

2nd District- Farmington
DAVIS COUNTY, STATE OF UTAH

STATE OF UTAH vs. MATTHEW JACOB MONTOYA

CASE NUMBER 171700476 State Felony

CHARGES

Charge 1 - 76-6-506.3 - UNLAW ACQUISITION/POSSESS/TRANSFER-CARD - 3rd Degree Felony

Offense Date: December 16, 2016

Location: Davis County

Plea: January 10, 2018 Guilty

Disposition: January 10, 2018 Guilty

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

Offense Date: December 16, 2016

Location: Davis County

Plea: December 06, 2017 Not Guilty

Disposition: January 10, 2018 Dismissed w/ Prejudi

CURRENT ASSIGNED JUDGE

DAVID HAMILTON

PARTIES

Plaintiff - STATE OF UTAH

Represented by: BRANDON POLL

Defendant - MATTHEW JACOB MONTOYA

Represented by: TODD UTZINGER

Other Party - MOUNTAIN AMERICA CREDIT UNION

Other Party - DAVIS COUNTY SHERIFF

Other Party - DAVIS COUNTY ATTORNEY

DEFENDANT INFORMATION

Defendant Name: MATTHEW JACOB MONTOYA

Offense Tracking Number: 55340590

Date of Birth: August 13, 1978

Law Enforcement Agency: LAYTON CITY POLICE

LEA Case Number: 16-21375

Prosecuting Agency: DAVIS COUNTY

Agency Case Number: 17-559

Violation Date: 12-16-2016

ACCOUNT SUMMARY

CASE NOTE

Weber County Jail

PROCEEDINGS

03-16-2017 Filed: INFORMATION/INDICTMENT MONTOYA INFORMATION
03-16-2017 Case filed by efiler
03-16-2017 Filed: From an Information
03-16-2017 Judge MICHAEL G ALLPHIN assigned.
03-16-2017 Judge DAVID HAMILTON assigned.
03-16-2017 Filed: Return of Electronic Notification
03-16-2017 Filed: Summons - To Issue (Proposed)
03-16-2017 Filed: Return of Electronic Notification
03-17-2017 Cancelled: INITIAL APPEARANCE scheduled on May 08, 2017 at
01:30 PM in First Appearance with Judge ROTATION JUDGE
03-17-2017 Issued: Summons Issued
Clerk TYLER CAMERON
03-17-2017 Filed: Return of Electronic Notification
03-23-2017 Filed: Appearance of Counsel/Notice of Limited Appearance
03-23-2017 Filed: Demand for Jury Trial - Criminal: Demand for Jury Trial
- Criminal
03-23-2017 Filed: Demand for Jury Trial - Criminal: Demand for Jury Trial
- Criminal (Witnesses)
03-23-2017 Filed: Request for Discovery
03-23-2017 Filed: Return of Electronic Notification
04-03-2017 Rescheduled: INITIAL APPEARANCE rescheduled to April 12, 2017
at 01:28 PM in First Appearance with Judge ROTATION JUDGE
04-12-2017 Cancelled: ROLL CALL scheduled on April 21, 2017 at 01:28 PM in
First Appearance with Judge ROTATION JUDGE
04-12-2017 Note: MATTHEW JACOB MONTOYA DEF Custody Location Jail : Weber
County Jail
04-12-2017 Minute Entry - INITIAL APPEARANCE

Judge: MICHAEL G ALLPHIN
PRESENT
Clerk: jaclynb
Prosecutor: HUNT, SUSAN L
Defendant Present
Defendant's Attorney(s): COLE, ROY D
Audio
Tape Number: 6-041217 Tape Count: 2:10-2:12

INITIAL APPEARANCE
A copy of the Information is given to the defendant.
Defendant waives reading of Information.
Advised of charges and penalties.
Counsel requests a Roll Call.

ROLL CALL is scheduled.
Date: 04/21/2017
Time: 01:28 p.m.
Location: Central Calendar
800 West State Street
Farmington, UT 84025
Before Judge: ROTATION JUDGE

CUSTODY
The defendant is remanded to the custody of the Weber
County Jail.
Hold defendant pending further order.
No Bail

04-17-2017 Filed return: Return of Service
Party Served: MATTHEW JACOB MONTOYA
Service Type: Personal
Service Date: April 12, 2017
Garnishee:

04-17-2017 Filed: Return of Electronic Notification

04-21-2017 Rescheduled: ROLL CALL rescheduled to May 05, 2017 at 01:28 PM
in First Appearance with Judge ROTATION JUDGE

05-05-2017 Cancelled: PRELIMINARY HEARING scheduled on May 26, 2017 at
09:00 AM in First Appearance with Judge ROTATION JUDGE

05-05-2017 Minute Entry - ROLL CALL/PRELIM SET
Judge: MICHAEL G ALLPHIN
PRESENT
Clerk: tylerc
Prosecutor: THOMSON, JEFFREY G
Defendant Present
Defendant's Attorney(s): BUSHELL, RYAN J
Audio
Tape Number: 7-050517 Tape Count: 1:45-1:47
ROLL CALL
Parties address the court. Defense counsel requests a
preliminary hearing. Prelim granted.
PRELIMINARY HEARING is scheduled.
Date: 05/26/2017
Time: 09:00 a.m.
Location: Central Calendar
800 West State Street
Farmington, UT 84025
Before Judge: ROTATION JUDGE
CUSTODY
The defendant is remanded to the custody of the Weber
County Jail.
Hold defendant pending further order.
No Bail

05-09-2017 Rescheduled: PRELIMINARY HEARING rescheduled to May 26, 2017 at
09:01 AM in First Appearance with Judge ROTATION JUDGE

05-26-2017 ARRAIGNMENT scheduled on July 19, 2017 at 09:00 AM in Courtroom
4 with Judge DAVID HAMILTON

05-26-2017 Note: Case Bound Over

05-26-2017 Minute Entry - PRELIMINARY HEARING/BIND OVER ORDER
Judge: MICHAEL G ALLPHIN
PRESENT
Clerk: jaclynb
Prosecutor: HART, NICHOLAS K
Defendant Present
The defendant is in the custody of the Weber County Jail
Defendant's Attorney(s): COLE, ROY D
Tape Number: 7-052617 Tape Count: 9:27-9:30
HEARING
Defendant conditionally waives Preliminary Hearing. The
State consents thereto. This matter is Bound Over.
CASE BOUNDOVER
Defendant waived preliminary hearing, State consenting
thereto.

This case is bound over. An Arraignment hearing has been set on 7/19/2017 at 9:00 AM in courtroom 4 before Judge DAVID HAMILTON.

CUSTODY

The defendant is remanded to the custody of the Weber County Jail.

Conditions: Defendant to be released on this Farmington Case.

05-27-2017 Filed order: PRELIMINARY HEARING/BIND OVER ORDER

Judge MICHAEL G ALLPHIN

Signed May 27, 2017

07-21-2017 Cancelled: ARRAIGNMENT scheduled on August 09, 2017 at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON

07-21-2017 Note: Parties stipulated to a continuance before the 7/19/17 hearing.

08-09-2017 Continued: ARRAIGNMENT scheduled on August 30, 2017 at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON

08-09-2017 Minute Entry - CONTINUANCE

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Prosecutor: LYON, NATHAN D

Defendant Present

Defendant pro se

Audio

Tape Number: 4-08092017 Tape Count: 11:41

CONTINUANCE

Whose Motion:

The Defendant.

Reason for continuance:

Court Ordered

The motion is granted.

ARRAIGNMENT is scheduled.

Date: 08/30/2017

Time: 09:00 a.m.

Location: Courtroom 4

Justice Complex

800 West State Street

Farmington, UT 84025

Before Judge: DAVID HAMILTON

08-16-2017 Filed: Notice of Withdrawal

08-16-2017 Filed: Return of Electronic Notification

08-30-2017 Minute Entry - ARRAIGNMENT

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Prosecutor: POLL, BRANDON L

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): EDWARDS, MICHAEL S

Audio

Tape Number: 4-08302017 Tape Count: 10:40

HEARING

Mr. Edwards stands in for Mr. Cole who is not present. The hearing is continued. Mr. Montoya to notify Mr. Cole.

ARRAIGNMENT.

Date: 09/27/2017
Time: 09:00 a.m.
Location: Courtroom 4
Justice Complex
800 West State Street
Farmington, UT 84025
Before Judge: DAVID HAMILTON

08-31-2017 ARRAIGNMENT scheduled on September 27, 2017 at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON

09-27-2017 Warrant Ordered on: September 27, 2017 Warrant Num: 985531555
Cash Bail Only

Bail amount: 5,000.00

09-27-2017 WARRANT: MONTOYA, MATTHEW JACOB Case 171

Judge: DAVID HAMILTON

To any Peace Officer in the State of Utah:

You are commanded to arrest and deliver the defendant to the Davis County Jail.

A juvenile may not be confined in an adult facility.

Defendant may be transported within the state.

The defendant must appear in Court before Judge DAVID HAMILTON on the next available court date.

Issue warrant on Failure to Appear

Bail is set at \$5000.00, and must be posted as cash only.

No pre-trial service release.

This warrant may be served any time, day or night.

Issued: September 27, 2017

Law Enforcement Agency: LAYTON CITY POLICE

End Of Order - Signature at the Top of the First Page

Defendant Details:

MATTHEW JACOB MONTOYA
502 15TH STREET
Driver License No: xxx0607
OGDEN UT 84015

Citation No:
Date of Birth: 08-13-1978
Social Security No: xxx-xx-5915

Home Phone:

Vehicle License:

Warrant Number: 985531555

09-27-2017 Minute Entry - ARRAIGNMENT

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Prosecutor: HART, NICHOLAS K

Defendant failed to appear for this hearing

Audio

Tape Number: 4-09272017 Tape Count: 11:35

HEARING

The defendant is not present. The Court orders a bench warrant to issue for \$5000.00 cash only bail.

WARRANT

Issue warrant on Failure to Appear

Cash only.

The defendant must appear.
Serve the warrant anytime.

- 09-27-2017 Filed order: WARRANT ISSUED For Case 171700476
Judge DAVID HAMILTON
Signed September 27, 2017
- 09-27-2017 Warrant Issued on: September 27, 2017 Warrant Num: 985531555
Cash Bail Only
Bail amount: 5,000.00
Judge DAVID HAMILTON
Issue Reason: Issue warrant on Failure to Appear
- 11-16-2017 Cancelled: RBW/ARRAIGNMENT scheduled on November 22, 2017 at
09:00 AM in Courtroom 4 with Judge DAVID HAMILTON
- 11-16-2017 Note: Booked Weber County Jail on 11/15/17
- 11-16-2017 Filed order: WARRANT RECALLED For Case 171700476
Judge DAVID HAMILTON
Signed November 16, 2017
- 11-16-2017 Warrant Recalled on : November 16, 2017 Warrant Num: 985531555
Cash Bail Only
Recall Reason: Defendant was booked
- 11-22-2017 Minute Entry - CONTINUANCE
Judge: DAVID HAMILTON
PRESENT
Clerk: pamc
Prosecutor: POLL, BRANDON L
Defendant not present
Audio
Tape Number: F4-11222017 Tape Count: 9:31
CONTINUANCE
Whose Motion:
The Court.
Reason for continuance:
Court Ordered
Defendant was not transported.
The motion is granted.
RBW/ARRAIGNMENT is scheduled.
Date: 12/06/2017
Time: 09:00 a.m.
Location: Courtroom 4
Justice Complex
800 West State Street
Farmington, UT 84025
Before Judge: DAVID HAMILTON
- 11-27-2017 Continued: RBW/ARRAIGNMENT scheduled on December 06, 2017 at
09:00 AM in Courtroom 4 with Judge DAVID HAMILTON
- 12-06-2017 Cancelled: PRETRIAL CONFERENCE scheduled on December 20, 2017
at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON
- 12-06-2017 Minute Entry - INITIAL APPEARANCE
Judge: DAVID HAMILTON
PRESENT
Clerk: pamc
Prosecutor: POLL, BRANDON L
Defendant Present
The defendant is in the custody of the Weber County Jail

Defendant's Attorney(s): UTZINGER, TODD A
Audio

Tape Number: F4-12062017 Tape Count: 10:02

INITIAL APPEARANCE

Defendant waives reading of Information.

Defendant is arraigned.

The Court appoints a public defender.

APPOINTMENT OF COUNSEL

Court finds the defendant indigent and appoints TODD A
UTZINGER to represent the defendant.

Appointed Counsel:

Name: TODD A UTZINGER

Address: 28 E STATE ST STE 100 PO BOX 618

City: FARMINGTON UT 84025

Phone: (801)451-3010

PRETRIAL CONFERENCE is scheduled.

Date: 12/20/2017

Time: 09:00 a.m.

Location: Courtroom 4

Justice Complex

800 West State Street

Farmington, UT 84025

Before Judge: DAVID HAMILTON

CUSTODY

The defendant is remanded to the custody of the Weber
County Jail.

12-20-2017 Minute Entry - CONTINUANCE

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Prosecutor: POLL, BRANDON L

Defendant Present

The defendant is in the custody of the Weber County Jail

Defendant's Attorney(s): UTZINGER, TODD A

Audio

Tape Number: F4-12202017 Tape Count: 11:08

CONTINUANCE

Whose Motion:

The Stipulation of counsel.

Reason for continuance:

Court Ordered

The motion is granted.

2ND PRETRIAL CONFERENCE is scheduled.

Date: 01/10/2018

Time: 09:00 a.m.

Location: Courtroom 4

JUSTICE COMPLEX

800 WEST STATE STREET

FARMINGTON, UT 84025

Before Judge: DAVID HAMILTON

12-21-2017 Continued: 2ND PRETRIAL CONFERENCE scheduled on January 10,
2018 at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON

01-10-2018 SENTENCING scheduled on February 21, 2018 at 09:00 AM in

Courtroom 4 with Judge DAVID HAMILTON

01-10-2018 Charge 1 Disposition is Guilty
01-10-2018 Charge 2 Disposition is Dismissed w/ Pr
01-10-2018 Minute Entry - CHANGE OF PLEA

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Prosecutor: LYON, NATHAN D

Defendant Present

The defendant is in the custody of the Weber County Jail

Defendant's Attorney(s): UTZINGER, TODD A

Agency: Adult Probation and Parole

Audio

Tape Number: F4-01102018 Tape Count: 10:36

Court advises defendant of rights and penalties.

Defendant is arraigned.

A pre-sentence investigation was ordered.

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

Change of Plea Note

Defendant enters a plea to count 1 as charged. State dismisses count 2.

The defendant is advised that this offense may be used as an enhancement to the penalties for a subsequent offense.

If defendant is released from custody on the Ogden cases for Drug Court, counsel and the court agree to then release defendant on this case.

SENTENCING is scheduled.

Date: 02/21/2018

Time: 09:00 a.m.

Location: Courtroom 4

JUSTICE COMPLEX

800 WEST STATE STREET

FARMINGTON, UT 84025

Before Judge: DAVID HAMILTON

01-10-2018 Filed: Statement of Defendant in Support of Guilty Plea and Certificate of Counsel

Judge DAVID HAMILTON

Signed January 10, 2018

01-11-2018 Filed: Presentence/Probation Referral Form

02-21-2018 Minute Entry - SENTENCE, JUDGMENT, COMMITMENT

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Prosecutor: POLL, BRANDON L

Defendant Present

The defendant is in the custody of the Weber County Jail

Defendant's Attorney(s): UTZINGER, TODD A

Agency: Adult Probation and Parole

Audio

Tape Number: F4-02212018 Tape Count: 9:24-9:39

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 225 day(s) in the Davis County Jail.

Credit is granted for time served.

Credit is granted for 170 day(s) previously served.

SENTENCE JAIL SERVICE NOTE

Concurrent with cases 171700550 and 171702399. Work release or alternative programs are authorized if and as ordered in the Weber County case. Jail time may be served at Weber County Jail.

SENTENCE FINE

Charge # 1 Fine: \$5000.00

Suspended: \$4250.00

Surcharge: \$377.89

Due: \$750.00

Total Fine: \$5000.00

Total Suspended: \$4250.00

Total Surcharge: \$377.89

Total Principal Due: \$750.00

Plus Interest

Defendant is to pay a fine of 750.00 which includes the surcharge. Interest may increase the final amount due.

Fine payments are to be made to Adult Probation and Parole.

Restitution Amount: \$369.68 Plus Interest

Pay in behalf of: MOUNTAIN AMERICA CREDIT UNIION

Attorney Fees Amount: \$500.00 Plus Interest

Pay in behalf of: DAVIS COUNTY ATTORNEY

Warrant Transport Amount: \$100.00 Plus Interest

Pay in behalf of: DAVIS COUNTY SHERIFF

ORDER OF PROBATION

The defendant is placed on probation for 36 month(s).

Probation is to be supervised by Adult Probation and Parole.

Defendant to serve 225 day(s) jail.

Defendant is to report to the Davis County Jail.

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.

EMPLOYMENT: Obtain and maintain lawful, verifiable, full time employment.

EDUCATION/VOCATION: Participate in and complete any educational or vocational training as directed by probation.

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.

Obtain a mental health evaluation and comply with all recommended treatment.

CURFEW: As AP&P deems appropriate.

02-22-2018 Filed order: SENTENCE, JUDGMENT, COMMITMENT
Judge DAVID HAMILTON
Signed February 22, 2018

02-26-2018 **** PROTECTED **** Filed: Sentence Worksheet

02-26-2018 Filed: Jail Commitment

02-26-2018 **** PRIVATE **** Filed: Restitution Request

02-26-2018 **** PROTECTED **** Filed: Pre Sentence Investigation Report

02-27-2018 Judgment # 1 Entered 1,719.68

pamc

Creditor : STATE OF UTAH
Debtor : MATTHEW JACOB MONTOYA
750.00 Fine

Creditor : MOUNTAIN AMERICA CREDIT UNION
Debtor : MATTHEW JACOB MONTOYA
369.68 Restitution

Creditor : DAVIS COUNTY SHERIFF
Debtor : MATTHEW JACOB MONTOYA
100.00 Other

Creditor : DAVIS COUNTY ATTORNEY
Debtor : MATTHEW JACOB MONTOYA
500.00 Attorney's Fees

1,719.68 Judgment Grand Total

02-27-2018 Judgment # 1 Modified 1,719.68

pamc

Creditor : STATE OF UTAH
Debtor : MATTHEW JACOB MONTOYA
750.00 Fine

Creditor : MOUNTAIN AMERICA CREDIT UNION
Debtor : MATTHEW JACOB MONTOYA
369.68 Restitution

Creditor : DAVIS COUNTY SHERIFF
Debtor : MATTHEW JACOB MONTOYA
100.00 Other

Creditor : DAVIS COUNTY ATTORNEY
Debtor : MATTHEW JACOB MONTOYA
500.00 Attorney's Fees

1,719.68 Judgment Grand Total

02-27-2018 Judgment # 1 Modified 1,719.68 pamc

Creditor : STATE OF UTAH
Debtor : MATTHEW JACOB MONTOYA
750.00 Fine
Creditor : MOUNTAIN AMERICA CREDIT UNION
Debtor : MATTHEW JACOB MONTOYA
369.68 Restitution
Creditor : DAVIS COUNTY SHERIFF
Debtor : MATTHEW JACOB MONTOYA
100.00 Other
Creditor : DAVIS COUNTY ATTORNEY
Debtor : MATTHEW JACOB MONTOYA
500.00 Attorney's Fees
1,719.68 Judgment Grand Total

02-27-2018 Judgment # 1 Modified 1,719.68 pamc

Creditor : STATE OF UTAH
Debtor : MATTHEW JACOB MONTOYA
750.00 Fine
Creditor : MOUNTAIN AMERICA CREDIT UNION
Debtor : MATTHEW JACOB MONTOYA
369.68 Restitution
Creditor : DAVIS COUNTY SHERIFF
Debtor : MATTHEW JACOB MONTOYA
100.00 Other
Creditor : DAVIS COUNTY ATTORNEY
Debtor : MATTHEW JACOB MONTOYA
500.00 Attorney's Fees
1,719.68 Judgment Grand Total

03-02-2018 Filed: Affidavit Regarding Prisoner Transportation

03-20-2018 Filed: Affidavit Regarding Prisoner Transportation

05-30-2018 WARRANT: MONTOYA, MATTHEW JACOB Case 171

Judge: DAVID HAMILTON

To any Peace Officer in the State of Utah:

You are commanded to arrest and deliver the defendant to the Davis County Jail.

A juvenile may not be confined in an adult facility.

Defendant may be transported within the state.

The defendant must appear in Court before Judge DAVID HAMILTON on the next available court date.

Failed to comply with terms of probation

Court orders a non-bailable warrant to issue.

No pre-trial service release.

This warrant may be served any time, day or night.

Issued: May 30, 2018

Law Enforcement Agency: LAYTON CITY POLICE

End Of Order - Signature at the Top of the First Page

Defendant Details:

MATTHEW JACOB MONTOYA
502 15TH STREET
Driver License No: xxx0607
OGDEN UT 84015

Citation No:
Date of Birth: 08-13-1978
Social Security No: xxx-xx-5915

Home Phone:

Vehicle License:

Warrant Number: 985573602

05-30-2018 Warrant Ordered on: May 30, 2018 Warrant Num: 985573602 No Bail

05-30-2018 Filed order: WARRANT ISSUED For Case 171700476

Judge DAVID HAMILTON

Signed May 30, 2018

05-30-2018 Warrant Issued on: May 30, 2018 Warrant Num: 985573602 No Bail

Judge DAVID HAMILTON

Issue Reason: Failed to comply with terms of probation

05-31-2018 Filed: Prob Progress/Violation Rep (no bail ordered)

Judge DAVID HAMILTON

Signed May 30, 2018

05-31-2018 Filed: OSC Affidavit

05-31-2018 Issued: Order to Show Cause

Judge DAVID HAMILTON

06-07-2018 Cancelled: AP&P OSC scheduled on June 13, 2018 at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON

06-08-2018 Modified: AP&P OSC scheduled on June 13, 2018 at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON

06-08-2018 AP&P ORDER TO SHOW CAUSE scheduled on June 13, 2018 at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON

06-08-2018 Filed order: WARRANT RECALLED For Case 171700476

Judge DAVID HAMILTON

Signed June 08, 2018

06-08-2018 Warrant Recalled on : June 08, 2018 Warrant Num: 985573602 No Bail

Recall Reason: Defendant was booked

06-13-2018 Minute Entry - POST SENTENCING JUDGMENT/COMMITMENT

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Prosecutor: POLL, BRANDON L

Defendant Present

The defendant is in the custody of the Weber County Jail

Defendant's Attorney(s): UTZINGER, TODD A

Agency: Adult Probation and Parole

Audio

Tape Number: F4-06132018 Tape Count: 11;33

SENTENCE, JUDGMENT and COMMITMENT

The defendant admits the following numbered allegations as stated in the Affidavit and Order to Show Cause: all

The defendant's probation is revoked.

The defendant's probation is reinstated for 36 months beginning 06/13/2018.

Original terms and conditions of probation.

SENTENCE JAIL

Defendant is to serve 30 Days in the Davis County Jail.

Defendant is granted credit for time served.
Defendant is granted credit for 27 Days time served.
Defendant is to report to the Davis County Jail for service.
Commitment is to begin immediately.
To the Davis County Sheriff: The defendant is remanded to your custody for confinement.
POST SENTENCE JAIL NOTE
Defendant to be released on June 15, 2018. Concurrent with any other cases.
Defendant waives reading of the affidavit.

06-14-2018 Filed order: POST SENTENCING JUDGMENT/COMMITMENT
Judge DAVID HAMILTON
Signed June 14, 2018

06-15-2018 Filed: Release Order

06-19-2018 Filed: Affidavit Regarding Prisoner Transportation

09-13-2018 WARRANT: MONTOYA, MATTHEW JACOB Case 171
Judge: DAVID HAMILTON

To any Peace Officer in the State of Utah:
You are commanded to arrest and deliver the defendant to the Davis County Jail.
A juvenile may not be confined in an adult facility.
Defendant may be transported within the state.
The defendant must appear in Court before Judge DAVID HAMILTON on the next available court date.
Failed to comply with terms of probation
Court orders a non-bailable warrant to issue.
No pre-trial service release.
This warrant may be served any time, day or night.
Note: **FUGITIVE
Issued: September 13, 2018

Law Enforcement Agency: LAYTON CITY POLICE
End Of Order - Signature at the Top of the First Page

Defendant Details:

MATTHEW JACOB MONTOYA Citation No:
502 15TH STREET Date of Birth: 08-13-1978
Driver License No: xxx0607
OGDEN UT 84015 Social Security No: xxx-xx-5915

Home Phone:
Vehicle License:
Warrant Number: 985592265

09-13-2018 Warrant Ordered on: September 13, 2018 Warrant Num: 985592265
No Bail

09-13-2018 Filed: Prob Progress/Violation Rep (warrant)
Judge DAVID HAMILTON
Signed September 13, 2018

09-13-2018 Filed: OSC Affidavit

09-13-2018 Issued: Order to Show Cause
Judge DAVID HAMILTON

09-13-2018 Filed order: WARRANT ISSUED For Case 171700476
Judge DAVID HAMILTON
Signed September 13, 2018

09-13-2018 Warrant Issued on: September 13, 2018 Warrant Num: 985592265 No

Bail

Judge DAVID HAMILTON

Issue Reason: Failed to comply with terms of probation

09-20-2018

Note: Booked Weber County Jail on 9/17/18

09-20-2018

RBW/AP&P ORDER TO SHOW CAUSE scheduled on September 26, 2018 at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON

09-20-2018

Filed order: WARRANT RECALLED For Case 171700476

Judge DAVID HAMILTON

Signed September 20, 2018

09-20-2018

Warrant Recalled on : September 20, 2018 Warrant Num: 985592265
No Bail

Recall Reason: Defendant was booked

09-26-2018

Minute Entry - POST SENTENCING JUDGMENT/COMMITMENT

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Prosecutor: RAWLINGS, TROY S

Defendant Present

The defendant is in the custody of the Weber County Jail

Defendant's Attorney(s): UTZINGER, TODD A

Agency: Adult Probation and Parole

Audio

Tape Number: F4-09262018 Tape Count: 9:15

SENTENCE, JUDGMENT and COMMITMENT

The defendant admits the following numbered allegations as stated in the Affidavit and Order to Show Cause: all

The defendant's probation is revoked.

The defendant's probation is reinstated for 36 months beginning 09/26/2018.

Original terms and conditions of probation.

SENTENCE JAIL

Defendant is to serve 60 Days in the Davis County Jail.

Defendant is granted credit for time served.

Defendant is to report to the Davis County Jail for service.

Commitment is to begin immediately.

To the Davis County Sheriff: The defendant is remanded to your custody for confinement.

POST SENTENCE JAIL NOTE

Credit for time served. Concurrent with cases 171700550 and 171702399 and concurrent with all Weber County cases. To be released from custody when released on 171900841, 171900031, 1719000594 and 171900630. Jail time may be served at the Weber County Jail

Defendant waives reading of the affidavit.

09-26-2018

Filed order: POST SENTENCING JUDGMENT/COMMITMENT

Judge DAVID HAMILTON

Signed September 26, 2018

09-27-2018

Filed: Jail Commitment

10-03-2018

Filed: Affidavit Regarding Prisoner Transportation

03-12-2019

Minute Entry - HOLD ORDER

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Defendant not present

Audio

HEARING

TO DAVIS/WEBER COUNTY SHERIFF:

IT IS HEREBY ORDERED that the above-named defendant be held in custody without bail until further order from the Court.

03-12-2019

Filed order: HOLD ORDER

Judge DAVID HAMILTON

Signed March 12, 2019

03-12-2019

Filed: Prob Progress/Violation Rep (Judicial Hold)

Judge DAVID HAMILTON

Signed March 12, 2019

03-12-2019

Filed: OSC Affidavit

03-12-2019

Issued: Order to Show Cause

Judge DAVID HAMILTON

03-12-2019

AP&P ORDER TO SHOW CAUSE scheduled on March 20, 2019 at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON

03-20-2019

Minute Entry - POST SENTENCING JUDGMENT/COMMITMENT

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Prosecutor: COLE, DAVID M

Defendant Present

The defendant is in the custody of the Weber County Jail

Defendant's Attorney(s): UTZINGER, TODD A

Audio

Tape Number: F4-03202019 Tape Count: 9:15-9:16

The defendant denies the following numbered allegations as stated in the Affidavit and Order to Show Cause: all

Defendant waives reading of the affidavit.

PRETRIAL ON AP&P OSC is scheduled.

Date: 05/01/2019

Time: 09:00 a.m.

Location: Courtroom 4

JUSTICE COMPLEX

800 WEST STATE STREET

FARMINGTON, UT 84025

Before Judge: DAVID HAMILTON

03-21-2019

PRETRIAL ON AP&P OSC scheduled on May 01, 2019 at 09:00 AM in Courtroom 4 with Judge DAVID HAMILTON

03-26-2019

Filed: Affidavit Regarding Prisoner Transportation

05-01-2019

Minute Entry - MINUTES POST SENTENCING, JUDGMENT, COMMI

Judge: DAVID HAMILTON

PRESENT

Clerk: pamc

Prosecutor: POLL, BRANDON L

Defendant Present

The defendant is in the custody of the Weber County Jail

Defendant's Attorney(s): UTZINGER, TODD A

Agency: Adult Probation and Parole

Audio

Tape Number: F4-05012019 Tape Count: 9:21

HEARING

The Court imposes the original sentence. 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. Prison time to be concurrent with cases 191900575, 171900841, 171900814, 171900031, 171900630, 171900594, 171700550, 171702399. All monies to be sent to the Office of State Debt Collection.

SENTENCE, JUDGMENT and COMMITMENT

The defendant admits the following numbered allegations as stated in the Affidavit and Order to Show Cause: all

The defendant's probation is revoked.

The defendant's probation is terminated unsuccessfully.

Warrant Transport Amount: \$ \$100.00

DAVIS COUNTY SHERIFF

TRANSPORTATION FEE

800 W STATE STREET

FARMINGTON, UT 84025

Defendant waives reading of the affidavit and admits the allegations.

05-02-2019 Judgment # 2 Entered 100.00

pamc

Creditor : DAVIS COUNTY SHERIFF
Debtor : MATTHEW JACOB MONTOYA
100.00 Other
100.00 Judgment Grand Total

05-03-2019 Filed: Affidavit regarding prisoner transportation

05-03-2019 Filed order: MINUTES POST SENTENCING, JUDGMENT, COMMITMENT
Judge DAVID HAMILTON
Signed May 03, 2019

05-08-2019 Case Closed
Disposition Judge is DAVID HAMILTON