ORDER  
Judge: DAVID CONNORS  
PRESENT  
Clerk: tylerc  
Prosecutor: WESTMORELAND, RICK T  
Defendant Present  
Defendant's Attorney(s): ALBRIGHT, WILLIAM J  
Audio  
Tape Number: 5-092616 Tape Count: 2:17-2:19  
INITIAL APPEARANCE  
A copy of the Information is given to the defendant.  
Defendant waives reading of Information.  
Advised of charges and penalties.  
Defendant Conditionally Waives Right to a Preliminary  
Hearing.  
APPOINTMENT OF COUNSEL  
Court finds the defendant indigent and appoints WILLIAM J  
ALBRIGHT to represent the defendant.  
Appointed Counsel:  
Name: WILLIAM J ALBRIGHT  
Address: 2612 S 450 E  
City: BOUNTIFUL UT 84010  
Phone: (801)991-0569  
CASE BOUNDOVER  
Defendant waived preliminary hearing, State consenting  
thereto.  
This case is bound over. An Arraignment hearing has been  
set on 10/27/2016 at 9:00 AM in courtroom 4 before Judge  
ROBERT J DALE.  
09-26-2016 \*\*\*\* PRIVATE \*\*\*\* Filed: Affidavit of Indigency  
09-28-2016 Filed order: INITIAL APPEARANCE/BIND OVER ORDER  
Judge DAVID CONNORS  
Signed September 28, 2016  
10-03-2016 \*\*\*\* PRIVATE \*\*\*\* Filed: Victim Impact Statement

10-03-2016 Filed: Return of Electronic Notification

10-27-2016 Minute Entry - ARRAIGNMENT

Judge: ROBERT J DALE

PRESENT

Clerk: glendap

Prosecutor: HART, NICHOLAS K

Defendant Present

Defendant's Attorney(s): ALBRIGHT, WILLIAM J

Audio

Tape Number: F4-102716 Tape Count: 12.00/12.01

ARRAIGNMENT

Defendant waives reading of Information.

Defendant is arraigned.

The defendant pleads not guilty. A PTC is set on 12/1/16.

PRETRIAL CONFERENCE is scheduled.

Date: 12/01/2016

Time: 09:00 a.m.

Location: Courtroom 4

Justice Complex

800 West State Street

Farmington, UT 84025

Before Judge: ROBERT J DALE

10-28-2016 PRETRIAL CONFERENCE scheduled on December 01, 2016 at 09:00 AM in Courtroom 4 with Judge ROBERT J DALE

12-01-2016 SENTENCING scheduled on January 19, 2017 at 09:00 AM in Courtroom 4 with Judge ROBERT J DALE

12-01-2016 Charge 1 Disposition is Guilty

12-01-2016 Charge 2 Disposition is Dismissed w/ Pr

12-01-2016 Minute Entry - CHANGE OF PLEA

Judge: ROBERT J DALE

PRESENT

Clerk: glendap

Prosecutor: LARSEN, RICHARD L

Defendant Present

Defendant's Attorney(s): ALBRIGHT, WILLIAM J

Audio

Tape Number: F4-120116 Tape Count: 11.54/11.58

Court advises defendant of rights and penalties.

A pre-sentence investigation was ordered.

The Judge orders Adult Probation and Parole to prepare a Pre-sentence report.

Change of Plea Note

The defendant pleads guilty to Count 1. Count 2 is dismissed. Sentencing is set on 1/19/17.

SENTENCING is scheduled.

Date: 01/19/2017

Time: 09:00 a.m.

Location: Courtroom 4

Justice Complex

800 West State Street

Farmington, UT 84025

Before Judge: ROBERT J DALE

12-02-2016 Filed: Presentence Referral Form

12-02-2016 Filed: Plea, Rights and Waiver  
Judge ROBERT J DALE  
Signed December 01, 2016

01-18-2017 \*\*\*\* PROTECTED \*\*\*\* Filed: Pre Sentence Investigation Report

01-19-2017 2ND SENTENCING scheduled on February 02, 2017 at 09:00 AM in  
Courtroom 4 with Judge ROBERT J DALE

01-19-2017 Minute Entry - CONTINUANCE  
Judge: ROBERT J DALE  
PRESENT  
Clerk: glendap  
Prosecutor: LARSEN, RICHARD L  
Defendant Present  
Defendant's Attorney(s): GEORGE, JULIE  
Audio  
Tape Number: F4-011917 Tape Count: 11.03/11.04  
CONTINUANCE  
Whose Motion:  
The Defendant's counsel JULIE GEORGE.  
Reason for continuance:  
Correct calendar  
This is continued to 2/2/17.  
The motion is granted.  
2ND SENTENCING is scheduled.  
Date: 02/02/2017  
Time: 09:00 a.m.  
Location: Courtroom 4  
Justice Complex  
800 West State Street  
Farmington, UT 84025  
Before Judge: ROBERT J DALE

01-23-2017 \*\*\*\* PRIVATE \*\*\*\* Filed: Restitution Request

02-02-2017 Minute Entry - SENTENCE, JUDGMENT, COMMITMENT  
Judge: ROBERT J DALE  
PRESENT  
Clerk: glendap  
Prosecutor: LARSEN, RICHARD L  
Defendant Present  
Defendant's Attorney(s): ALBRIGHT, WILLIAM J  
Audio  
Tape Number: F4-020217 Tape Count: 11.07/11.16  
SENTENCE PRISON  
Based on the defendant's conviction of UNLAW  
ACQUISITION/POSSESS/TRANSFER-CARD a 3rd Degree Felony, the  
defendant is sentenced to an indeterminate term of not to  
exceed five years in the Utah State Prison.  
The prison term is suspended.

SENTENCE JAIL  
Based on the defendant's conviction of UNLAW  
ACQUISITION/POSSESS/TRANSFER-CARD a 3rd Degree Felony, the  
defendant is sentenced to a term of 45 day(s) in the Davis  
County Jail.  
Credit is granted for time served.  
Credit is granted for 1 day(s) previously served.  
SENTENCE JAIL SERVICE NOTE

The defendant is granted work release.

SENTENCE FINE

Charge # 1 Fine: \$5000.00  
Suspended: \$4350.00  
Surcharge: \$330.53  
Due: \$650.00  
Total Fine: \$5000.00  
Total Suspended: \$4350.00  
Total Surcharge: \$330.53  
Total Principal Due: \$650.00  
Plus Interest  
Attorney Fees Amount: \$500.00 Plus Interest  
Pay in behalf of: DAVIS COUNTY ATTORNEY  
Restitution Amount: \$339.00 Plus Interest  
Pay in behalf of: WELLS FARGO BANK

ORDER OF PROBATION

The defendant is placed on probation for 3 year(s).  
Probation is to be supervised by Adult Probation and Parole.  
Defendant to serve 45 day(s) jail.  
Defendant is to report to the Davis County Jail.  
Defendant is to report by February 3, 2017 by 4:00 p.m..  
Defendant is to pay a fine of 650.00 which includes the surcharge. Interest may increase the final amount due.  
CONDUCT: Commit no further violations of the law.  
ALCOHOL: Do not use or possess alcoholic beverages or frequent places where alcohol is the chief item for sale.  
DRUGS: Do not use or possess controlled substance or be in the presence of those who use, possess or distribute controlled substances.  
TESTING: Submit to body fluids testing for evidence of drug or alcohol use.  
EVALUATION: Evaluation by Davis County Alcohol and Drug or Davis County Behavioral Health and successful completion of any program that they suggest.  
PROGRAM/TREATMENT: Enter, participate in and complete any program, counseling or treatment as directed by probation.  
SEARCH CONSENT: Submit to search of person, premises or vehicle and seizure of any evidence without a search warrant at the request of police or probation officer, if they have reasonable cause.  
EDUCATION/VOCATION: Participate in and complete any educational or vocational training as directed by probation.  
EMPLOYMENT: Obtain and maintain lawful, verifiable, full time employment.  
AP&P CONDITIONS: Complete any other terms or conditions or probation as required by AP&P and sign a probation agreement.  
DNA TESTING: Submit to DNA testing and pay statutory fee.  
OTHER: Participate in a substance abuse evaluation and complete any recommended treatment and counseling.  
Complete the DORA program screening process, and comply with recommended treatment.  
Abide by the Response and Incentive Matrix.  
Report to AP&P w/i 5 calendar days from today or release from jail.  
Successfully complete a theft class.

02-06-2017 Judgment # 1 Entered 1,489.00

Creditor : STATE OF UTAH  
Debtor : JARED WILLIAM SWAN  
650.00 Fine and Surcharge

Creditor : DAVIS COUNTY ATTORNEY  
Debtor : JARED WILLIAM SWAN  
500.00 Attorney's Fees

Creditor : WELLS FARGO BANK  
Debtor : JARED WILLIAM SWAN  
339.00 Restitution

1,489.00 Judgment Grand Total

02-06-2017 Filed order: Sentence Worksheet  
Judge ROBERT J DALE  
Signed February 02, 2017

02-06-2017 \*\*\*\* PRIVATE \*\*\*\* Filed: Restitution Request

02-06-2017 Filed order: Jail Commitment  
Clerk GLENDA PITTMAN  
Signed February 02, 2017

02-06-2017 Filed order: Sentence Worksheet  
Judge ROBERT J DALE  
Signed February 02, 2017

02-06-2017 Filed order: SENTENCE, JUDGMENT, COMMITMENT  
Judge ROBERT J DALE  
Signed February 06, 2017

09-11-2018 Note: Progress/Violation Report to Judge Dale.

09-12-2018 Filed: Prob Progress/Violation Rep (convert probation to informal court probation)  
Judge ROBERT J DALE  
Signed September 11, 2018

01-25-2019 402 (2) scheduled on February 14, 2019 at 09:00 AM in Courtroom 7 with Judge ROBERT J DALE

01-25-2019 Filed: Notice for Case 161701486 FS: Judge ROBERT J DALE

01-25-2019 Filed: (Proposed) Findings of Fact, Conclusions of Law and Order on Motion to Reduce conviction pursuant to utah code

01-25-2019 Filed: Motion to Reduce Conviction Pursuant to Utah Code Section 76-3-402 (2)  
Filed by: JARED WILLIAM SWAN

02-11-2019 402 (2) Modified  
Reason: Correct calendar

02-11-2019 402 MOTION HEARING scheduled on February 14, 2019 at 09:00 AM in Courtroom 7 with Judge ROBERT J DALE

02-11-2019 402 MOTION HEARING rescheduled on February 14, 2019 at 08:59 AM

02-14-2019 Filed order: Findings of Fact, Conclusions of Law, and Order on Motion to Reduce Conviction Pursuant to Utah Code Section 76-3-402(2)  
Judge ROBERT J DALE  
Signed February 14, 2019

02-14-2019 Charge 1 amended to Class A Misdemeanor

02-14-2019 Minute Entry - 402 MOTION HEARING  
Judge: ROBERT J DALE  
PRESENT  
Clerk: glendap

Prosecutor: LARSEN, RICHARD L  
Defendant Present  
The defendant is not in custody  
Defendant pro se  
Audio

Tape Number: F7-021419 Tape Count: 9.17/9.21

HEARING

The State has no objection. The Court grants the motion and signs the order reducing the charge to a Class A Misdemeanor.

402 DECREASE

The motion to enter judgment pursuant to 76-3-402, U.C.A. for the charge of UNLAW ACQUISITION/POSSESS/TRANSFER-CARD, is granted.

Charge severity decreased from 3rd Degree Felony to Class A Misdemeanor.

08-17-2021 Judge MICHAEL D DIREDA assigned.